

Kummissarju għat-Tfal

Commissioner for Children





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Contents

- 1) Composition of Office & Council for Children
 - 2) Education and Public Awareness
 - 3) Research and Policy
 - a) Quality Children's Programmes
 - b) Unaccompanied Minors
 - 4) Schools & Educational Issues
 - 5) Other Issues
 - a) Delays in Court
 - b) Bio-technology and Invitro-Fertilisation
 - 6) Projects
 - a) Logo for the Commissioner for Children
 - b) World Children's Day
 - c) Children's Rights Course for Young People
 - d) Children with Very Challenging Behaviour
 - 7) Supporting Children and Young People
 - a) Malta Skaters United
 - b) Malta Girl Guides
 - 8) International Relations
 - 9) Individual Cases: Issues
 - 10) Networking
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1. Composition of Office & Council for Children

The Commissioner for Children's Act was passed through Parliament on the 5th of December 2003, and Mrs Sonia Camilleri started her mandate on the 16th December 2003 on a part time basis.

Since May 2004 the Office has been composed of a:
Research, Development & International Relations Executive (Full-time)
Office Secretary (Full-time)
Educational Issues Officer (Part-time)
Legal Advisor (2 hours per week)

While there have been no additions in the last year in the composition of the Office, the Commissioner is presently without an official legal advisor and is waiting for a replacement for the Educational Issues officer. The budget has also not been increased and remains at Lm10, 000 (around 24, 000 euros) a year from which part of the wages have to be deducted too.

- Council for Children [ref. Chap 462; Art 12]

The Council for Children is made up of:

- the Commissioner as Chairperson
- six other members appointed by different Ministers and the Parliamentary Committee
- two other members co-opted by the Council
- four children and young persons (14 - 16 year olds) elected by the participants of the children's rights course and co-opted by the Council

The Council holds meetings once a month.

2. Education and Public Awareness

In this first year of operation, public relations of the Commissioner for Children have been very important. It is important for children, young people and others to get to know the Commissioner for Children and what her role is.

Mrs Camilleri is thus frequently present at seminars and conferences; and giving talks or facilitating discussion of children, young people & adults both in schools and in their local community organisations.

She has also kept her presence on the media (TV, Radio, Newspapers, Children's Newspapers) regular in this last year. There have also been several Press Releases issued and Press Conferences. The Media was also invited to key activities organized by the Office.

From October 2004 to July 2005 the Office was been invited to discuss issues of children's rights on an RTK radio programme every fortnight for one hour; and from February 2005 till April 2005 on a Radio Malta II programme also fortnightly discussing particular rights.

We also coordinate a regular presence on the written media. The Commissioner takes every opportunity available when visiting schools and youth activities to speak of the Convention on the Rights of the Child, and to explain her role as Commissioner for Children.

3. Research and Policy

The Office has taken part and provided feedback on the following:

- The National Action Plan on Social Inclusion
- Regulations on Early Childhood Day Care Centres
- Broadcasting Guidelines for the Portrayal of Vulnerable Persons
- Unaccompanied Minors - National Conference on Immigration
- Internet Use by Children
- Quality Children's Programmes

a. Working Group on Internet Use by Children and Young People

The Commissioner for Children's Office participated in a working group set up by the National Statistics Office on Internet Use by Children and Young People. Other representatives of the working group included the Ministry for Education, Youth and Employment, the Ministry of Information, Technology and Investment, the Malta Communications Authority, and the Police.

A research project was developed and a questionnaire was sent to 5, 000 children from 59 schools in Malta and Gozo. The results of this research are about to be published.

b. Quality Children's Programmes

The Commissioner for Children and the Malta Broadcasting Authority have set up a working group to discuss and submit proposals for the section on the Protection of Minors within the Broadcasting Act. It was agreed that the working group will focus on two main issues. The first was amendments to the current act to further protect minors from various forms of exploitation and abuse. The second was that to draft and possibly also include in the proposals a set of guidelines for good quality children's programming.

After a series of meetings with professionals in the area, the working group has mapped out the main difficulties encountered by the different professionals and also the main stumbling blocks that are hindering both the production of

good local programmes and the ‘importation’ of children’s programmes from other countries.

The working group has drafted guidelines and a strategy, which it will be first discussing during a round table conference with select individuals working in the field and then during two national consultations.

c. Unaccompanied Minors

In February 2005, the Ministry for Justice and Home Affairs organized a National Conference on Irregular Immigration. During this conference the Commissioner for Children was asked to facilitate a workshop and draw up the report on Accompanied and Unaccompanied Immigrant Children. A document with the Commissioner’s stand on the issue was prepared for the occasion.

