



Children can't wait



Kummissarju ghat-Tfal
Commissioner for Children



Children can't wait

The Office of the Commissioner for Children was set up in terms of the Commissioner for Children Act of 2003, to promote the welfare of children and the compliance with the UN Convention on the Rights of the Child, as ratified by Malta, and such other international treaties, conventions or agreements relating to children as are or may be ratified or otherwise acceded to by Malta.



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Although the Commissioner requested information from ministries, government entities and departments, local councils, schools, residential children's homes, parishes, non-governmental organisations, and the media – this report is based primarily on the responses received.

The Commissioner's Message

Children can't wait

It is with pleasure that I am presenting my second annual report as Commissioner for Children in Malta. The report, covering the period January to December 2005 will help to show the strides that Malta's Human Rights Institution for children is steadily making in ways that are obvious to the public and the media, and in others that may be less obvious.



2004 was a year of constant visits to schools, youth organisations, children's homes and all other environments where I could meet children, and this gave me the initial insight into the situation of children in Malta.

In 2005, I focused more on specific issues that had been identified in the first year as deserving special attention, and four main projects were launched, two of which were undertaken with the Malta Broadcasting Authority and the National Statistics Office. The spotlight was on Children with Very Challenging Behaviour, a Children's Rights Course for Young People, a national survey on Children and Internet Use and Quality Children's Programmes on Television. The first three of these projects have been completed.

The awareness campaign about Children's Rights and the Office of the Commissioner for

Children was intensified, and this year saw the distribution of 15,000 stickers sporting the logo, email address and telephone number of the Commissioner for children and young people in schools, homes and organisations which I visited personally. Meanwhile, a constant presence on the Media was maintained so as to reach people of all ages. The significant 100% increase in individual complaints received at the Office testifies to the exposure achieved.

Setting up the Office continues to be a painstaking endeavour. However, much groundwork has been done so that 2006, thanks to an increase in the Office budget, will see the first person officially employed with the Office of the Commissioner for Children. Plans for a move to more appropriate premises are also underway in order that the independence of the Office from the government will be emphasised.

A basic truth which I highlighted during both years is that “Children can’t wait”.

In view of this, on World Children’s Day 2004, I had called for a Children Act in order to effectively protect children’s rights. I also requested an additional judge for the Family Court, and much more resources to be made available for services required by children in the schools, in the justice system, and in the social services.

Although there have been some amendments to legislation and a second judge has been assigned to the Family Court, there is still no

Children Act and our most vulnerable children continue to be put on waiting lists because of a great shortage of professionals where children need them most.

Foster families and their children are anxiously awaiting the Fostering Act which is being drafted. This law is intended to regulate fostering and to support couples who have generously fostered children without any specific legislation to back them, and who have been encountering innumerable difficulties. I sincerely hope that the White Paper, once published, will be swiftly debated and approved by the House of Representatives.

Children make up nearly a quarter of our population, but are still not being given the minimum 25% of our attention as a nation.

A “Children can’t wait” policy needs to be adopted by all ministries and government departments. Services to children are not only quantified in financial ways. There are rights to development, rights to participation and rights to protection that need to be observed whilst the child is still a child. Delaying the proper implementation of such rights has harmful effects which may influence the child for life. Unless we wake up to this reality, it will not only be the children who continue to suffer, but our society as a whole.

Sonia Camilleri
Commissioner for Children

The Commissioner and her Office

The focus is on the child

The Commissioner for Children's role, as assisted by the Council for Children, is to promote awareness of children's rights, to assert such rights in the legal and administrative framework and to monitor child services. Above all, the Commissioner's role is to give children a voice. The Commissioner for Children Act has further equipped the Commissioner with the power to investigate complaints on her own initiative, as well as to issue recommendations, child impact statements and recommendations in the form of a compliance notice.

Guiding Principles

Article 10: Guiding principles

The Commissioner shall be guided by the following general principles:

- (a) that the best interests of children and the family are paramount;*
- (b) that all children are to be treated with dignity, respect and fairness;*
- (c) disabled children and children with disadvantaged family or social circumstances should enjoy the same quality of life like all other children;*
- (d) that children and their families are to be provided with opportunities to participate in decisions that affect them and in defining, planning and evaluating services to children; and*

- (e) that government, families and communities share the responsibility for the promotion of the development and well-being of children.*

Functions of the Commissioner

The following are the functions of the Commissioner as laid out in articles 9 and 11 of the Commissioner for Children's Act:

Article 9: Functions of the Commissioner

- (a) to promote and advocate for the rights and interests of children;*
- (b) to ensure that children are being given the opportunity to express their opinions and that these are in fact considered;*
- (c) to promote the protection of family unity;*
- (d) to advocate for adequate support to parents for the upbringing of their children;*

