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## **Atypical Animal Cruelty Cases**

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## Table of Contents

1. Introduction .....	3
2. Literature review .....	4
2.1 Basic definitions .....	4
2.2 Atypical animal cruelty 1: Genetic disorders through inbreeding.....	5
2.3 Atypical animal cruelty 2: Obesity and animal cruelty .....	8
2.4 Atypical animal cruelty 3: Zoophilia.....	11
2.5 Atypical animal cruelty 4: Forcing performance.....	14
2.6 Atypical animal cruelty 5: Physical alteration of animals .....	16
2.7 Legal findings .....	17
3. Materials and Methods .....	20
4. Results and discussion.....	22
4.1 Breeding.....	23
4.2 Obesity.....	24
4.3 Zoophilia.....	24
4.4 Forcing performance.....	25
4.5 Physical alteration.....	26
4.6 Legal questions .....	27
5. Conclusions .....	29
6. Summary .....	32
7. Bibliography.....	33
7.1 Scientific literature .....	33
7.2 Legal Bibliography .....	36
8. Acknowledgements .....	37

## 1. Introduction

Animal welfare indicates the way an animal is being kept. Animal welfare is an issue that is becoming more recognised by the public and professionals all over the world. Frequently, the attention it is given depends on the location, social and financial background of the population in that area. It is a veterinarian's responsibility to ensure good animal welfare status is maintained – this being sustained in the workplace and also promoting this through education and support in social circumstances.

Veterinary and official stances and action may differ according to legislation present in particular countries. Different countries find innovative solutions towards these animal welfare issues. In the Animal Welfare Act of Switzerland, which has been in force since 2008, it is written that animals' state of dignity has to be realised and maintained. It is a unique and great step as animals are given worth (Article 1, Animal Welfare act of the Swiss Confederation, 2005). It is a challenging situation as this dignity must be applied to all animal species. Questions such as 'How do you give dignity to an animal you are going to slaughter and eat?' might arise.

This thesis will investigate those animal cruelty cases which are not as obvious as neglect or intentional physical abuse. The professional opinion of practicing veterinarians working with different species was sought out as to recognise potential animal cruelty cases which according to the legislation in the Maltese or European Union's (EU) law are not currently deemed to be so. Nevertheless, these may still be detrimental to the welfare status of the animal. The purpose of this thesis being, to find if these cases are considered to be animal cruelty or not and to analyse any correlation between the veterinarian's opinion and their age, gender, species of animal they work with or size of clinic. The literature review and legal examination of these offending behaviours according to EU law and Maltese law will be the basis of this thesis.

## 2. Literature review

### 2.1 Basic definitions

The concept of animal welfare is very complex and cannot be simply explained. Although in all these definitions the focus is on what is “good” for the animal, they do differ in what this is and how to assess it (Fisher, 2009).

Animal welfare is defined as a definite “state within an animal” and the state in which it is kept both physically and mentally. This was first defined by Brambell in 1965 and has since been revised and rethought on many occasions (Hemsworth *et al.*, 2015). Animal cruelty occurs when the rules regarding animal welfare are violated. It is a bit more difficult to provide an objective view of what animal cruelty is, especially if this is not specifically regarded by formal laws in that specific country. This is well explained by Ohl and van der Staay - “In practice, interpretation of welfare status and its translation into the active management of perceived welfare issues are both strongly influenced by context and, especially, by cultural and societal values.” This means that animal welfare is always going to be affected by that society’s take on what is wrong and what is right (Ohl and van der Staay, 2012).

The inconsistency in these definitions may cause an issue in communication and finally influence how animals are treated. A universally agreed upon definition can be the strategy that is needed to lessen and maybe eradicate animal cruelty (Fisher, 2009).

The increase in research in this area is attributed to the greater interest from the western world on the well-being of animals. The public no longer wish for animals to have a life which is merely lacking in the negative events. They wish to take it further and ensure that these animals have a happy life filled with positive experiences. This is attributed to the fact that more and more people accept that animals are sentient beings. As sentient beings, they are aware of their existence and senses -both positive and negative (Webb *et al.*, 2019).

It is no longer enough for an animal to simply be in good health. If it is living in a household without stimulation – this may be a cause of animal cruelty. Nowadays, for an animal to be in good welfare conditions it must be free from the “negative affective states of boredom, frustration, or depression” and be moved towards a more natural setting for that species (Webb *et al.*, 2019).

The fact that what is considered to be an animal welfare problem, hence animal cruelty changes with time, location and personal opinion (Ohl and van der Staay, 2012). According to research,

the reality of these events are never simple to interpret, it differs according to human perspective and also the animal's sentimental and practical responses to the event. As humans we can decipher these by checking on the animal's basic responses. These include dyspnoea, need for food and water, soreness, sickness or agitation as the negative responses and a satisfied appetite, happiness, fellowship, interest in surroundings and gaiety as the positive responses (Hemsworth *et al.*, 2015).

As it stands, in EU law – particularly in this case the Maltese law will be mentioned - ill treatment is defined as “causing the animal to suffer, by any act or omission, pain or distress which in its kind or degree, or in its object, or in circumstances in which it is inflicted, is excessive or unnecessary”. (Animal Welfare act, Chapter 439, of the Laws of Malta) The fact that necessity plays a role in this definition shows us that providing the best welfare conditions is applicable only in the case when it is not disruptive to human activity. The focus should be on what is important to animals and what they are going through - as to be able to deem what is necessary and what is not and to rationalise and excuse any suffering and despair that is inflicted by this necessary pain. “Thus, when an animal suffers, but that suffering is justified, animal welfare is deemed acceptable.” Thus, it is crucial to pull our attention towards localising and trying to reduce this animal cruelty (Fisher, 2009), even though until now it has been deemed as necessary and seen as ordinary. What is difficult is that, in general, people do not consider some issues to be animal cruelty. Therefore, it is important to recognise that there is an animal welfare problem first, before working on fixing it (Owers and Chubbock, 2013).

## 2.2 Atypical animal cruelty 1: Genetic disorders through inbreeding

Animal breeding has been around since the beginning of time, it is through this that evolution has happened. Nature has historically made decisions on its own with natural selection. Nowadays though, humans are inventing their own species and creating traits, through artificial selection also known as breeding to be used for their own gain. (Bovenkerk and Nijland, 2017).

This section mainly focuses on small animals – dogs and cats and their inbreeding.

Pure bred animals have to be kept to a certain breed standard. For dogs, worldwide, it is usually the Kennel Clubs, that control and maintain these. It is suggested in many studies that these standards have a negative effect on animal welfare. (Asher *et al.*, 2009). Various Kennel Clubs all around the world have expressed their worry about “exaggerated morphological features,

inherited disorders and inbreeding and genetic variability” (Wang *et al.*, 2018). This calls for the importance of continuous reviewing and alterations of these standards. It is the duty of the kennel club, breeders and judges of dog and cat shows to record and discuss any of these breeding standards which may be of detriment to the animal’s welfare and finally, the animal’s health (Nicholas *et al.*, 2010).

Different countries have different suggestions on this topic, some advise a health check-up before breeding can commence, others have a restriction on the number of litters per dog, other regulations include breeding partners and breeding strategies, while other countries have no regulations on this matter (Wang *et al.*, 2018). Norway in particular, holds responsible breeding to a great standard. In their animal welfare act it is mentioned that breeding of animals which will affect the physical and mental health of the animals is forbidden, and moreover strong animals which are healthy should be bred. (Animal Welfare act of Norway, Chapter 2, 2009)

Countless number of disorders have been identified in pure bred dogs in particular. The most important diseases include “hip dysplasia, patella luxation, entropion, retinal atrophy, elongated soft palate, abnormal temperament, skin-fold dermatitis, uterine inertia, elbow dysplasia, lens luxation, ectropion, trichiasis and deafness” (Asher *et al.*, 2009 ; Nicholas *et al.*, 2010).

In a study conducted by Asher *et al.*, disorders were split into three different categories. Among these 396 hereditary conditions were discovered, of which 63 were conformational disorders (resulting directly from the specific shape of the breed), 21 were conformation inherited disorders (due to a condition that was inherited and aggravated by a conformational characteristic) and 312 were disorders that have not been associated with conformation in any prior research. Amid the breed of dogs studied, German Shepherds were found to be most susceptible to these hereditary diseases in general. Pugs, Bulldogs and Basset hounds were the breeds most prone to conformational disorders, while Great Danes, German shepherds and Dobermans were more likely to have conformation exacerbated disorders (Asher *et al.*, 2009).

The conditions which were assessed were found to be associated with size in the most part. Small breeds had conformational and conformational inherited disorders “nervous-sensory, respiratory, urogenital and endocrine systems and heavier breeds having more affecting the cardiovascular, gastrointestinal, integument and musculoskeletal system”. Due to their considerable weight and size, larger dogs might find it difficult to find support. Therefore, conditions like hip dysplasia may be more noticeable (Asher *et al.*, 2009).

Another one of these disorders is brachycephaly. Breeds such as French bulldogs, bulldogs, pugs, Boston terriers and boxers are brachiocephalic. “Canine brachycephaly is a phenomenon created by man, the result of years of artificial selection”. The majority of these conditions are linked to “respiration and thermoregulation, as well as gastrointestinal, ophthalmological, dermatological, reproductive and even dental problems.” Some anatomical setbacks that lead to respiratory distress in these breeds include prognathism, a larger head, shorter muzzle, stenotic nares and elongated soft palate among a few. Brachycephalic changes in skull morphology can also lead to blindness or exophthalmos and malocclusions due to abnormalities in mandible (Ekenstedt *et al.*, 2020). “Because of the dramatic increase in respiratory effort during exertion, many brachycephalic dogs are exercise-intolerant, and even mild exercise can result in fainting and cyanosis” (Beausoleil and Mellor, 2015). This is due to Brachycephalic Obstructive Airway Syndrome (BOAS), resulting from airway blockage. Moreover, in drastic cases BOAS can lead to death due to suffocation (Ekenstedt *et al.*, 2020).

