

Commissioner for Children MALTA



**Report for ENOC Annual Meeting
Developments and Achievements
September 2006 – August 2007**

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1. Composition of Office and 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.

The Office is composed of a:

Manager (Research and Policy) (Full time)
Office Secretary (Full time)
Case Worker (Part time)
Legal Advisor (2 hours per week)

On the 6th March 2007, the Government of Malta appointed a new Commissioner for Children, after the former Commissioner Mrs. Sonia Camilleri decided not to renew her tenure.

- 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
- Three other members co-opted by the Council
- Four children and young persons (14 – 17 year olds) elected by the participants of the children's rights course and co-opted by the Council.

The Commissioner for Children also regularly engaged temporary staff in buying their services and contributions towards particular projects. These would take place for a limited period of time, corresponding to the project duration.

The Council for Children held three meetings in this period. In these meetings Ms. Zammit proposed that in the following three year term, the office would give priority to its role in the Media, focus on residential care, as well as continue to follow up and consolidate the work already begun.

2. Education and Public Awareness

Public relations have been very important. Promoting awareness of the Commissioner's Office and of children's rights is an important part of the Commissioner's Office mandate and has remained a priority.

The Commissioner is frequently present at Seminars and Conferences, and continues to keep her presence in the local media (TV, Radio, Newspapers, Children's Newspapers). Regular written contributions are made to the media, in which commentaries are made over current and relevant social issues which have a significant impact on children in Malta. There have also been several press conferences and press releases issued. The Media was invited to key activities organized by the office.

The Commissioner has also made visits to primary schools, and introduced herself to children on a personal level, in making the role of the Commissioner for Children more known to them as somebody who is working in their best interests.

The Commissioner's website, which was launched in a draft format in November 2006, is currently in the process of being rebuilt. The office has applied for sponsorships for this work to take place. As with the draft format, it is envisaged that the website will be user-friendly, accessible, and child-friendly. The website address will be www.tfal.org.mt



3. Research and Policy

a. Children and the Media: Quality Children's Programming

In 2005, a working group was set up in order to discuss and submit proposals for the amendments of the section of the Protection of Minors within the Broadcasting Act. Its aims were to protect minors from exploitation and abuse, as well as to draft and incorporate in the proposals a set of guidelines for good quality children's programming.

On the 20th November 2006, the Commissioner for Children formally sent the Proposed Strategy for Quality Children's Programming to the Prime Minister and the Ministers concerned, and held a press conference to explain the strategy to the Press. The Prime Minister, in a letter to the Commissioner dated 5th December 2006, thanked the Commissioner for the Proposed Strategy, and expressed his wish to see the media contribute towards the positive development of children. The Prime Minister instructed the Minister for Tourism and Culture, who is responsible for media policy, so that, together with the Ministers concerned, they would follow up the reports and consult the Commissioner on the best way of reaching the aim of assuring good quality children's programming.

The Guidelines and Proposed Strategy for Quality Children's Programming, a collection of speeches and presentations held during the two Conferences and a transcript of the discussion which took place with the stakeholders during the National Conference was published in January 2007.

A new working group will be set up in September 2007, and will be composed of the Broadcasting Authority, the Commissioner for Children, and the Ministry responsible for the media. The terms of reference for this group will be to implement parts of the Proposed Strategy.

b. Children's Right to Play: A Study of Maltese Children's cultural and recreational activities

In December 2006, the Office of the Commissioner for Children launched a study of the perception of Maltese children on cultural and recreational activities. The study analyses how children spend their free time, and whether they have sufficient time for extra-curricular activities.

The study was conducted with children in primary and secondary schools. The choice of schools included state, church, and independent institutions. In all, 31 primary schools and 15 secondary schools participated in the study for an overall sample of 6,000 students. The study revealed that there is a significant amount of academic pressure put on students. Much time is spent on school work, causing a decrease in the amount of time dedicated to leisure activities. Furthermore, parents were often found to have a significant effect on the way in which the free time of their children was spent.