- (e) to foster the development of alternative care to children who need such care with special reference to fostering and adoption;
 - (f) to seek to ensure that the rights and interests of children are properly taken into account by government departments, local authorities, other public bodies and voluntary and public organisations when decisions on policies affecting children are taken;
 - (g) to promote the protection of children from physical or mental harm and neglect, including sexual abuse or exploitation;
 - (h) 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;
 - (i) to promote the highest standards of health, and education and social services for children;
 - (j) to promote the highest standards of leisure, play and recreational facilities for children;
 - (k) to ensure that all possible measures are taken by the relevant authorities to prevent and remedy poverty and social exclusion among children;
 - (l) to promote compliance with the United Nations Convention on the Rights of the Child as ratified by Malta and with such other international treaties, conventions or agreements relating to children as are or may be ratified or otherwise acceded to by Malta.
- (c) collect information and investigate any alleged breaches of the rights of children including the death of any child if the Commissioner considers such an investigation to be necessary;
 - (d) set standards to be applied by ministries, departments or agencies of the Government to help ensure that their internal review processes are responsive to complaints about decisions concerning the provision of designated services to children;
 - (e) monitor whether ministries, government departments and agencies referred to in paragraph (d) are meeting the standards set under that paragraph;
 - (f) collect data about, conduct or encourage research into, matters relevant to services for children;
 - (g) ensure that such services in relation to children are:
 - i) accessible,
 - ii) community-based,
 - iii) co-ordinated and integrated,
 - iv) inclusive of gender, culture and language, and
 - v) responsive to individual needs;
 - (h) provide public education and information designed to promote an understanding of, and to invite public comment on, the work of the Commissioner;
 - (i) monitor and assess the policies and practices of social welfare services affecting children;
 - (j) ensure that legislation relating to the protection of children's interests is observed;
 - (k) act as a spokesperson for the rights, needs and interests of children and put forward proposals for measures which can solve or prevent conflicts between children and society;

Article 11: Promoting the best interests of children

In order to promote the welfare of children and to monitor the conditions under which children develop, the Commissioner shall:

- (a) provide public education and information designed to promote an understanding of the rights of children;
- (b) initiate measures for asserting the rights and promote the interests of children;
- (l) advise the Government and propose to the Government such measures as may be required in order for the rights and interests of children to be provided for.

The Council for Children

The Council for Children's role is to advise and assist the Commissioner in the performance of her functions and in the promotion of the welfare of children. The Council is also entrusted with monitoring compliance with the United Nations Convention on the Rights of the Child and with other international treaties, conventions or agreements relating to children which Malta ratified or acceded to.

In 2005, the Council for Children was composed of:

Ms Sonia Camilleri	Chairperson, Commissioner for Children
Ms Micheline Sciberras	Ministry for Education, Youth and Employment
Mr Leonard Callus	Ministry for the Family and Social Solidarity
Dr Richard Zammit	Ministry for Health, the Elderly and Community Care
Ms Louise Calleja	Ministry for Justice and Home Affairs
Dr Anna Felice	Ministry for Justice and Home Affairs
Hon Clyde Puli	Social Affairs Committee
Dr Arthur Azzopardi	Co-opted member
Mr Charlot Borg	Co-opted young member
Ms Lara Camilleri	Co-opted young member
Mr Malone Debono	Co-opted young member
Ms Annabelle Muscat	Co-opted young member
Ms Marian Muscat Azzopardi	Co-opted member
Mr Mark Anthony Sammut	Co-opted young member
Ms Maria Seguna	Co-opted young member
Ms Shanna Spiteri	Co-opted young member
Ms Marie Testa	Co-opted member

Ms Annabelle Muscat, Ms Maria Seguna, Mr Mark Anthony Sammut were Council members until July 2005.

Mr Charlot Borg, Ms Lara Camilleri, Mr Malone Debono and Ms Shanna Spiteri were co-opted in September 2005.

Dr Arthur Azzopardi was co-opted in October 2005.

The Office of the Commissioner for Children

The Commissioner for Children Act was enacted on the 5th of December 2003, and Ms Sonia Camilleri started her mandate on the 16th December 2003.

The Office is presently composed of:

Ms Sonia Camilleri

Commissioner for Children	Part time
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Ms Carmen Cassar

Clerk/ Secretary	Full time
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Ms Daniela DeBono

Research, Development & International Relations	Full time
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In addition:

- Dr Ruth Farrugia was the Office's legal officer until April 2005. A call for applications has since been issued to employ a legal officer.
- Mr Manuel Fenech was on loan from the Ministry of Education, Youth and Employment. He was at the Office until July 2005.

The Commissioner acknowledges the voluntary work done in the Office by Ms Han WildeBoer, Ms Arancha Suarez-Fuentes, Ms Claranne Micallef, Ms Bernardette Micallef and Mr Anthony Micallef.