In a study conducted about doll-faced and peke-faced Persian cats, it was found that “internal hydrocephalus seems to be linked to brachycephaly”. Some signs in these brachycephalic cats are expressed phenotypically with a tilted head, paralysis of facial muscles, pain, atypical reflex of the pupil when associated with particular lesions along with other abnormal neurological responses. The majority of the peke-faced cats from the study, suffered from hydrocephaly, the remainder exhibited signs of ventriculomegaly (Schmidt *et al.*, 2017).

Due to brachycephalism an apparent animal welfare issue comes across. The aforementioned anatomic and physiologic defects lead to changes in the lungs and accompanying airways. This decreases the ability of the lung to expand and fill with air which in turn brings about “air hunger”. This “air hunger” is one of three components of breathlessness, together with “respiratory effort” and “chest tightness”. “Air hunger” is described to be the most serious and uncomfortable symptom of all, resulting in the worst animal welfare implications (Beausoleil and Mellor, 2015). Another animal welfare issue mentioned for brachycephalic dogs is the interrupted sleep cycle due to sleep apnoea, sleeping sitting down, sleeping with their mouth open and sleeping with a toy in the mouth for a freer flow of air (Ekenstedt *et al.*, 2020 ; Roedler *et al.*, 2013). These sleeping problems have either increased over the years or have been disregarded in the past (Roedler *et al.*, 2013). “Extreme brachycephalic phenotypes and various chronic diseases means the compromise in welfare cannot be denied” (Ekenstedt *et al.*, 2020). These breeds are being deprived of proper rest, nutrition and exercise due to their conformation, resulting in a clear inferior standard of living (Roedler *et al.*, 2013).

Inherited diseases are easily kept under control. This is done by decreasing inbreeding as much as possible – particularly by breeding with animals which are not in each other’s lineage (Nicholas *et al.*, 2010). It is mentioned that it is a difficult task to find a middle ground between adapting and improving the rules of these breed standards and keeping Kennel Club members. Losing members might make the problem of upkeeping animal welfare even harder as in a lot of countries, already a high proportion of purebred dogs do not form a part of the Kennel Clubs or such organisations. In this way, unfortunately there will be no way of enforcing breeding rules. Despite this fact Kennel Clubs throughout the world are seen to be making an effort to gain more knowledge and spread it to its members (Wang *et al.*, 2018). It is also argued that it is due to the increased veterinary care and better diagnostics that these diseases are being seen. Animals have longer lifespans nowadays which may lead to increased discovery of diseases more frequently seen in senior animals (Asher *et al.*, 2009).

Some revisions in breed standards from Kennel Clubs have been done over the years. For example in German Shepherds the “over-angulation” of the hind limbs, for the Chow a medium size is now preferred to a small size and pug’s head is now preferred to be “relatively large head” instead of “the largest possible head” (Nicholas *et al.*, 2010).

It is seen in this research conducted by Bovenkerk and Nijland that artificial breeding and genetic modification can easily be used in a positive way. It even goes as far as saying that it may be the better option to improve animal welfare. The idea proposed by philosophers Adam Shirver and Paul Thompson was that of creating animals that feel less pain. They argue that, as all mankind is unlikely to become vegetarians – this might be the only way to make intensive farming more ethical. The idea Thompson provided was that of genetically modifying or selectively breeding blind chickens. According to him, their lack of sight will decrease their stress and excitement which in turn will lead to less pecking (Bovenkerk and Nijland, 2017).

### 2.3 Atypical animal cruelty 2: Obesity and animal cruelty

Obesity is a disease that occurs due to a surplus of body fat accumulation. This is currently a welfare concern for both animals and humans, as it is on the rise. This problem is seen to mostly be occurring in domesticated animals such as dogs, cats and hobby horses. With some saying it is the most problematic animal welfare issue. This being one of the most grave animal cruelty points in UK hobby horses. There is a great importance in proving that obesity is indeed an animal welfare issue as it can have lifelong consequences if not taken care of (Kipperman and



German, 2018; Endenburg *et al.*, 2020; Furtado *et al.*, 2021). “Obesity negatively influences health, well-being, and even lifespan” (Churchill and Ward, 2016).

Obesity does not have exclusive parameters which mark how much excess weight leads to an animal having the condition. Some resources, including the American Veterinary Medical Association (AVMA) state that this parameter is if the animal is more than 30% over its goal weight, others say 20% or 15%. Another marker for obesity is the Body Condition Score (BCS), obesity in this case would be an 8/9 on the nine point system or a 4.5/5 in the five point system if the AVMA percentage is considered (Kipperman and German, 2018). Another paper states that a score of more than 7 in the nine point system would be the definition of obesity (Larsen and Villaverde, 2016). One other publication has proposed that the BCS does not report the full scale of obesity, particularly in cats. The ‘dual energy X-ray absorptiometry scan’ is suggested for a more precise body fat measurement (Ryan, 2018).

Obesity in companion animals is related closely with the lifestyle of their owners. In dogs and cats in particular, owners use food as a mode of showing affection and forming a bond with them. On the other hand, the animals use this to their advantage by vocalising in the kitchen or lingering by the table at mealtimes whenever they feel like some extra food (Kipperman and German, 2018). This is an example of owner factors contributing to obesity (Larsen and Villaverde, 2016). 97% of obesity factors have been attributed to owners and the rest were specific to dog factors (Bland *et al.*, 2010). These owner specific factors also include the type of food fed and method, exercise and living environment, salary, age and body type of owner and the owner not estimating BCS correctly. Some other factors are solely due to the animal (Larsen and Villaverde, 2016). Some breeds are already predisposed to “heart defects, musculoskeletal problems and endocrinological problems”, and these will be aggravated or made symptomatic due to obesity (Asher *et al.*, 2009). Obese brachycephalic dogs are also predisposed to more serious respiratory problems (Roedler *et al.*, 2013). Gender also played a role, in male cats there was a greater predisposition for obesity. Neutering is another factor – this is mostly because the energy intake required is lower than that of an intact dog or cat. Growth rate and age suggests mostly middle-aged cats and dogs are affected, therefore, weight control as a preventative measure should start at an early age (Larsen and Villaverde, 2016).

Causes of obesity in horses are similar to those in dogs and cats. “Principally horse owners, but also veterinarians, trainers, breeders and the show community” allow horses to become and remain obese. The same publication also states, that it is difficult to make the owners aware of

this situation as they are so used to seeing their horses this way (Owers and Chubbock, 2013). Owners of overweight horses are also seen feeding an imbalanced diet. Some predispositions to obesity in horses include the seasons, an increase in fat was seen in summer due to pasture grazing. Specific breeds and use of these horses also showed differences, as some predisposed an increase in BCS (Hitchens *et al.*, 2016). In this case, if the horse is a leisure horse, it was more likely to be obese, probably due to the humanising relationship of the owners with their pets (Furtado *et al.*, 2021). Furthermore, farms which included animals for meat production such as pork or beef, owned horses with higher fat percentages. Incidences of injuries were also correlated to weight gain, especially if they occurred between winter and summer (Hitchens *et al.*, 2016).

Preventing obesity is a direct way to improve animal welfare. This is because an increase in weight causes a severe welfare damage (Kipperman and German, 2018). “Being overweight or obese significantly increases risk and prevalence for a variety of diseases” (Ryan, 2018). Some consequences of obesity in dogs and cats include hyperadrenocorticism, hypothyroidism, cardiovascular diseases such as hypertension, decreased effects on cardiac rhythm, increased left ventricular volume and decreased homeostasis. Moreover, dermatologic diseases, diabetes mellitus type 2, respiratory dysfunction, pancreatitis, lipidosis, neoplasia, urinary tract diseases and heat stroke are also predisposed in obese animals. Finally, orthopaedic diseases such as osteoarthritis, cruciate ligament rupture in cocker spaniels, humeral condylar fractures and intervertebral disease are also mentioned in the literature. With the lifespan of these animals averaging at two years less than other animals (Churchill and Ward, 2016 ; Larsen and Villaverde, 2016 ; Kipperman and German, 2018 ; Ryan, 2018). Cats, are predisposed to insulin resistance and hyperinsulinemia which will lead to feline diabetes mellitus. The quality of life of these animals is effected negatively due to these ailments (Ryan, 2018).

In horses, some diseases caused by obesity include “hyperlipaemia, respiratory compromise, some strangulating colic lesions, reduced exercise tolerance and poor fertility” (Owers and Chubbock, 2013). Obesity is a disease which arises from insufficient exercise and inadequate food uptake. This leads to equine metabolic syndrome which in turn leads to laminitis. “Laminitis is a systemic disease which is manifested as a non infectious condition in the foot” (Winkelsett and Vervuert, 2008). Although many owners know that laminitis is a serious disorder, they found it hard to realise that this came from the excess weight their horse bore. In addition to this, owners think that restricting food intake and increasing exercise is cruel to their pets (Furtado *et al.*, 2021).

That is why, education about this topic is imperative, especially because some changes in diet and exercise routine can improve and even reverse this condition. Thus, it is the veterinarian's task as a professional, to notify and educate the owners about obesity and its consequences. Unfortunately, it has been noticed that veterinarians are not as comfortable in confronting this problem and speaking to their clients about it (Kipperman and German, 2018). Another factor about recognising obesity is that owners fail to realise that their animal is overweight in the first place, and this condition is seen to be normal to them. This fact is seen to be occurring in dogs, cats and horses alike and may be the reason why obesity is so prevalent in the first place and additionally that no action is taken to prevent or better this issue (Larsen and Villaverde, 2016 ; Kipperman and German, 2018 ; Furtado *et al.*, 2021). Moreover, the fear of shaming and distressing or even losing the owner as a client is a reason why veterinarians do not always address this issue. "Despite the challenges associated with addressing pet obesity, ignorance and evasion is infinitely worse" (Churchill and Ward, 2016). This should be done in a calm manner without stressing or disheartening the client. Kipperman and German also discuss how this can be done. Prevention of weight gain should be the ultimate goal, but if this is not possible – current weight and health risks should be addressed and then guidance on how a decrease in weight is to be reached should be discussed with the owner. The weight of the animal should then be observed throughout his life. (Kipperman and German, 2018). In the case of horses, weight loss is mainly managed in the farm itself. Restriction of food is not advised in this case as it can lead to problems such as biting, escaping, disobedience, colic and gastric ulceration. Instead, an increase in exercise is suggested. Owners also preferred practical routines that increased animal welfare and was also to their liking (Furtado *et al.*, 2021).