The results of the study were widely circulated, prompting further discussions in the media of the need for better time management in children's lives in order to contribute more effectively to their healthy development.

c. Children with Very Challenging Behaviour

There is currently no rehabilitation programme for boys over the age of 11 with 'very' challenging behaviour¹ in Malta. Children and young people with these problems usually end up in Mount Carmel Psychiatric hospital, often being admitted to adult wards. If they commit crimes they end up in 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 aim of this project was to put forward a set of proposals of how children and young people with very challenging behaviour could be helped and assisted in a

¹ The base definition for challenging behaviour used for this project is "Behaviours of such intensity, frequency or duration that the physical safety of the person or others are placed in serious jeopardy, or behaviour which seriously limits the person's access to ordinary settings, activities and experiences."

dignified manner. The project included research on different aspects to enable us to understand better and get a fuller picture before coming up with proposals. The areas researched were: a) history of services; b) statistics; c) current services and residential care; d) suggestions from abroad; and e) meeting the children and young people who have been in touch with the services.

In June 2006, a National Conference was held during which the research reports were presented together with the proposals to the Prime Minister of Malta. Two publications were launched on the day – ‘A Fair Deal: Children and Young People with Very Challenging Behaviour’ and a youth-friendly version in both English and Maltese called ‘See it my Way’. (The youth-friendly version will be distributed to all 13 year olds in Malta and Gozo with the aim of encouraging informed and rights-based discussions amongst young people.)

The Prime Minister announced during the National Conference that a task force would be set up under the auspices of the Ministry for the Family and Social Solidarity with the mandate of evaluating the proposals presented. This task force has been set up, and the Office of the Commissioner for Children is currently awaiting feedback on the recommendations made.



4. Further Recommendations

a. Commissioner’s Proposed Amendments to the Commissioner for Children Act

Amendments to the Commissioner for Children Act were commissioned, and then presented to the Minister for the Family and Social Solidarity.

b. Outstanding Issues from the UN Committee on the Rights of the Child Malta report

Recommendations of the CRC Committee² were initially made on the 28th June 2000 following the Malta report submitted under Article 44 of the UN Convention of the Rights of the Child CRC. Outstanding issues from the UN Committee

² CRC Committee: The UN Committee on the Rights of the Child is the monitoring body of the UN Convention.

regarding this report were presented in this time period to the Minister for the Family and Social Solidarity.

5. Children's Residential Care

As one of the main focuses in the draft work plan for the next three years, a long term project has been initiated on this issue with the aim of drawing up principles upon which the Ministry can base its National Policy on. An initial core group has been set up in order to clearly delineate the aims and objectives of such research, as well as to contribute to the design of the research.

6. Children's Rights Education

Plans are underway for the Children's Rights Course (Rights 4U) to be held in November 2007. The course will be held in Gozo, for Gozitan young people, and will be based on the UN Convention on the Rights of the Child. The course will be highly interactive, and will be structured in such a way as to bring out young peoples potential and talents. The children will play an integral role in leading the direction of the course, as they will discuss issues which are of most relevance and significant to them in their present context.

The participants for this course will be required to apply through an application form which will be circulated to secondary schools in Gozo. The final participants will then be selected by an independent Selection Committee.

7. Manifesto for Children's Rights

A manifesto on children's rights is currently in the process of being finalized. A child-friendly version (aimed at children aged 12 and above) will also be prepared in an attractive format, to inform and increase awareness amongst Maltese children of the issues raised.

After its completion, the Manifesto will be presented to the General Secretaries of the political parties for possible inclusion in the Political Manifestos. It is envisaged that a press conference will be held in mid-October in order to launch the Manifesto and present it to the Secretary General. Following this, the Manifesto as well as the child-friendly version will be widely circulated.

8. International Relations

International Relations are important to our Office to:

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

a. The Risk Group of Unaccompanied Minors: Protection Measures in an Enlarged European Union

The Office Manager for Research and Policy attended this conference from the 9-11th March in Florence, Italy. During this conference, the current situation of unaccompanied minors in the new EU member states was brought to the forefront, and the current problems reflected on.