The Annual Budget for the first two years 2004 and 2005 was Lm 10,000 per annum (around 24,000 euros) from which the honorarium and part of the wages were deducted.

This has been increased for 2006 to Lm 25,000 (around 60,000 euros).

The Period covered by this report

This report covers the year 2005 and has been prepared in line with Article 19 of the Commissioner for Children Act which states that:

Article 19: Annual Report

(1) The Commissioner shall, not later than six weeks after the end of each calendar year make and transmit to the Minister, an annual report which shall include:

- a) a report of the Commissioner's activities during the year;*
- b) a general description of the circumstances of children in Malta and a survey of the developments which have affected them;*
- c) any recommendations regarding the need for legislation or change in rules or policy; and,*
- d) any responses made to the Commissioner in accordance with this Act.*

(2) The Minister shall, at the earliest opportunity and not later than eight weeks after he has received a copy of every such report, or if at any time during that period the House of Representatives is not in session, within eight weeks from the beginning of the next following session cause a copy of every such report to be laid on the Table of the House of Representatives.

The Commissioner's Activities

1. Report of Activities of the Commissioner

1.1. The Commissioner's Main Focus Areas in 2005

The main focus areas in 2005 were:

- Children and the Media
- Children with Very Challenging Behaviour
- Children and Internet Use
- Children's Rights Training Course for Young People

1.1.1. Children and the Media

The Commissioner for Children and the Broadcasting Authority set up a working group to discuss and submit amendments for the protection of minors provisions in the broadcasting law.

It was agreed that the working group will focus on two main issues:

- a. To propose amendments to the current broadcasting legislation to further protect minors from various forms of exploitation and abuse; and
- b. To draft and possibly also include in the proposals a set of guidelines for good quality children's programming.



Charlot Borg, a young Council Member with Sonia Camilleri and Stephen Zerafa, a researcher, at the Round Table Conference held in October 2005

After a series of meetings with local and foreign 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 for quality children's programmes and a strategic plan. These were discussed in October 2005

during a Round Table Conference with professionals working in the field.

In addition, two members of the working group addressed the Media Desk Information Seminar, and articles in the local press were written.

It is planned that a National Conference for further consultation with all the stakeholders will take place in 2006.

1.1.2. 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 in a dignified manner. The project has also included research on the different manners in which very challenging behaviour is presented and what structures are currently available to meet the specific needs of children and young people with very challenging behaviour. The final proposals will be presented to government.

The base definition of challenging behaviour used for this project is “Behaviour 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”.

There is no comprehensive rehabilitation programme for children and young people with ‘very’ challenging behaviour in Malta. Children and young people with these problems often end up in Mount Carmel Psychiatric Hospital, even if they do not strictly need psychiatric help, and are also often being admitted to adult wards. When young persons are found guilty of committing a criminal offence they are sent to 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 coordinated five working groups which researched thoroughly and compiled reports on different aspects of the areas of concern: statistics; history of services; current services and residential care; suggestions from abroad, and meeting the children.

The fifth working group which documented children’s perspectives of very challenging behaviour and existing services in Malta, was an excellent and very professional exercise in *Child Participation* and the report is appropriately entitled: ‘*See me. Listen to me*’.

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

It is expected that a National Conference will be held in 2006 to present the working group’s reports and the final proposals.

1.1.3. Children and Internet Use

The Office of the Commissioner for Children participated in a working group set up by the National Statistics Office on “Internet Use by Children and Young People”. The working group



Marian Muscat Azzopardi, a member of the Council for Children, Manuel Fenech, Educational Issues Officer at the Office and Simone Ek from Save theChildren, Sweden - at the Children's Rights Course, July 2005



A group of young participants and a youth worker at the Children's Rights Course organised by the Commissioner's Office in July 2005

also included representatives from 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 over 3,000 children from 59 schools in Malta and Gozo. The results of this research have been published.

1.1.4. Children's Rights Training Course for Young People

Between the 1st and the 3rd of July 2005, the Commissioner's Office organised a children's rights training course for children and young people (13 – 16 years old). The course was lead by officers from the Commissioner's Office assisted by Youthscape, a local NGO which offers the services of youth workers. Ms Simone Ek, a Senior Adviser on the UN Convention on the Rights of the Child and officer of Save the Children Sweden, was a special guest. She 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 to attend the course, 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.

1.2. Children's Rights Education and Awareness raising

Public relations are very important for a young institution like the Commissioner for Children. It is of utmost importance for children, young people and others to get to know what the Commissioner for Children's role is.

The Commissioner participates frequently at seminars and conferences, and delivers talks or facilitates discussions with children, young people & adults both in schools and in their local community organisations.

The Commissioner has also kept a regular

presence on the media (TV, Radio, Newspapers, Children's Newspapers) in this last year. The Office has also issued several Press Releases and organised Press Conferences. The Media was also invited to key activities organised by the Office.