The Ministry for Justice and Home Affairs together with the Ministry for the Family and Social Solidarity launched a Draft Policy Document of Irregular Immigrants, Refugees and Integration to which the Commissioner’s Office submitted reactions and proposals.

4. Schools & Educational Issues

School visits since October 2004 include:

- meetings with administrative staff, guidance teachers and class or subject teachers
- meetings with students in informal settings; or in their classrooms
- meeting with Student School Council

Schools visited	
Primary Schools	5
Secondary Schools	13
Post-Secondary	1
Special School	3
Summer School	1

5. Other Issues

a. Delays in Courts

Delays in court are an area of concern, which the Commissioner has been working at for the past 18 months. She has regular meetings with the Parliamentary Secretary at the Ministry for Justice and Home Affairs, the Chief

Judge, the Judges of the Family Court, the Magistrate at the Juvenile Court and with probation officers and social workers.

The Commissioner's main efforts are focused on

- the Juvenile Court
- the Criminal Court
- the Family Court

b. Biotechnology and Invitro-Fertilisation

In the last year, the Social Affairs Committee of the House of Representatives has been discussing regulation of IVF, which is currently un-regulated in Malta.

The Commissioner for Children was asked to make a presentation on the subject from a children's rights point of view. The Commissioner for Children based her arguments on

- the UN Convention on the Rights of the Child
 - o the right to life
 - o children's right to survive and develop healthily
- on the Commissioner for Children's Act
 - o one of the Commissioner's functions is to promote the highest standards of health and social services for women during pregnancy and to promote special care and protection, including adequate legal protection, for children both before and after birth.

The Commissioner argued against wastage and freezing of embryos, multiple births and health hazards of IVF children. A two month long controversy in the media followed her presentation to Parliament, where various groups challenged her stand that no one has the right to have a child at all costs, especially where loss of life is involved.

6. Projects

a. Logo for the Commissioner for Children

Children's participation was ensured at every stage of the competition - in the design, choice and organisation of the whole project.

In September 2004, the Commissioner for Children launched a public competition for children and young people under the age of 18 where she invited them to come up with a design for the official logo of the 'Commissioner for Children'. This competition was launched during a press conference on the 27th of September 2004. The press conference was addressed by the Commissioner and the young people who represent children on the

Council for Children. They described and explained the role of the Commissioner for Children and encouraged other children and young people to participate. During the press conference, a promotional poster was also launched and sent to all schools, Local Councils and youth NGOs.

The competition helped to raise awareness on children's rights. There were also ten invitations from schools (primary and secondary) to the Commissioner to better explain her role and promote the competition. There were various teachers from other schools who called at the Office for more information about children's rights. We also had people from youth NGOs, parents and other young people who came to the Office and asked for more information. Art teachers in the schools helped to inform and stimulate students in their designs.

The participants had to understand the role of the Commissioner and know something about children's rights. An explanation of the design had to be included in the application. Around 650 participants took part in this competition. Twenty designs were shortlisted by a Board set up *ad hoc* by the Commissioner.

All children and young people who participated were sent a persona invitation by the Commissioner to come and vote for their favourite design on Saturday the 6th of November 2004. The whole voting process was organized and facilitated by a group of young people together with two coordinators from the Office.

The winning logo was designed by 14-year old Francesca Bezzina.

b. World Children's Day

Preparations started weeks before with a letter sent to all youth NGOs and Local Councils reminding them that World Children's Day was on the 20th November and encouraging them to hold activities on children's rights, and as much as possible to ensure the participation of children and young people.

Two messages for children by the Commissioner were sent to primary and secondary schools and these were read out in schools by students. In some classes children's rights were also discussed.

The Office organized 2 activities for children and young people on World Children's Day. "Children have rights too!" was organized together with the APPOGG agency and it consisted of a full half-day programme of activities for school children including an 2 hour concert by children and several sports activities.

The other activity was organized together with Poezija Plus, an NGO. It consisted of several creative arts workshops where children and young people were challenged to seek the relevance of children's rights to their everyday life. The workshops each appropriate to the age groups included story-telling, crafts and poetry.