According to Churchill and Ward, three factors are essential for weight loss to work – dedication from the owner, a personalised program used to help decrease weight and continued veterinary communication (Churchill and Ward, 2016).

#### 2.4 Atypical animal cruelty 3: Zoophilia

Zoophilia is considered to be a paraphilia – that is a sexual interest that differs from the normal adult human animal. In the case of zoophilia, the human is interested in animals. Bestiality on the other hand describes the physical act of sex between an individual and a non-human animal (Holoyda *et al.*, 2018). Zoophilic disorder is an officially recognised disorder by the "Diagnostic and Statistical Manual of Mental disorders", this includes people with "sexual

interest in animals, while others choose to co-habit with both the human and non-human animal partner” (Sendler, 2019). “Terms such as zoophile, zoo, zoosexual, and zooerast all describe individuals who have or desire to have sex with animals” (Holoyda *et al.*, 2018). Another term associated with the ones above is ‘Animal sexual abuse’ (ASA). In this case animals are harmed, as that is what gives these humans sexual pleasure (Stern and Smith-Blackmore, 2016). These “ “sadistic bestials” obtain sexual satisfaction by torturing animals” (Holoyda *et al.*, 2018). ASA is a difficult case to diagnose and it often leads to fatality of the animal (Imbschweiler *et al.*, 2009).

Although sexual activity between the human species and other animals has been recorded as early as 20,000 years ago, (Holoyda and Newman, 2014) nowadays, zoophilia is not accepted in the majority of countries around the world (Vetter *et al.*, 2020).

Studies have not identified a particular profile which fits a zoophile. Men and to a lesser extent women have been identified as zoophiles (Munro, 2006). It is mentioned that constant rejection from women may lead men to zoophilia, while in women’s case, this may stem from a terrifying event in their youth associated with men (Hvozdk *et al.*, 2006). In one study, across the United States of America, it was found that these men and women were either married, single or divorced. In another study it was mentioned that the percentage of males in rural villages who have had sexual contact with animals was much higher (40-50%) than that of urban cities (8%) (Holoyda *et al.*, 2018). A variety of animals have been recorded as being used by humans for these activities – these include birds, (Munro, 2006) “dogs, horses, goats, sheep, llamas, pigs, rabbits, chickens, cows, and a guinea pig” (Stern and Smith-Blackmore, 2016).

“Bestiality, zoophilia, and similar terms are used to explain the motives and behavior of the perpetrator. However, as perpetrator-centric definitions, they fail to convey a sense of the harm that occurs to the animal” (Stern and Smith-Blackmore, 2016). Consent has been a challenging topic in ASA cases, as this cannot be given directly from the animal, thus further questioning its acceptability (Sendler, 2019). Unfortunately, in many of these papers the animal’s view is not taken as the priority, the papers are mostly centred around the psychology and understanding of the zoophile. “ASA includes the sexual molestation of animals by humans, including a wide range of behaviors, such as fondling genitalia; vaginal, anal, or oral penetration or oral-genital contact (from person to animal and vice versa); penetration with an object; and injuring or killing an animal for sexual gratification (zoosadism). The ways that ASA may result in a fatality or injury to the animal victim differs with the activity” (Stern and Smith-Blackmore,

2016). Although injuries in the human perpetrating the act may occur, the animal's injuries are usually more severe due to size differences and inability of the animal to foresee the actions of the human (Sendler, 2019). Injuries caused by penile penetration, trauma of the rectum and anogenital region, and internal bleeding may be the cause of death (Hvozdič *et al.*, 2006 ; Stern and Smith-Blackmore, 2016). It is clear, that such activities are not adherent to good animal welfare.

The exact number of cases that occur are not known, but it is probably more frequent than reported (Stern and Smith-Blackmore, 2016). This may be due to the fact that it is still a taboo subject, with veterinarians finding it difficult to discuss (Munro, 2006). In those cases which are reported, confession of the perpetrator is not enough to sentence a person, evidence obtained by a veterinary pathologist, or a witness may be needed to prove this (Holoyda *et al.*, 2018). “Only veterinarians have the skill base to investigate actual physical injuries associated with sexual abuse” (Munro, 2006). A veterinary pathologist should first be aware of the history of the patient, and then an external and internal examination has to be made. It is essential that all the evidence is recorded. Any foreign objects including soil, hair, twigs, and animal nail cuttings should be observed, together with any bruises or fractures or irregularities that could point to suffocation. Swabs of the mouth, vagina and clean rectum should be taken – used to check for any DNA of the perpetrator. “ASA victims include recurrent vaginitis, vaginal prolapse, uterine tears near the cervix, vaginal stricture, cervical scarring, uterine hemorrhage, and the presence of intrauterine, intracervical, or vaginal foreign object” and “injuries to the penis of a male animal could occur in some situations of ASA”. More specific examinations such as x-rays, histopathology and alternate light source examination can be done to help with the investigation (Stern and Smith-Blackmore, 2016).

“Laws regulating zoophilic behavior could serve an important purpose in society. Research suggests that those who engage in zoophilic acts are at heightened risk of sexual offending against humans” (Holoyda and Newman, 2014). In a study of 15 European countries, it was found that 10 out of 15 of these countries prohibit particular sexual acts by law, while 6 out of 15 countries condemn all sexual acts by law. Distribution of animal pornography was found to be illegal in 8 countries while possession of this was only illegal in 3 countries of these 15. It was also noted that those countries which had stricter laws on zoophilia also had more concrete regulations regarding animal's legal status (Vetter *et al.*, 2020).

## 2.5 Atypical animal cruelty 4: Forcing performance

In this section the use of animals by humans will be discussed – these include breeding, working animals such as draught animals, racing, hunting and service animals.

In an article by Campbell and Sandøe, it is thought that all types of equine breeding are linked to animal welfare issues. Irrelevant if they are done through natural coitus or assisted reproductive techniques (ARTs). These are associated closely with the mare or stallion's agitation and suffering. In thoroughbred racing horses' case, only foals bred through natural cover will be able to compete in racing competitions. Therefore, these breeding stallions need to be flown from country to country which may induce stress and expose these animals to more diseases – consequently decreasing animal welfare conditions (Campbell and Sandøe, 2015). In the case of rabbits, the great intensity with which these animals are bred, together with the fact that farmers would like to decrease the amount of money spent on the animals is a concern. An example given is that wire flooring was introduced in rabbit hutches, which does not allow them to fulfill their natural caecotrophic need, and drinkers require the rabbits to hold their head up when uptaking water, which is not natural to them. This same paper states that, “repeated post-partum mating can lead to premature exhaustion of females, with an abnormally high culling rate” (Morisse and Maurice, 1994). This shows that intensive breeding does indeed have a negative effect on the welfare of rabbits in this case.

Draught animals are essential to humans and their work, especially in countries which are not as advanced and do not have machinery for this. The species mostly used as draught animals are cattle, buffalos, horses, donkeys, and some more exotic examples are camels and elephants. These are used in agriculture and to carry heavy loads. This leads to many animal welfare concerns such as striking the animal if it refuses to move, loading them with heavy weights for a long time and working when the animals are in an unhealthy state (Ramaswamy, 1994). These animals are also usually owned by poverty-stricken people and they work in hard circumstances. This may lead to disruptive and aggressive behaviour (Pritchard *et al.*, 2005). A study found that a longer period of stress may lead to animal welfare problems due to diminished “biological resources” (Popescu and Diugan, 2017). In a paper by Pritchard *et al.* the damage caused by this work was described. 75% of these animals had problems with their gait and limbs, abnormalities of teeth and eyes were common and “lesions on the head, neck, ribs, flank and tail base were seen in less than 10% of animals. Across all three species

approximately 70% of animals were thin, having a body condition score (BCS) of 2 or less on a scale of 1–5” (Pritchard *et al.*, 2005).

Horse racing and greyhound racing may also raise some concern on animal welfare issues. Put simply by Bergmann “common day-to day racing practices also impact thoroughbred welfare” (Bergmann, 2020). The use of whips in horse racing is one of the issues. In Australia and the United Kingdom whips must be padded. Tissue damage still occurs in these cases in spite of the padding. Norway has banned whips overall to increase speed in racing (Evans and McGreevy, 2011). Other main animal welfare issues include “injuries and deaths on the track, use and overuse of drugs and medication and the retirement of thoroughbreds” (Bergmann, 2020). The predominance of injuries occurs during races (Prole, 1976). Other injuries include those in the musculoskeletal system, lung haemorrhages and ulcers in the stomach due to stress (Wilson *et al.*, 2021). Greyhounds experience musculoskeletal and hock injuries that are specific to them (Sicard *et al.*, 1999). “Greyhounds suffered repeated sprains of the carpus which resulted in chronic arthritic changes” along with tear of ligaments of interphalangeal joints. Organs in racing dogs also need a longer time to heal compared to pet animals with a lighter work regimen (Prole, 1976). Changing certain aspects of the racetrack, giving vitamins and training programmes have helped decrease these accidents (Sicard *et al.*, 1999).

Service dogs help humans in multiple ways using their loving nature, but these animals have not volunteered their time themselves. It is the moral obligation of the personnel working with these dogs to ensure animal welfare is kept up to standard (Winkle *et al.*, 2020). The dangers involved in police work increase the risk of these dogs’ life due to patrol jobs, recovering bodies and bomb and hazardous material detection. In a study which was conducted in the United States, 96 canines died in a four-year span, from an estimated 8,000 dogs at work within the force. Deaths of these dogs may be naturally - within two days of work or due to related stress, heatstroke, injuries from an accident in work or assault. There have been discussions as to whether or not these animals should be used in the first place (Barberi *et al.*, 2019). Misuse of service animals can cause exploitation and animal welfare issues of said animal – these include having gone through bad experiences and having unsatisfactory well-being which may cause stress (Wilson *et al.*, 2021). To mention some - the absence of relaxation time, no time to recuperate after work, no time for play or undesired negative feedback from the service dog user. Precisely identifying these everyday stress inducing incidents may be difficult as they may change based on the particular family, dog and daily activities. Stress signs include “growling, overexcitability, and defecating/ urination in the home” (Burrows *et al.*, 2008). Specific

protocols should be written as animal welfare guidelines to protect these animals (Wilson *et al.*, 2021).