From October 2004 to July 2005 the Office was 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 to discuss particular children's rights.

The Office also coordinates 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 the role of the Commissioner for Children.

The website www.tfal.org.mt which will be officially launched during 2006, already hosts all the official documents, reports, press releases and articles issued by the Office of the Commissioner for Children.

1.3. Schools and Educational Issues

Between January 2005 and December 2005 the Commissioner has visited many schools. School visits include meetings with



Sonia Camilleri and Manuel Fenech during a meeting of the Students' Council of St Michael's College

administrative staff, guidance teachers, class or subject teachers and other members of staff; meetings with students in their classrooms but even in informal settings; and, meetings with Student and Pupil Councils.

1.4. Participation of Children and Young People in the Commissioner's work

1.4.1. Young Council Members

Four young persons were co-opted as members of the Council for Children for the period September 2005 to August 2006. The four young representatives, 16 year old Malone Debono, 16 year old Charlot Borg, 13 year old Lara Camilleri and 13 year old Shanna Spiteri, were elected by their peers during the Children's Rights Course organised by the Commissioner's Office.

Visits to Schools

	State	Church	Independent	Total
Primary Schools	11	-	-	11
Secondary Schools	8	11	2	21
Post-Secondary Schools	1	-	-	1
Special Schools	3	-	-	3
Nursery	-	-	1	1
Summer schools	3	1	1	5
Schools of Art	-	-	1	1



The Commissioner for Children with the outgoing youth Council Members Mark Anthony Sammut and Annabelle Muscat

They take over from Mark Anthony Sammut, Annabelle Muscat and Maria Seguna.

Their role is to advise the Commissioner for Children as Council members according to Article 13 of the Commissioner for Children Act. Their presence on the Council ensures that children's and young people's voice is heard.

Child participation is meant to be part of the air one breathes at the Office, and all initiatives point to this.

The Logo of the Office is the result of a very successful Logo competition which saw the participation of over 600 children during 2004. It is a beautiful and very expressive logo. This year's main event was a Children's Rights Training Course for Children and Young People described elsewhere in this report.

This led the way for more young people to be co-opted on the Council for Children, and started a series of consultation meetings between the Commissioner and young people where the first topic discussed was in fact Child Participation.

At Council meetings, the young members participate regularly and have been instrumental in drawing up the Commissioner's Action Plan for 2006.

As part of the consultation process, youths have asked the Commissioner to adopt the title, albeit unofficially, of Commissioner for Children and Young People, as they do not identify with the official title.

The 4 young people elected on the Council have accompanied Mrs Camilleri while on work-related visits on a number of occasions. Some examples are:

- Taking part in the television programmes 'Chatroom' and 'Xarabank'.
- Visiting the Playmobil factory and taking an active part in the opening of the Fun_Park.
- Delivering a speech at the seminar on 'Quality Children's Programmes'.
- Being invited to the World Children's Day programme with the Queen, and the official opening of CHOGM.

1.4.2. Consultation with Children and Young People on Participation

The Commissioner for Children organised a consultation meeting for children and young people on the theme of 'Participation', in preparation of the Annual Report of 2005. The day chosen for this consultation was the 10th of December, Human Rights Day. This day was chosen to enforce the message that children's rights are human rights which belong to each and every child in the world. Participation is also the distinguishing element in children's rights' – which is witness also to the development of human rights.

Around 100 children and young people from the ages of 13— 17, who have had prior training in children's rights, were invited to this Consultation Meeting. The Consultation started with a presentation by the Commissioner for Children on Participation and was followed by a discussion in working groups by the young

people on the particular significance of participation in their lives.

The young participants also filled in a questionnaire on participation in various aspects of their life. This questionnaire was prepared by young people (youth representatives on the Council for Children and elected representatives on the ad hoc Electoral Commission of 2005). The whole preparatory process was facilitated by the Office of the Commissioner for Children. The Consultation was also supported by youth workers from the NGO Youth Scope.

1.5. International

1.5.1. L'Europe de l'Enfance, 'Family Mediation', Luxembourg, 12-13th April 2005

This meeting discussed challenges being faced nowadays as a result of two different phenomena: the increase of bi-national couples and the increase in separations and divorces. Children from bi-national couples are sometimes separated completely when their parents are in two different countries.

The Presidency of the European Union focused its attention on the Resolution of the Council of Europe of the 20th of September 2001 providing for the cooperation of the States in order to promote and improve personal relationships between the children, their parents and all other persons having any kinship with the children. This Resolution proposes the resort to family mediation by the authorities.

Mrs Sonia Camilleri, Commissioner for Children, attended this meeting.