The research on which the conference was based explored the support provided to unaccompanied minors applying for asylum, as well as to undocumented minors who have either crossed the EU border by irregular means or who reside undocumented in the EU. The project focused on the extent and quality of care and protection provided to unaccompanied minors in the field of national reception procedures as well as social support programmes, such as access to education, labour market, health care, and social services.



b. European Forum on the Rights of the Child

The Commissioner for Children, along with the Policy Co-Ordinator for the Ministry for the Family and Social Solidarity, attended this meeting held in Berlin on the 4th and 5th June. This Forum follows other major initiatives of the European Union on children's rights, namely the Communication 'Towards an EU Strategy on the Rights of the Child.'

A Declaration was adopted during the European Forum, in which the Commissioner for Children (along with representatives from other Member states) decided to support the launch of the European Forum on the Rights of the Child, encourage the development and implementation of strategies to promote the rights of children, and support the inclusion of Children's Rights within internal and external policies of the EU. Furthermore, it was decided that the close co-operation between the stakeholders of the Forum would be maintained and strengthened, support to third countries would continue to be given (by means of pushing for the implementation of commitments arising from the Convention on the Rights of the Child), and the participation of children in the work of the Forum would be further encouraged.

c. "The Future for Our Children": Implementing the commitments of the Fourth Ministerial Conference on Environment and Health

The Fourth Ministerial Conference on Environment and Health was held in Budapest on 23-25th June 2004 with the theme of "The Future of our Children" within the broader context of sustainable development. At the conference, Ministers agreed to meet again at a Fifth European Ministerial Conference on Environmental Health to be held in Italy in 2009. Several activities have already taken place in order to implement the commitments taken at the initial conference, and the World Health Organisation (WHO) was invited to convene an intergovernmental meeting to carry out a mid term review of the process by the end of 2007.

The Commissioner for Children attended this Inter-governmental Mid-term Review (IMR) in Vienna, Austria from the 13th-15th June 2007. The objective of the meeting was (i) to bring countries together to review the implementation of the commitments made in the Children's Environment and Health Action Plan for Europe (CEHAPE) and the Budapest Declaration, and (ii) to share experiences and lessons learnt in the process. The meeting also served to identify future directions in the field, and further actions to be taken by member states and other stakeholders to improve the Environment and Health situation.

d. Children's Rights, Children's lives

From the 6th till the 8th September, the Commissioner for Children attended a conference on Children's Rights in Windsor, United Kingdom. The aim of the conference was to look at how children's rights were currently being defined at the national, European and international levels by lawyers, politicians, non-governmental organizations, academics, and campaigning groups. The conference considered developments in the field of Children's rights in recent years, particularly with the introduction of the UN Convention on the Rights of the

Child, in that it gave relevant attention to the specific needs and vulnerability of children where existing discourses on human rights did not.

The Commissioner also participated in discussions on recent developments which have had a significant impact on the nature of children's lives. This has affected the way in which childhood in itself is defined, and calls for a re-evaluation of the most prominent needs for children today. The ensuing discussions in the conference focused on this, and on how best to promote children's rights in today's present context.

9. Individual Cases

a. Individual Complaints

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 nature of the complaints have been varied and diverse, corresponding to the variety of areas demanding attention in the life of the child. During this period, the Office of the Commissioner for Children has dealt with cases on separation; residential care; legal education; school transport; the environment; health; safety on the playground; court delays; adoption; bullying (including bullying via the internet), amongst other cases. In these social cases, the Office of the Commissioner for Children is instrumental in referring those concerned towards social policies which are relevant in their particular case. Where the need arises, cases are referred to other entities for further assistance.

b. Investigation on Football Nurseries

In May 2007, an article in a local Sunday newspaper was printed regarding alleged corruption of young boys within the Youth Football Association.

A formal investigation into the situation is currently underway, at the request of the Commissioner for Children.

10. Networking

Networking remained a priority throughout this year and meetings were regularly held with various Ministries, government departments and government agencies,

embassies, non-governmental organizations, the church and international organizations.