## 2.6 Atypical animal cruelty 5: Physical alteration of animals

Physical alteration, as in ‘surgical operations’ especially tail docking, ear cropping, devocalisation, declawing and defanging are considered to be illegal, unless this is done for a medical purpose in the EU. (Chapter II, article 10 of the European Convention for the protection of Pet Animals, 1987) This is because these surgeries are cosmetic in nature and are not used to better an ill animal. This is not true in other countries. In this case, in a study in Canada it was argued that it is not the surgical procedure which mostly impacts the welfare of these animals. Research found that the public views dogs with docked tails and cropped ears to be aggressive and dominant. This paper therefore provokes the question of adoptability of these animals – thus having this cosmetic procedure, affects animal welfare for the rest of its’ life (Mills *et al.*, 2016).

Tattooing is a preferred method of identification for mice in labs. It is easily seen without even touching the animal, and it is also a permanent identification (Sørensen *et al.*, 2007 ; Roughan and Sevenoaks, 2019). It has been questioned whether this method is withholding good animal welfare or not. Tattooing was compared to ear tagging for its efficiency, practicality, and animal welfare standard. This showed that although these two methods were as painful as each other, tattooing led to a higher degree of stress which lasted for one to two days (Roughan and Sevenoaks, 2019). Stress is seen to be an element of tattooing also due to the developmental instability witnessed on the 38<sup>th</sup> day of the mouse (Sørensen *et al.*, 2007). This is a tough situation – as on the other hand, tattooing decreases the need of handling in the future which in turn will decrease this stress factor (Roughan and Sevenoaks, 2019).

Hot branding is another physical alteration method which is considered to cause pain, and is yet thought to be essential for long lasting identification of animals (Beausoleil and Mellor, 2007). It’s established use in cattle is being questioned as studies show that it causes more pain than freeze branding, due to a bigger response in behaviour (Schwartzkopf-Genswein *et al.*, 1997). In fact it is explained that “the center of the brand tended to remain sensitive at least 10 weeks after the procedure and only 46% of brands were fully healed at this time” (Tucker *et al.*, 2014) and such that in pinnipeds this method “causes tissue damage, pain and stress, and the resulting open wound increases the risk of infection” (Beausoleil and Mellor, 2007). Other branding methods such as freeze branding, even though unfortunately it is not as cost friendly



and is more time consuming is of better animal welfare value to cattle (Schwartzkopf-Genswein et al., 1997). In the case of pinnipeds hot branding is said to be crucial for obtaining data which will help in sustaining the biodiversity of these animals. Thus, it is paramount that researchers remain objective and weigh the benefits and drawbacks of these methods (McMahon, 2007).

2.7 Legal findings

Table 1: Legal sources from Maltese and EU law

	Maltese law	EU law
Breeding	<p>“All persons involved in the breeding of animals shall be responsible for the anatomical, physiological and behavioural characteristics of such animals, which are likely to put at risk the health and welfare of either the offspring or the parents”</p> <p>(Animal Welfare act, Chapter 439, of the Laws of Malta, 2002)</p>	<p>“Any person who selects a pet animal for breeding shall be responsible for having regard to the anatomical, physiological and behavioural characteristics which are likely to put at risk the health and welfare of either the offspring or the female parent”</p> <p>(Article 5, European Convention for the protection of Pet Animals, 1987)</p>
Obesity	<p>"ill treatment", in relation to an animal, means causing the animal to suffer, by any act or omission, pain or distress which in its kind or degree, or in its object, or in circumstances in which it is inflicted, is excessive or unnecessary” (Animal Welfare act, Chapter 439, of the Laws of Malta, 2002)</p>	-
Zoophilia	<p>Explanation that obscene photographs, films and such material of minors taking part in “acts of bestiality, brutality, sadism or torture” is illegal. Offences related to</p>	-

	<p>pornographic images showing bestiality are illegal.</p> <p>(Criminal code, Chapter 9, of the Laws of Malta, 1854)</p> <p>“Activities which are not in their nature” was made to include sexual activities between human animals and animals in 2021. This includes any acts by “any part of the body or any object”. (Animal Welfare act, Chapter 439, part IV, of the Laws of Malta, 2002)</p>	
Forcing performance	<p>In particular the state shall protect such animals from undue labour and work practices which are beyond and not consonant with their nature”.</p> <p>“The Minister may make regulations concerning the keeping of animals for the purposes of recreation, sports, instruction, education, public display, shows, exhibitions, sale at markets and auctions or for any other similar purposes”</p> <p>(Animal Welfare act, Chapter 439, of the Laws of Malta, 2002)</p>	<p>“No pet animal shall be trained in a way that is detrimental to its health and welfare, especially by forcing it to exceed its natural capacities or strength or by employing artificial aids which cause injury or unnecessary pain suffering or distress”</p> <p>(Article 7, European Convention for the protection of Pet Animals, 1987)</p>
Physical alteration	<p>“Surgical operations for the purpose of modifying the appearance of an animal by which any part of the animal’s body is removed or damaged, other than for a curative purpose, shall be illegal”</p>	<p>“Surgical operations for the purpose of modifying the appearance of a pet animal or for other non-curative purposes shall be prohibited and, in particular:</p>

	<p>(Animal Welfare act, Chapter 439, of the Laws of Malta, 2002)</p>	<p>a the docking of tails;</p> <p>b the cropping of ears;</p> <p>c devocalisation;</p> <p>d declawing and defanging“</p> <p>(Article 10, European Convention for the protection of Pet Animals, 1987)</p> <p>“providing for dogs and cats to be permanently identified by some appropriate means which cause little or no enduring pain, suffering or distress, such as tattooing as well as recording the numbers in a register together with the names and addresses of their owners.”</p> <p>(Article 12, European Convention for the protection of Pet Animals, 1987)</p>
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### 3. Materials and Methods

The questions for the survey were developed on the basis of the found literature. The survey questions were targeted towards veterinary professionals working in Malta. The aim of this questionnaire was to gain the professional opinion of these veterinarians about the following animal welfare questions:

- Breeding despite genetic disorders
- Obesity
- Zoophilia
- Forced performance
- Physical alteration

The survey was distributed using the online software ‘Google forms’. (*Google forms*, 2021) A sharable link was then kindly forwarded to veterinarians in Malta through the Malta Veterinary Association (MVA) on the 21<sup>st</sup> of May 2021. This is a non-profit organisation that represents veterinarians working in all sectors across the islands of Malta.

Through the official website of the MVA and through a thorough google maps search of clinics in Malta, their Facebook pages and their official websites it was concluded that there are approximately 70 veterinarians working in Malta (*Malta Veterinary Association*, 2022). A total of 21 responses were collected until March 2022. Thus, a total of 30% of veterinarians in Malta.

All the obligatory questions were posed as either single or multiple-choice questions, with very few optional open-ended questions mixed in, as to ensure maximum responses were obtained.

The survey was split into four sections. The first part consisted of five basic questions that were intended to be used for statistical purposes. These included questions such as:

- **The age group:** 24 to 34, 35 to 44, 45 to 54, 55 to 64 and 65 or older
- **Gender:** female, male or other
- **Type of animal practice:** small, exotic, equine, farm, mixed practice
- **Size of the clinic:** small or large practice
- **Where the veterinarian works:** Maltese or foreign veterinarian working in Malta, Maltese veterinarian working abroad, or none of the above

As the questionnaire was sent to veterinarians working in all areas of the profession, this information would make it easier to then group the responses and give sense to it in a larger picture.

The second part of the survey consisted of five questions. These were answered by a simple 'Yes' or 'No'. These asked if the previously mentioned 'atypical animal cruelty' points were deemed to be so in their professional opinion.

The next part of the questionnaire consisted of ten questions. These posed questions about the frequency by which they have met with said cases. This simple choice question had five options that could be chosen:

- **Daily, Weekly, Monthly, Almost Never, Never**

This section also included an open-ended question where they were able to write their most recent case that included that animal welfare concern.

Lastly, five general questions about the respondent's opinion were asked. These were posed in the form of multiple choice and open-ended questions. These included:

- **Are you satisfied with the legal provisions of Malta and the EU pertaining to animal welfare?:** Yes, No or I do not have an opinion on this
- **What needs to be added if not?**
- **In your professional opinion – Why do most animal cruelty cases occur?**
- **In your professional opinion – What can be done to decrease animal cruelty occurrences?**
- **Do you have any further opinions or suggestions that you wish to share?**

### 4. Results and discussion

The respondent’s information gathered in the first section of the google forms survey, mentioned in the previous section can be seen in figure 1 below. From the twenty-one veterinarians that replied to the survey, 47.6% were males and 52.4% were females. Fourteen of which were in the age range of 24 to 34, three of which were between the ages of 35 and 44, another three between 45 to 54 and finally one veterinarian was between the ages of 55 to 64. No respondents were over the age of 65. The majority of the veterinarians that replied, 76.2%, worked at a small animal practice, 19% worked in a mixed animal practice, and a meagre 4.8% worked in an exotic animal practice. None of the veterinarians were working solely in a large animal practice.