The 2005/2006 young Council Members: Shanna Spiteri, Lara Camilleri, Malone Debono and Charlot Borg

1.5.2. European Network of Ombudspersons Children (ENOC) Annual Meeting, Warsaw, Poland, September 2005

The ENOC met for the 9th time and welcomed the recently appointed English Commissioner for Children as an observer member. The Commissioners for Children of Malta, Ireland and Scotland were attending for the second time, whereas the appointment of the Children's Commissioner in Serbia is expected in the coming months. The themes discussed this year were familiar to all 24 participants. These were: commercial and media pressure on children, protecting the rights of unaccompanied and separated children, and the right of children to remain in their family environment.

Mrs Sonia Camilleri, Commissioner for Children, participated in this meeting.

General Description

2. A General Description of the Circumstances of Children in Malta and a Survey of the Major Developments that affect Them

2A. The Right to Participation

The first Annual report gave an overview of the general situation of children in Malta as it was presented to the Commissioner by the children themselves and by those who work with children. The major changes concerning policies regarding children are being listed at the end of this section. The strategy this year is to approach this report from a different angle, and to look at the situation of children in Malta in the light of a particular article in the United Nations Convention on the Rights of the Child. The success of this strategy may lead to an annual focus on different articles and to report on the advanced level or otherwise of their implementation in Malta.

The article from the Convention chosen in preparation for this report is Article 12 which states that:

1. *'States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being*

given due weight in accordance with the age and maturity of the child.

2. *For this purpose, the child shall in particular be provided the opportunity to be heard in any judicial and administrative proceedings affecting the child, either directly, or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law.'*

All stakeholders were approached by means of 630 letters that went out to Ministers, Local Councils, Schools, Parishes, Youth NGOs, the Media, Judges, Health officials, and agencies for children's services.

The first result was that of an awareness campaign about article 12 and for, some entities, of the Convention itself. Participation is described strongly in the National Youth Policy of Malta (Pt 12.1) where active participation is promoted and tokenistic participation is discouraged. However, various replies showed surprise and satisfaction at the existence of this Right of Children and registered the intention of

the respondents to do all in their power to implement it.

The second outcome was that this exercise provided the opportunity to highlight the difference between 'participation' and full 'Participation' in the light of the UN Convention on the Rights of the Child. Children who are invited to take part in an activity, for example a swimming competition, are participating in the race, but may not have Participated in the planning and organisation of the race so as to make it an activity modelled on the needs and ideas of children.

Participation implies that:

- Children/young people discuss issues involving them
- Children/young people's views are taken into account by adults
- Children/young people are involved in decision-making (together with adults)
- Children/young people share power and responsibility for decision-making with adults.

2.1. Children's Participation at Ministerial Level

Office of the Prime Minister

In a series of public dialogues which the Prime Minister is holding with various sections of society, 120 children of various ages, elected by their summer school companions were invited to meet the Prime Minister at the Auberge de Castille on the 5th September 2005.

The aim of the event was to provide an opportunity for children in Malta to voice their opinions directly to the Prime Minister, as well as to acknowledge children as rightful

participants in the 'Dialogues' endeavour. Issues, questions and proposals that the children raised about the environment, vandalism, education, waste separation and others have been recorded on a CD. Hopefully, the next step will be that their views will be taken into consideration during policy making.

Nicole Galea, a nine year old from Fontana, Gozo, described this event in an article for the Junior News of the Times of Malta (23rd November 2005).

The Ministry for Education, Youth and Employment

In all policies being published by the Ministry, children are one of the stakeholder groups consulted for their views and opinions.

Various programmes, initiatives and projects are underway in our schools where children's participation is central to the process.

Youth Section

The Youth Section encourages the participation of young people in decision making and in issues such as economic, social and cultural development, access to information and advice, vocational training, employment, housing, health and leisure.

In order to encourage and increase participation of young people, the section supports NGOs through a number of initiatives such as the Youth Support Programme where it financially assists youth organisations which embark on projects consonant with the National Youth Policy.

The Youth Section has also set up a number of youth empowerment centres in strategic places around the island in order to render service to young people within the given locality.

The 'Gharfien Nazzjonali Zghazagh fis-



Two young participants of the Children's Rights Course organised by the Commissioner's Office in July 2005

Socjeta' yearly awards serve as the official recognition of voluntary work carried out by young people towards society for those in need of care and support through work carried out locally or abroad.

Ministry for the Family and Social Solidarity (MFSS)

As part of the international research project 'Quality4Children', the MFSS conducted a number of focus group sessions with children in residential and foster care. The emphasis of this research was to give children a voice in the drawing up of standards for residential and foster care.

The Minister prides herself in being very accessible, and has received children and young people personally at her office. An example of this was the group of very young children from the Focolare Movement whom she had met at

the FamilyFest in April, and who had asked to visit her at her office so that they could give her a 'Cube of Love' which is a game they are promoting. An after school meeting was arranged and the children were given all the space they needed to describe their new game, ask the Minister questions and take photographs.