At the end of the activity, the Commissioner and an 11-year old Council member both read out special messages for the day.

c. Children's Rights Course for Young People

Between the 1st and the 3rd of July 2005, the Commissioner's Office organized a children's rights course for children and young people (13 - 16 yrs old). The course was lead by officers from the Commissioner's Office and assisted by Youthscape, a local NGO. Ms Simone Ek, a Senior Adviser on the UN Convention on the Rights of the Child and worked with Save the Children Sweden, was a special guest and conducted sessions on the United Nations Convention and facilitated a plenary discussion on Sweden's no-smack policy.

70 children and young people were chosen following an extensive call for nominations amongst schools, NGOs and local councils.

During the last day of the course the young people elected 4 representatives to represent children and young people on the Council for Children.

d. Children with Very Challenging Behaviour

The aim of this project is to put forward a set of proposals of how children and young people with very challenging behaviour can be helped and assisted in a dignified manner. The project will also include research on what the different causes of challenging behaviour and what current structures are available to children and young people with very challenging behaviour. The final proposals will then be presented to government.

The base definition for challenging behaviour used for this project is *"Behaviours of such intensity, frequency or duration that the physical safety or the person or others are placed in serious jeopardy, or behaviour which seriously limits the person's access to ordinary settings, activities and experiences"*.

There is currently no rehabilitation programme for children and young people with 'very' challenging behaviour in Malta. Children and young people with these problems usually end up in Mount Carmel Psychiatric Hospital, often being admitted to adult wards. After they commit crimes they end up in the the Young Persons Unit of the Corradino Correctional Facilities. Both

institutions are seen to be inappropriate for children and young people with such behaviour

The Commissioner for Children is coordinating five working groups which are currently compiling reports on different aspects of the area of concern: statistics; history of services; current services and residential care; suggestions from abroad, and meeting the children.

A Final working group will be entrusted with the drafting of proposals to be submitted to the government, on the basis on the five reports.

7. Supporting Children and Young People

a. Malta Skaters United

The MSU are a group of young skateboarders and skaters mainly between 11 and 17 years of age. They regularly meet in a subway which is government property to skate and have put up skating ramps.

They have been cleaning the area regularly, painting off rude graffiti and organised awareness raising events to promote skating as a sport and alternative leisure activity.

Our Office as helped MSU in several organisational aspects and guided them through the government offices to get the necessary permits.

MSU is currently negotiating with the government. All the plans are at the Planning Authority for approval. A contract will be drafted between MSU and the government, which will allow MSU to develop the site better.

In the meantime the Commissioner has also introduced MSU to other local councils around Malta, some of whom have taken on the idea of a skatepark and are consulting with MSU

Their website is www.maltaskatersunited.org

b. Malta Girl Guides

The Malta Girl Guides are in their second year of a three year international campaign Our Rights: Our Responsibilities. The Commissioner for Children has widely supported this campaign, participated in seminars and radio programmes and was consulted in the drafting of policy guidelines and code of ethics for the Malta Girl Guides.

8. International Relations

International relations are important to our Office to:

1. Keep ourselves informed of the way other offices with mandates which are similar to ours are operating and the challenges they are facing
2. Promote greater awareness of children and young people's realities in other countries
3. Keep up to date with major issues and violations of children's rights internationally
4. Keep alive the universal aspect of the Convention and children's rights even in the presentation of children's rights.

Meetings attended abroad

Dates	Theme	Organisation		
	ENOC Annual Meeting	ENOC	Cardiff, Wales	Sonia Camilleri, Daniela DeBono
29 - 30 December 2004	Children and Forms of Violence: Integrated Policies and local authorities in Europe	French National Commission for UNESCO & Council of Europe	Strasbourg, France	Daniela DeBono (participated as a representative of the European Youth Centre)
11 th - 14 th April 2005	Europe de l'Enfance		Luxembourg	Sonia Camilleri

9. Individual Cases: Issues

The Commissioner for Children can also receive individual complaints as long as local existing remedies have been exhausted. This has been instrumental in slowly getting together a bird's eye view of the situation of children and young people in Malta, particularly those gaps in the system which are lacking or not being catered for. The following is a list of issues which have come up: child abuse; delays in court; social security; housing; care orders; fostering; separations; education; bullying; challenging behaviour; professionals working with children; police procedures; the media; smoking; school transport; lack of recreational space; disability issues.

Individual complaints have increased considerably this last year as can be seen from the number of new cases opened.

	New cases received at the Office
Jan 2004 - Dec 2004	82 cases
Jan 2005 - Sept 2005	107 cases

10. Networking

Networking remained a priority throughout this year and meetings were regularly held with various governmental, parastatal and non-governmental entities.

Office of the Commissioner for Children, Malta
September 2005