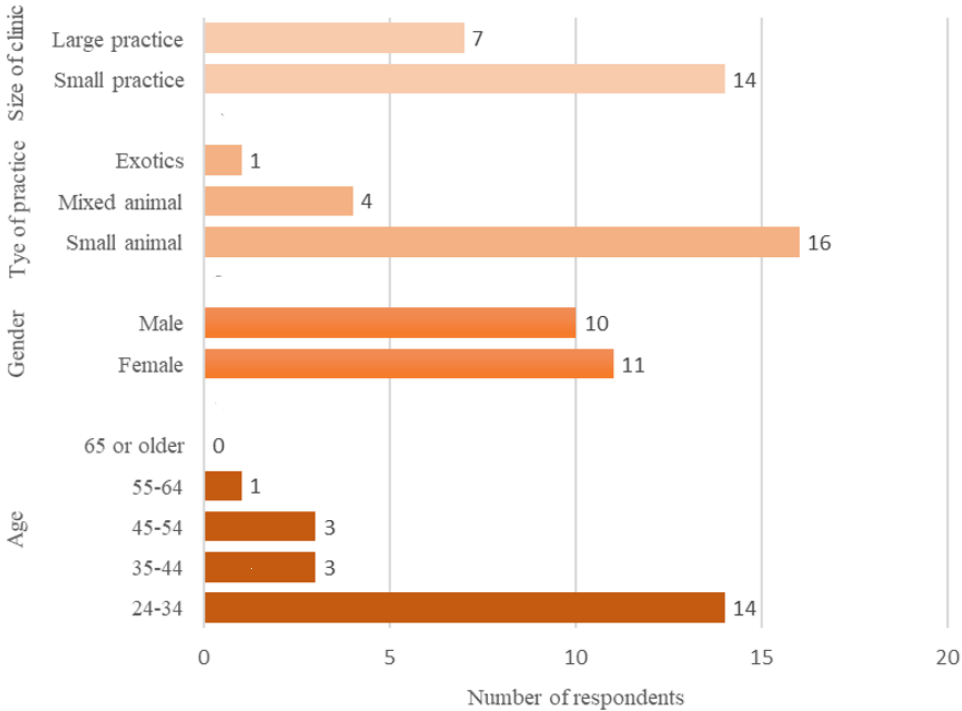


Figure 1: Respondent’s General Information - gathered in the first section of the google forms survey. (n = x, where x is the total – 21)

Through the Malta Veterinary Association (MVA) website (Malta Veterinary Association, 2022) in the contact section, a list of veterinarians that make part of the MVA can be found. A total of 61 practicing veterinarians could be found. The names found there were collected and split up according to gender. The list was also divided according to animal practice. The results obtained from this list can be found depicted in figure 2.

Here, a similar percentage to the one obtained from the survey was found. The percentage of males being 59% and that of females being 41%. This was also found to be similar in type of

practice, with the majority of veterinarians working in small animal practice at 90%. Mixed animal practice was at 4.9% which was found to be the same in the survey responses. 4.9% of the veterinarians were also found to work exclusively in large practice – this group was not represented by those who responded to the survey. Exotic practices are not listed on the MVA website. Those listed as State Veterinarians were put into the respective type of practices which they simultaneously work in. Although figure 2 represents the veterinary population of the Maltese islands well, not every veterinarian is required to be a member of the MVA, thus meaning that some of those working in Malta are not represented in figure 2.

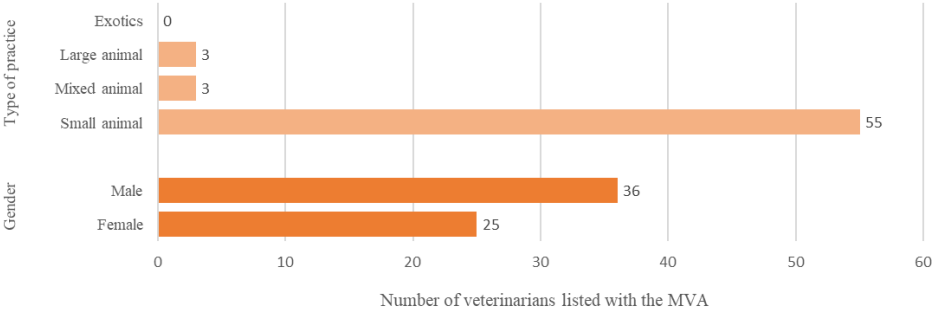
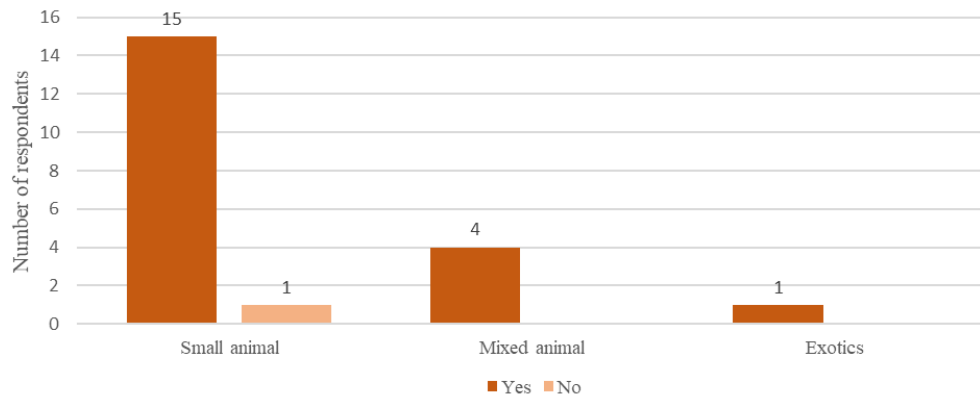


Figure 2: Malta Veterinary Association (MVA): list of veterinarians. The gender and type of practice that the veterinarians who make part of the MVA fall under. (n = x, where x is the total – 61)

4.1 Breeding

The overwhelming majority of the veterinarians from the survey responded that breeding despite genetic disorders is seen to be animal cruelty. As seen in figure 3 only one veterinarian out of 21 chose to negate this statement. This finding is similar to the ones found in the literature. Kennel clubs, their members and scientists agree that inbreeding, inherited diseases and exaggerated features are indications of animal welfare implications and that a need of greater education is needed about breeding responsibly (Wang *et al.*, 2018). The veterinarians that replied said that animals with genetic disorders were seen on a daily basis in some cases to almost never in others. Thus, it is seen that the frequency of meeting with these disorders does

not effect the professional opinion of the veterinarians when deeming it to be a case of atypi-



cal cruelty.

Figure 3: Veterinarian's response to their opinion on if excessive animal breeding is deemed to be animal cruelty due to animal inbreeding. (n = x, where x is the total – 21)

#### 4.2 Obesity

The majority of the veterinarians that responded to the aforementioned survey have responded that obesity – apart from medical cases - are seen as animal cruelty cases. In fact, as seen in figure 4, a total of 18 of 21 veterinarians voted 'Yes' to this question. In this same survey, cases of obesity were seen day to day in some clinics while almost never in other cases. This is seen similarly in the literature – stating that the lifespan of an animal might be decreased, together with the overall health and welfare and that consequently avoiding obesity will lead to an increased animal welfare state. (Churchill and Ward, 2016 ; Kipperman and German, 2018).

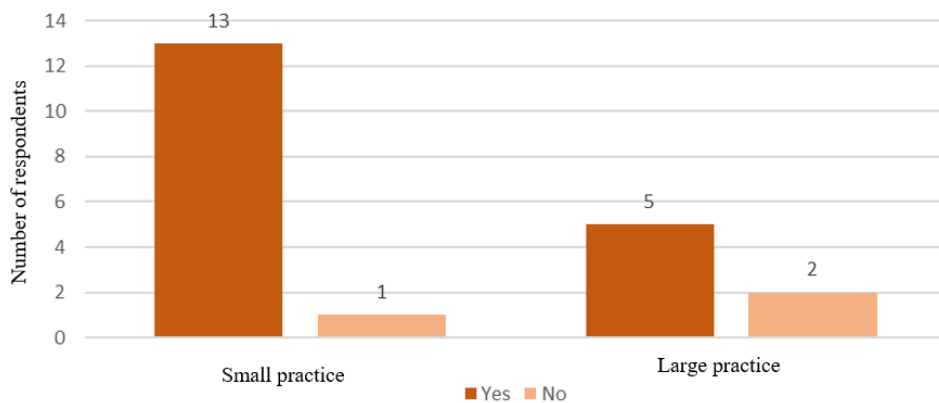


Figure 4: Veterinarian's response to their opinion on if obesity in animals is deemed to be animal cruelty. (n = x, where x is the total – 21)

#### 4.3 Zoophilia

In the survey, as seen in figure 5; 20 out of the 21 respondents responded 'yes' when asked if zoophilia was considered to be an animal welfare concern. 15 of which work in small animal



practices, 4 worked in mixed animal practices and 1 works in an exotic animal clinic. Although the response ratio is similar to the ones answered in breeding and obesity, cases of zoophilia were almost never or never seen in the clinic. It is not directly mentioned in the literature that was found that zoophilia is considered to be an animal welfare problem. In saying this, a number of health complications was listed by Stern and Smith-Blackmore “ASA victims include recurrent vaginitis, vaginal prolapse, uterine tears near the cervix, vaginal stricture, cervical scarring, uterine hemorrhage, and the presence of intrauterine, intracervical, or vaginal foreign object” and “injuries to the penis of a male animal could occur in some situations of ASA” (Stern and Smith-Blackmore, 2016).