The APPOĠĠ Agency

The APPOĠĠ Agency has long been a promoter of Children's Rights, among them the right to participation.

Two very interesting training seminars were held this year in connection with this right. The seminars were about: 1-'Giving a voice to children' and 2-'Service-user involvement'. In both cases, experts in the fields were invited from abroad and they reaffirmed the conviction among professionals that children have a right

to voice their opinions about all that concerns them, and that their opinions must be taken seriously.

Putting theory into practice, APPOĠĠ has a policy whereby children involved in Generic Services, Child Protection issues and in court processes, as well as those children living in residential homes, foster families or shelters from domestic violence, all have the opportunity to say their story, participate in their case reviews and be part of the team drawing up their care plan.

APPOĠĠ has also participated in the two-year U.N. project on 'Violence against Children' by making it possible for two young people from Malta to participate in a 2 day interactive workshop held in November 2005 in Strasbourg entitled 'The voices of young people on poverty, corporal punishment and violence'.

Some recent dissertations, written by students of the University of Malta, on Children's Participation are proving to be very interesting. One particular dissertation which focused on the supervised access visits of APPOĠĠ is 'The Power to Participate: Children's perspectives on supervised access visits as service-users, individuals and young persons' by Anthea Agius.

The new service which caters for accompanied and unaccompanied minors among asylum seekers is also attempting to help the children and youths participate in their own liberation and integration process by firstly seeing to their logistical needs, and then encouraging them to continue their studies and find temporary employment if they are over 16 and have the necessary permits. A guardian is allotted to each unaccompanied minor as was requested by the High Commissioner for Human Rights.

Ministry for Rural Affairs and the Environment

Very valid work on student participation has been achieved by this Ministry in co-operation with

'Nature Trust' through the adoption of the EcoSchools programme, available at international level, which encourages the full participation of children in planning and undertaking activities related to the environment. 26 schools have joined this programme since 2002. In line with the National Minimum Curriculum, which advocates a learner-centred education, and encourages active learner participation and development of critical thinking and participatory skills, the EcoSchools programme is providing a forum for active student participation in decision making. The Eco Wardens chosen in each school are empowered to own the campaign for a cleaner environment and encourage their schoolmates to follow suit.

A noteworthy event this year was the presentation to Parliament of a motion read by 2 students inviting MPs to acknowledge the valid work being done by EkoSkola to improve schools and local communities, and asking them to pledge their support in every way possible. The motion was signed by the Prime Minister, the Leader of the Opposition, and four other Ministers and Shadow Ministers. Students from 12 schools took part in this event.

In his article describing this initiative, Dr Paul Pace, National EkoSkola Co-ordinator, quoted one of the MPs as saying "This is one of the few parliamentary sessions in which I truly felt my responsibility as a people's representative".

WasteServ, in collaboration with the Ministry, is also targeting its campaign at empowering

young people to discover the influence they have as individuals in improving the quality of life through day to day pro-environment decisions.

One of the many activities conducted together with students is the Xummiemu club which also organised a pro-environment demonstration in Valletta with posters designed by children and carrying an educational message.

Over 100 schools are presently taking part in waste-management initiatives as part of their curriculum.

Ministry for Tourism and Culture

This Ministry, working closely with 'Heritage Malta' and the Ministry of Education, Youth and Employment is moving away from *instruction* about heritage to *interaction*.

Some projects which are underway and are aimed at helping young people truly realise how they are part of Malta's heritage, are:

- the creation of interactive material for visits to historical places such as the Inquisitor's Palace;
- participation by students in European Heritage days by means of essay writing and drawing, such as the coming UNESCO project on 'The Temple Builders';
- hands-on sessions for primary school children at the Museum of Archaeology;
- field activities organised by the Natural History section of the Ministry;
- the construction of a lecture/activity room at Ghar Dalam, where brain-storming sessions

on history are encouraged by young visitors;

- organisation of creative workshops, such as the model-making sessions of temples and megalithic statuettes.

2.2. Children's Participation in Schools

An area where the concept and practice of participation is steadily gaining ground is the school environment.

Feedback received this year from 46 schools shows that the staff and students who are taking EDC (Education for Democratic Citizenship), and HRE (Human Rights Education) seriously, are discovering that "the school is much richer now that children are being given the chance to express their views and take the initiative"¹, and that "As the experience of democracy in school becomes a reality, we realise that children have a lot to offer"².

A liberating and empowering strategy is slowly replacing the autocratic, top-down style of school management, and one of the aims is that students will happily be able to say "I had an active part to play in my own education"³. This is undoubtedly the spirit of the National Minimum Curriculum, as can be seen in Objective 2, (Page 48).