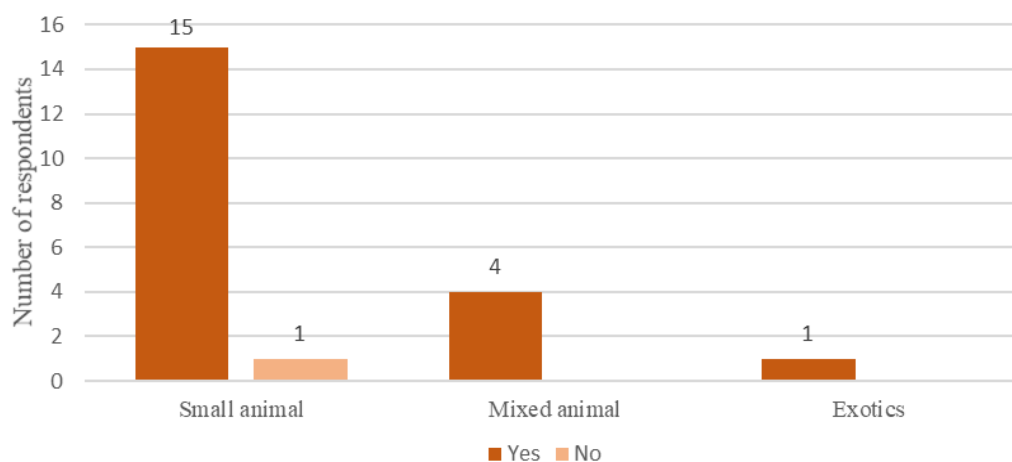


Figure 5: Veterinarian’s response to their opinion on if excessive zoophilia is deemed to be animal cruelty (n = x, where x is the total – 21)

#### 4.4 Forcing performance

The answers for this section, depicted in figure 6, interestingly were quite symmetrical – with 11 veterinarians stating that ‘yes’ forcing performance on an animal is considered to be an animal welfare issue, while 10 disagreed answering ‘no’ to this question. This did not seem to have to do with the animal species the veterinarians worked with as both the small animal and the mixed animal practitioners voted equally for ‘yes’ and ‘no’. Some of the veterinarians that responded to the survey meet such cases on a weekly basis, but more commonly other veterinarians have never met with similar cases. In several literature papers, for several species from rabbit, dog, horse to cattle – examples of animal welfare issues can be seen. These ranged from stress due to daily activities, to chronic changes due to injuries, to physical striking of the animal and carrying heavy loads. (Burrows *et al.*, 2008 ; Prole, 1976 ; Ramaswamy, 1994)

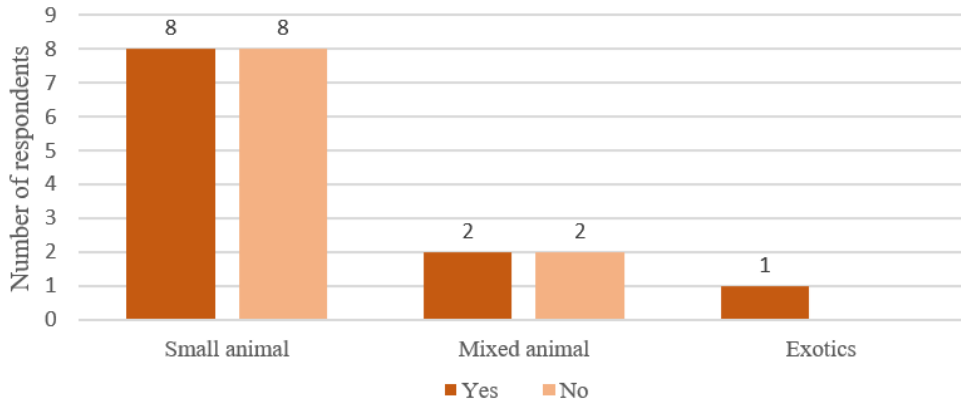


Figure 6: Veterinarian’s response to their opinion on if forced performance is deemed to be animal cruelty (n = x, where x is the total – 21)

#### 4.5 Physical alteration

This section has seen mixed responses depending on small and large practices. The majority of veterinarians – specifically 86% of the respondents working in small practices responded that physical alteration, that has no health significance is indeed a detriment to animal welfare. In contrary, 57% of those working in large practices answered ‘no’ to this question. In both small and large practices, patients with physical alterations were seen in the clinics weekly or monthly. Physical alteration is used for identification purposes, papers from the literature simply state that although these methods do cause pain, they are essential. Some legal examples of these are tattooing and branding. (Beausoleil and Mellor, 2007; Sørensen *et al.*, 2007 ; Roughan and Sevenoaks, 2019)

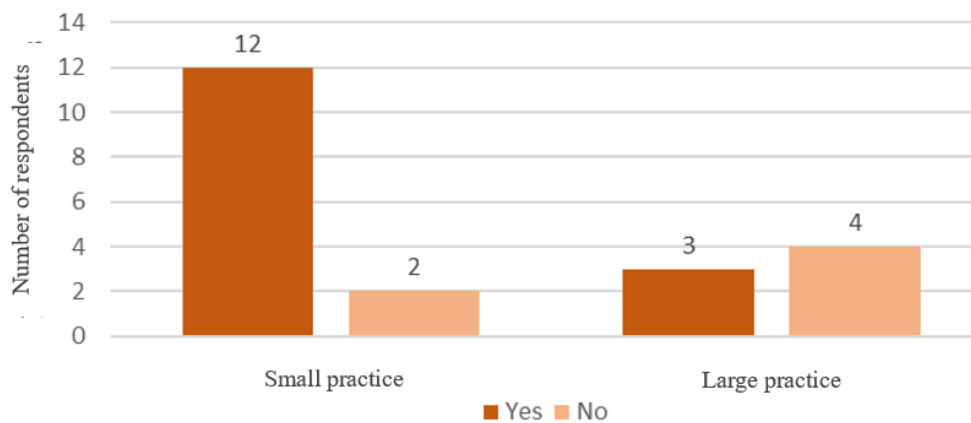


Figure 7: Veterinarian’s response to their opinion on if physical alteration is deemed to be animal cruelty. (n = x, where x is the total – 21)

#### 4.6 Legal questions

When asked if the veterinarians were satisfied with the animal welfare legislations in Malta and the EU, 2/3 of the responses were 'No'. When categorised according to type of practice, as seen in figure 8, the majority of the small animal practice veterinarians 10 of 16 and the entire group of mixed animal practitioners were not satisfied with the legislations. The exotic animal veterinarian and 3 other small animal medicine veterinarians did not have an opinion about this issue. This negativity indicates that further legislative measures need to be created for both small and large animals to better the response to animal cruelty cases. Ahead of this, an understanding of why animal cruelty occurs is essential. As seen in figure 9, when veterinarians were asked why they think owners subject their animals to such conditions the majority responded that it is due to the lack of knowledge, that they are simply unaware, that their action is causing harm to their beloved pet. Profit and negligence were a close second and third reason. Other reasons included the harm being intentional, lack of responsibility from the owner's side and lack of law enforcement when it comes to the animal welfare regulations. This aforementioned question was multiple choice, therefore 21 respondents, were able to choose more than one option, with 44 responses subsequently recorded. Another essential part of improving animal welfare conditions is analysing what can be done practically. This was asked to the veterinarians in Malta in a multiple-choice question format. The responses can be seen in figure 10. Educating the public and the owners was the most popular option chosen, with 14 responses, this reflects the previously stated opinion of the same veterinarians, that animal cruelty occurs mainly due to lack of knowledge. With 9 responses each, more random checks by the authorities and mandatory veterinary check-ups were suggested. In this way if any animal abuse was taking place, it could be notified and addressed quickly. Lastly, further suggestions such as enforcing the law, increasing resources as to be able to reach the demands, giving penalties to those who break these laws such as fines or jail time. One response stated that simply changing one aspect will not make a difference, thus multiple changes have to be made.

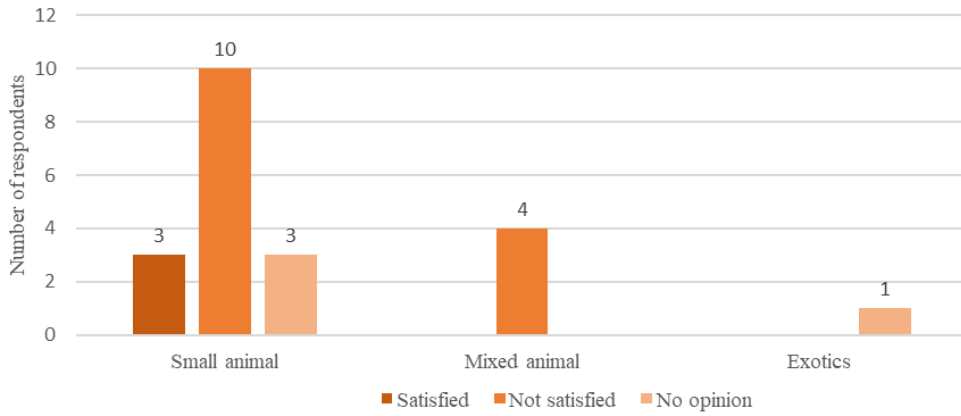


Figure 8: Veterinarian's response about their satisfaction regarding animal welfare legislation in Malta and the EU. (n = x, where x is the total – 21)

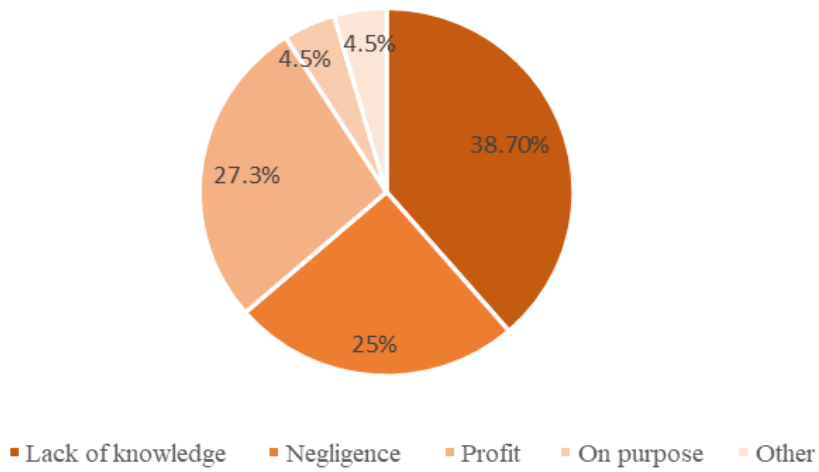


Figure 9: Veterinarian's response to the reasons why animal cruelty cases are seen. (n = x, where x is the total – 21)