One major impetus towards realising student participation has undoubtedly come from the Education Division's programme of EDC which has seen the establishment of 25 Pupil Councils in primary schools, 25 Student Councils in secondary schools, 1 in a special school, and

1 Headmistress, St. Monica School, Gzira

2 Headmaster, M'Scala Primary School

3 Link Teacher, St. Theresa Girls' Junior Lyceum

representative councils in all the 'Skola Sajf' programmes.

It is imperative that the remaining schools, which number around 200, now start the process to set up their Pupil/Student Councils.

The Division, through the Democracy in Schools Unit is also closely following the cross-fertilisation and training of students in participation, and these young people have now moved towards setting up a National Students' Council with their own website.

School Development Programmes frequently highlight EDC and it is good to note that participation is also being taken seriously at kindergarten level and in our special schools. Some schools are also including a reference to the student's level of participation in the School Leaving Certificate.

At post secondary level participation is now fully accepted, and at the Junior College there are 2 students on the Junior College Board with full voting powers to elect the principal and vice-principal.

Student Councils are not the only means of introducing participation in schools. A school magazine run by the students is another effective way of giving students a voice as long

as the Editorial Board is not dominated by adults. The teenage girls at 'Our Lady Immaculate' school in Hamrun make this very obvious in their publication 'The Voice' which captures very vividly the current language and interests of teenage students. The pupils at Mosta Primary A, chose the title 'Mosta Kids Power' for their magazine, and it is filled with all their writings. Two other collections of their writings have recently been published in book form.

Morning Assemblies, organised by students, are offering a platform for issues of interest to the children and youths, while strategically placed suggestion boxes are providing good feedback in some schools.

Ownership of projects, large or small, is vital to empowerment, and here such projects as Scoops, EkoSkola, School Twinning programmes and Erasmus projects go a long way in creating active participation. Genuine consultation on school outings and other activities also yields all-round satisfaction.

Certain projects embarked upon also give much scope for true student participation. Two of many such examples are the Global Education week, part of the Social Studies curriculum, where students from 6 schools carried out a survey, which they created, about the incidence of poverty in Malta and abroad, and the 'Writing for Social Action' campaign organised at Maria Regina Girls' Junior Lyceum, which saw girls writing to local councils, newspapers and even international leaders and organisations on matters such as the inhumane treatment of animals, inclusion, the environment and racism.

At the primary level, pupils are often encouraged to plan the layout of their classroom and draw up their own set of class rules, as well



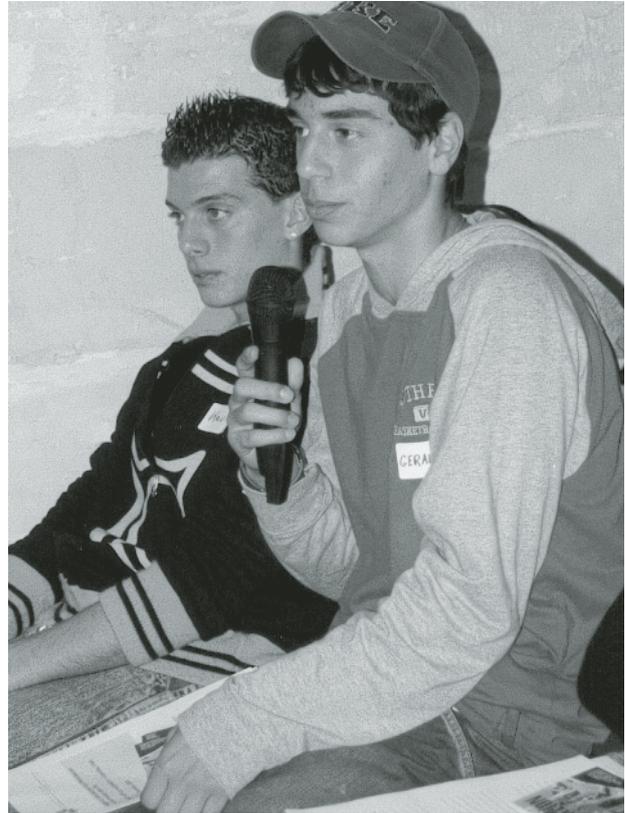
Sonia Camilleri together with Shanna Spiteri, Malone Debono and Charlot Borg, explaining Children's Rights at the opening of the Playmobil Funpark. Also seen in the background, young volunteers Anthony Micallef and Bernardette Micallef

as to choose the titles for their creative writing sessions. One school has even organised working groups which look after activities. They are called: Green Club, Choir, Sports team, School magazine board, Display Boards group and Mid-day break activities team. Samples of suggestions by students that have been taken on board with success by the schools are:

- Support groups for victims of bullying
- Healthier food in school tuck shops
- Changes in the school uniform
- Student friendly examination time-tables.
- Requests for more information on health issues
- Lockers
- Introduction of specific school subjects and activities
- School-leaving parties

The above may give the impression that all students are being heard and that their suggestions are always being taken into consideration. This is not in fact the case. Tokenism and manipulation remain two of the pitfalls of participation even when democracy in schools is officially recognised by the administration.