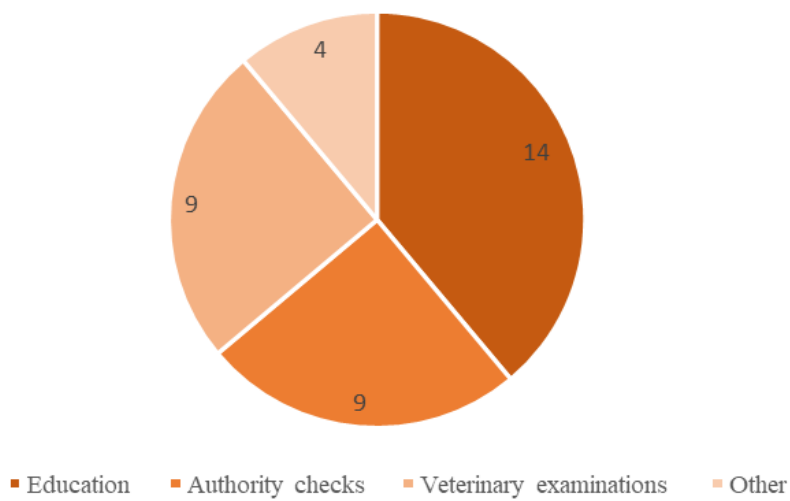


Figure 10: Veterinarian's response to the possible methods of decreasing animal cruelty cases in Malta. (n = x, where x is the total – 36)

An article titled ‘Animal Welfare Worldwide, the Opinion of Practicing Veterinarians’ published in 2020, in the ‘Journal of Applied Animal Welfare Science’, written by Endenberg *et al.* (2020) studies the opinion of veterinarians all over the world about 20 similar topics. These topics include obesity, unfit nutrition, lack of exercise and over-breeding which were comparable to what was mentioned above. Other issues that were studied included lack of knowledge, noncompliance and refusal to treat animal abuse. Similarly, the questions were asked through a questionnaire by ‘SurveyMonkey’ in this case (SurveyMonkey, 2016). Although similar in execution, the survey done in this thesis focused on a smaller area, Malta – with therefore a smaller community of veterinarians. Due to the smaller pool of professionals and their closeness in proximity, culture and values may lead to them having similar opinions to their peers. In contrast to this, the survey from Endenberg *et al.* was available in several different languages and reached 1167 respondents over 73 countries. In this case, veterinary opinions were influenced by geographical differences in matters relating to importance of animal problems and the treatment they used. An example of this relating to obesity can be seen as an example: “in Europe female respondents when compared with males considered obesity to (be) more of a welfare issue” (Enderberg et al, 2020), by a small margin. This is dissimilar to what was found on the Maltese islands, with a slightly higher number of males (90%) to females (82%) agreeing that obesity is deemed to be animal cruelty.

Veterinarians in general are seen to participate at low levels in surveys. As the survey was not compulsory to them, it is likely that those who replied to it had a greater interest in the field of animal welfare. Thus, this may show bias as those veterinarians who are not keen on animal welfare were less likely to respond to the questionnaire. (Endenburg *et al.*, 2020)

## 5. Conclusions

The results of the questionnaire show that the great majority of veterinarians deem improper breeding, obesity and zoophilia to be cruelty to animals. The topics of forced performance and physical alteration on animals had split results.

All the atypical animal cases mentioned above, were mentioned to some extent in the Maltese law. On the other hand, obesity and zoophilia were not mentioned at all in any EU legislation. This, together with the fact that, according to the questionnaire, 2/3 of the respondents were not happy with the regulations in Malta and the EU shows that revisions in the law should be

considered on these topics. Based on the importance that obesity and zoophilia were given by the veterinarians based in Malta, it is my recommendation that discussions on creating regulations in the EU are made. Creating legislations gives the capacity of these important cases to be recognised and controlled. In addition, revision of the animal breeding regulations is to be considered. Although specific characteristics that can put animal health in danger are mentioned in the legislations, strict regulation or banning on breeding of specific breeds known to live unhealthy and low-quality lives due to their genetics has not been done in the EU or Malta.

The veterinarians seemed less concerned regarding forced performance and physical alteration cases. As opposed to creating new laws, some veterinarians mentioned the importance of enforcing the existing law, as illegal tail docking and ear cropping are still seen quite frequently in Malta.

As mentioned in the literature review what is seen to be an animal welfare problem is influenced by a series of variables. The discrepancy in way of thinking or lack thereof, may be a reason why most of the responses had a clear majority. The timeframe in which the survey was done was only a few of months long (May 2021 to March 2022) and the location of this survey was a controlled one (Malta). Thus, leaving personal opinion to be one of the variables together with age, experience and professional experience.

A wider range of countries and larger number of respondents would have given a greater variability in responses. Due to variety in geography which leads to different cultures, with possibly different values, norms and regulations. This can be seen in the article written by Enderburg et al in 2020. In the questionnaire that was done for this thesis, these lesser variables may be the reason for a more similar set of answers.

Future improvements on the questionnaire would include reaching a larger number of veterinarians in Malta – particularly widening the age demographic and having a better balance between small, mixed and exotic animal practice respondents. In this way it would have been more likely that the opinions received were not biased. Finally, when obtaining results from a questionnaire, the human factor is always going to be a component that must be taken under consideration when understanding and analysing the results.

In conclusion, the results obtained show the professional opinion of veterinarians working in the field on a day-to-day basis. Such surveys hold great importance as to obtain current and

actual information about animal cruelty cases seen in the clinics. These are to be conducted more frequently as to be taken into consideration when creating new legislations pertaining to animal welfare.

## 6. Summary

This thesis presents a literature review and legal analysis of animal welfare topics that are not typically considered when thinking about animal cruelty in day to day life or by law. These cases include genetic disorders in breeding, obesity, zoophilia, forcing performance and physical alteration in both Malta and the European Union. The study obtained the professional opinion of veterinarians around Malta with the help of an online questionnaire. These stated whether or not these cases are deemed to be cruelty to animals and how often they are witnessed in the clinics. With the help of this data and with the knowledge of the legal sources available, a gap was found in European law. No laws can be found about obesity and zoophilia, while revision of breeding laws is suggested.

The results show that the majority of veterinarians agreed that irresponsible breeding (95%), obesity (86%) and zoophilia (95%) are indeed cases of animal cruelty. Contrastingly, mixed results were obtained on forced performance (52% agreement) and physical alteration (76% agreement) cases. Prevention being an essential part of the questionnaire, when asked about the methods of prevention of animal cruelty, the greater part of the veterinarians mentioned education (29%) to be the best probable method, followed by authority checks (25%) and veterinary examination (25%). Ideally minimising such incidences should be the priority. This should be done in a timely and effective manner, rendering the need for the use of legal steps to be unnecessary.



## 7. Bibliography

### 7.1 Scientific literature

1. Asher, L. et al. (2009) 'Inherited defects in pedigree dogs. Part 1: Disorders related to breed standards', *The Veterinary Journal*, 182(3), pp. 402–411. doi: 10.1016/j.tvjl.2009.08.033.
2. Barberi, D., Gibbs, J.C. and Schally, J.L. (2019) 'K9s killed in the line of duty', *Contemporary Justice Review*, 22(1), pp. 86–100. doi:10.1080/10282580.2019.1576128.
3. Beausoleil, N.J. and Mellor, D.J. (2007) 'Investigator responsibilities and animal welfare issues raised by hot branding of pinnipeds', *Australian Veterinary Journal*, 85(12), pp. 484–485. doi:10.1111/j.1751-0813.2007.00238.x.
4. Beausoleil, N. J. and Mellor, D. J. (2015) 'Introducing breathlessness as a significant animal welfare issue', *New Zealand Veterinary Journal*, 63(1), pp. 44–51. doi: 10.1080/00480169.2014.940410.
5. Bergmann, I.M. (2020) 'Naturalness and the Legitimacy of Thoroughbred Racing: A Photo-Elicitation Study with Industry and Animal Advocacy Informants', *Animals: an open access journal from MDPI*, 10(9), p. E1513. doi:10.3390/ani1009151
6. Bland, I. et al. (2010) 'Dog obesity: Veterinary practices' and owners' opinions on cause and management', *Preventive veterinary medicine*, 94, pp. 310–5. doi: 10.1016/j.prevetmed.2010.01.013.
7. Bovenkerk, B. and Nijland, H. J. (2017) 'The Pedigree Dog Breeding Debate in Ethics and Practice: Beyond Welfare Arguments', *Journal of Agricultural and Environmental Ethics*, 30(3), pp. 387–412. doi: 10.1007/s10806-017-9673-8.
8. Burrows, K.E., Adams, C.L. and Millman, S.T. (2008) 'Factors Affecting Behavior and Welfare of Service Dogs for Children With Autism Spectrum Disorder', *Journal of Applied Animal Welfare Science*, (11:1), pp. 42–62. doi:http://www.tandfonline.com/action/showCitFormats?doi=10.1080/10888700701555550.
9. Campbell, M.L.H. and Sandøe, P. (2015) 'Welfare in horse breeding', *Veterinary Record*, 176(17), pp. 436–440. doi:https://doi.org/10.1136/vr.102814.
10. Churchill, J. and Ward, E. (2016) 'Communicating with Pet Owners About Obesity: Roles of the Veterinary Health Care Team', *The Veterinary Clinics of North America. Small Animal Practice*, 46(5), pp. 899–911. doi: 10.1016/j.cvsm.2016.04.010.
11. Ekenstedt, K. J., Crosse, K. R. and Risselada, M. (2020) 'Canine Brachycephaly: Anatomy, Pathology, Genetics and Welfare', *Journal of Comparative Pathology*, 176, pp. 109–115. doi: 10.1016/j.jcpa.2020.02.008.
12. Endenburg, N. et al. (2020) 'Animal Welfare Worldwide, the Opinion of Practicing Veterinarians', *Journal of Applied Animal Welfare Science*, 24(3), pp. 215–237. doi: https://doi.org/10.1080/10888705.2020.1717340.
13. Evans, D. and McGreevy, P. (2011) 'An investigation of racing performance and whip use by jockeys in thoroughbred races', *PloS One*, 6(1), p. e15622. doi:10.1371/journal.pone.0015622.
14. Fisher, M. (2009) 'Defining animal welfare - does consistency matter?', *New Zealand Veterinary Journal*, p. 57:2, 71–73. doi: 10.1080/00480169.2009.36880.
15. Furtado, T. et al. (2021) 'Exploring horse owners' understanding of obese body condition and weight management in UK leisure horses', *Equine Veterinary Journal*, 53(4), pp. 752–762. doi: 10.1111/evj.13360.
16. Google forms, 2021 [Online survey] URL: <https://www.google.com/forms/about/>

17. Hemsworth, P. H. et al. (2015) 'Scientific assessment of animal welfare', *New Zealand Veterinary Journal*, 63(1), pp. 24–30. doi: 10.1080/00480169.2014.966167.
18. Hitchens, P. L. et al. (2016) 'Prevalence and risk factors for overweight horses at premises in Sweden assessed using official animal welfare control data', *Acta Veterinaria Scandinavica*, 58(Suppl 1), p. 61. doi: 10.1186/s13028-016-0242-3.
19. Holoyda, B. and Newman, W. (2014) 'Zoophilia and the law: legal responses to a rare paraphilia', *The Journal of the American Academy of Psychiatry and the Law*, 42(4), pp. 412–420.
20. Holoyda, B. et al. (2018) 'Bestiality: An introduction for legal and mental health professionals', *Behavioral Sciences & the Law*, 36(6), pp. 687–697. doi: 10.1002/bsl.2368.
21. Hvozdič, A. et al. (2006) 'Ethological, psychological and legal aspects of animal sexual abuse', *Veterinary Journal (London, England: 1997)*, 172(2), pp. 374–376. doi: 10.1016/j.tvjl.2005.05.008.
22. Imbschweiler, I. et al. (2009) 'Animal sexual abuse in a female sheep', *Veterinary Journal (London, England: 1997)*, 182(3), pp. 481–483. doi: 10.1016/j.tvjl.2008.09.004.
23. Kipperman, B. S. and German, A. J. (2018) 'The Responsibility of Veterinarians to Address Companion Animal Obesity', *Animals: an open access journal from MDPI*, 8(9), p. E143. doi: 10.3390/ani8090143.
24. Larsen, J. A. and Villaverde, C. (2016) 'Scope of the Problem and Perception by Owners and Veterinarians', *The Veterinary Clinics of North America. Small Animal Practice*, 46(5), pp. 761–772. doi: 10.1016/j.cvsm.2016.04.001.
25. Malta Veterinary Association, 2022 '*The Malta Veterinary Association*'. Last accessed on: 10<sup>th</sup> March 2022, URL: <https://www.mva.org.mt/>
26. McMahan, C.R. (2007) 'Branding the seal branders: what does the research say about seal branding?', *Australian Veterinary Journal*, 85(12), pp. 482–484. doi:10.1111/j.1751-0813.2007.00237.x.
27. Mills, K.E., Robbins, J. and von Keyserlingk, M.A.G. (2016) 'Tail Docking and Ear Cropping Dogs: Public Awareness and Perceptions', *PloS One*, 11(6), p. e0158131. doi:10.1371/journal.pone.0158131.
28. Morisse, J.P. and Maurice, R. (1994) 'Welfare and the intensive production of rabbits', *Revue Scientifique Et Technique (International Office of Epizootics)*, 13(1), pp. 131–152.
29. Munro, H. M. C. (2006) 'Animal sexual abuse: a veterinary taboo?', *Veterinary Journal (London, England: 1997)*, 172(2), pp. 195–197. doi: 10.1016/j.tvjl.2005.08.033.
30. Nicholas, F. W., Wade, C. M. and Williamson, P. (2010) 'Disorders in pedigree dogs: assembling the evidence', *Veterinary Journal (London, England: 1997)*, 183(1), pp. 8–9. doi: 10.1016/j.tvjl.2009.11.008.
31. Ohl, F. and van der Staay, F. J. (2012) 'Animal welfare: At the interface between science and society', *The Veterinary Journal*, 192(1), pp. 13–19. doi: 10.1016/j.tvjl.2011.05.019.
32. Owers, R. and Chubbock, S. (2013) 'Fight the fat!', *Equine Veterinary Journal*, 45(1), p. 5. doi: 10.1111/evj.12008.
33. Popescu, S. and Diugan, E.A. (2017) 'The relationship between the welfare quality and stress index in working and breeding horses', *Research in Veterinary Science*, 115, pp. 442–450. doi:10.1016/j.rvsc.2017.07.028.

34. Pritchard, J.C. *et al.* (2005) 'Assessment of the welfare of working horses, mules and donkeys, using health and behaviour parameters', *Preventive Veterinary Medicine*, 69(3–4), pp. 265–283. doi:10.1016/j.prevetmed.2005.02.002.
35. Prole, J.H. (1976) 'A survey of racing injuries in the Greyhound', *The Journal of Small Animal Practice*, 17(4), pp. 207–218. doi:10.1111/j.1748-5827.1976.tb06951.x.
36. Ramaswamy, N.S. (1994) 'Draught animals and welfare', *Revue Scientifique Et Technique (International Office of Epizootics)*, 13(1), pp. 195–216.
37. Roedler, F. S., Pohl, S. and Oechtering, G. U. (2013) 'How does severe brachycephaly affect dog's lives? Results of a structured preoperative owner questionnaire', *Veterinary Journal (London, England: 1997)*, 198(3), pp. 606–610. doi: 10.1016/j.tvjl.2013.09.009.
38. Roughan, J.V. and Sevenoaks, T. (2019) 'Welfare and Scientific Considerations of Tattooing and Ear Tagging for Mouse Identification', *Journal of the American Association for Laboratory Animal Science: JAALAS*, 58(2), pp. 142–153. doi:10.30802/AALAS-JAALAS-18-000057.
39. Ryan, S. (2018) 'Obesity in Pets - One Health and Animal Welfare Considerations', in. doi: 10.2991/icpsuas-17.2018.1.
40. Schmidt, M. J. *et al.* (2017) 'The Relationship between Brachycephalic Head Features in Modern Persian Cats and Dysmorphologies of the Skull and Internal Hydrocephalus', *Journal of Veterinary Internal Medicine*, 31(5), pp. 1487–1501. doi: 10.1111/jvim.14805.
41. Schwartzkopf-Genswein, K.S., Stookey, J.M. and Welford, R. (1997) 'Behavior of cattle during hot-iron and freeze branding and the effects on subsequent handling ease', *Journal of Animal Science*, 75(8), pp. 2064–2072. doi:10.2527/1997.7582064x.
42. Sendler, D. J. (2019) 'Contemporary understanding of zoophilia - A multinational survey study', *Journal of Forensic and Legal Medicine*, 62, pp. 44–51. doi: 10.1016/j.jflm.2018.12.010.
43. Sicard, G.K., Short, K. and Manley, P.A. (1999) 'A survey of injuries at five greyhound racing tracks', *Journal of Small Animal Practice*, 40(9), pp. 428–432. doi:10.1111/j.1748-5827.1999.tb03117.x.
44. Sørensen, D.B. *et al.* (2007) 'The impact of tail tip amputation and ink tattoo on C57BL/6JBomTac mice', *Laboratory Animals*, 41(1), pp. 19–29. doi:10.1258/002367707779399383.
45. SurveyMonkey, 2016 [Online survey] URL: <https://cutt.ly/oDT5HMA>
46. Stern, A. W. and Smith-Blackmore, M. (2016) 'Veterinary Forensic Pathology of Animal Sexual Abuse', *Veterinary Pathology*, 53(5), pp. 1057–1066. doi: 10.1177/0300985816643574.
47. Tucker, C.B. *et al.* (2014) 'Effect of a cooling gel on pain sensitivity and healing of hot-iron cattle brands', *Journal of Animal Science*, 92(12), pp. 5666–5673. doi:10.2527/jas.2014-7860.
48. Vetter, S., Boros, A. and Ózsvári, L. (2020) 'Penal Sanctioning of Zoophilia in Light of the Legal Status of Animals-A Comparative Analysis of Fifteen European Countries', *Animals: an open access journal from MDPI*, 10(6), p. E1024. doi: 10.3390/ani10061024.
49. Wang, S. *et al.* (2018) 'Breeding policies and management of pedigree dogs in 15 national kennel clubs', *Veterinary Journal (London, England: 1997)*, 234, pp. 130–135. doi: 10.1016/j.tvjl.2018.02.018.
50. Webb, L. E. *et al.* (2019) 'What is animal happiness?', *Annals of the New York Academy of Sciences*, 1438(1), pp. 62–76. doi: <https://doi.org/10.1111/nyas.13983>.

51. Wilson, B.J., Thompson, K.R. and McGreevy, P.D. (2021) 'The race that segments a nation: Findings from a convenience poll of attitudes toward the Melbourne Cup Thoroughbred horse race, gambling and animal cruelty', *PLoS ONE*, 16(3), p. e0248945. doi:10.1371/journal.pone.0248945.

## 7.2 Legal Bibliography

52. Animal Welfare act, Chapter 2, Act number 25 of 2009 from the Norwegian law. Available online: <https://lovdata.no/dokument/NL/lov/2009-06-19-97> (accessed on 19 July 2022)
53. Animal Welfare act, Chapter 439, Act number XXV of 2002 from the Maltese Law. Available online: <https://legislation.mt/eli/cap/439/20210716/eng> (accessed on 19 March 2022)
54. Animal Welfare act of 2005, Article 80, paragraphs 1 and 2, and 120, paragraph 2 of the Federal Constitution of Switzerland. Available online: <https://www.fedlex.admin.ch/eli/cc/2008/414/en> (accessed on 9 July 2022)
55. Criminal code, Chapter 9 of 1854 from the Maltese Law. Available online: <https://legislation.mt/eli/cap/9/eng> (accessed on 19 March 2022)
56. European Convention for the protection of Pet Animals, 1987. Available online: <https://rm.coe.int/168007a67d> (accessed on 25 April 2021)

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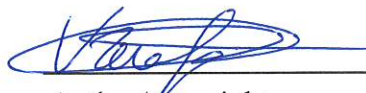


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