Tokenism is evident when all the structures for participation are in place but students continue to feel a sense of frustration that nothing has really changed in the way things are run, because their recommendations fail to be accepted. Examples of this are the way students at primary and secondary level continue to ask for more reasonable and meaningful subjects, only to be made to take up subjects which are not what they want or need.



Two young participants at the Consultation Meeting on "Participation of Young Persons" in December 2005

The Junior Lyceum exam and the SEC and MATSEC exams continue to be bones of contention. However commendable consultation meetings aired live on Channel 22 are serving to iron out some major frustrations.

Manipulation can be more discreet. In studies on participation, manipulation is recognised as being one of the first rungs in a ladder that would lead to true participation. Some secondary school students have reported that they are not satisfied with the way they are being asked to participate in their schools. After having drawn the attention of the Education Division to this fact, this Office is satisfied that the issue is being given attention.



Young participants at the Consultation Meeting on "Participation of Young Persons" in December 2005

2.3. Children's Participation at Local Council Level

68 Local Councils received our questionnaire on the level of Participation of children and young people in their Council. The Office received 32 replies, 23 from Malta and 9 from Gozo.

27 of the 32 Councils answered that they had a councillor who was specifically in charge of seeing to the needs of children and young people.

More importantly, this Office discovered that 6 local councils were taking child participation very seriously. Nadur, Zejtun, Pieta' and Mqabba have a Children's Local Council, while Swieqi, Zejtun and Naxxar have a Youth Local Council.

In 2004, on the initiative of the KNZ, a three month pilot project was encouraged in 11 towns and villages where Youth Local Councils were set up. Unfortunately not all of them carried on with the experiment when the 3 months were

over, however the ones that did are engaging young people and listening to their suggestions on all that has to do with their neighbourhood.

It is a slow process, but the move has started away from the idea that the world belongs to adults, and that children are only there to be looked after. They are finally emerging as the prime movers of some very worthwhile initiatives. The Mayor of San Lawrenz in Gozo informed this Office that a playing field has recently been inaugurated thanks to the insistent appeals of the children, and the Local Council of Swieqi has chosen to bind itself annually to implementing two proposals coming from the Local Youth Council.

Another big step in the right direction is the setting up of Youth Empowerment Centres in various regions, through the Youth Section of the Ministry of Education, Youth and Employment. Their success in training young people from the area to recognise their worth and offer their contributions towards various self-designed initiatives, has led to many more Local Councils asking for Youth Empowerment Centres in their towns and villages.

The feedback from the Local Councils was encouraging in that while many admitted to a very low level of child participation, they almost all wrote that they hope to work at setting up Local Child Councils or Local Youth Councils in the near future.

2.4. Children's Participation in Parishes

Parishes have their strategy on participation already thought out for them and laid down in the document 'Pastoral work with children' of the Gozitan Synod of 1993, and in the document 'Youth and Adolescents' that was drawn up at the end of the Synod in Malta in 2003. Both

documents refer explicitly to the need of listening to children and young people, and involving them in the decision making and organisation that goes on in the parishes.

The Church was a pioneer in reaching out to children in need, and still does so today, addressing new problems such as drug abuse and immigration, therefore giving children their rights to protection from all kinds of harm.

The more entrenched one is in protecting children however, the more the move towards acknowledging their participation rights may be difficult. Feedback on 'Child Participation' from the parishes was poor, with only 8 parishes answering our request for information on the subject. This does not necessarily mean that participation does not exist. In fact it is known that young people are asked to sit on the Parish Pastoral Council in various parishes, however one would have to investigate further so as to see how much our parish priests are actually listening to their young parishioners.

2.5. Children's Participation in Non-Governmental Organisations

22 Organisations that work with and for children and young people sent feedback to the Commissioner's office about the level of child and youth participation.

Among the various initiatives carried out in the spirit of participation, young people on the *Caritas Malta New Hope Foundation for the Rehabilitation of Persons with Drug Abuse* are co-authors of their own tailored treatment plans. Students in schools are to give their views on how the Caritas Malta Prevention programme in schools, Focus, can be made more effective and their suggestions are proving invaluable in restructuring the programme and giving it more



Children being introduced to the Commissioner at their school

'edge', while the website www.teenzone.org.mt has a link for young users to send in their remarks, reactions or suggestions or ask for help or information.

At the *Dar tal-Providenza*, which caters among others for children with learning and/or physical and sensorial difficulties, care workers and ability promoters learn how to stimulate the residents to express their views, wishes and needs.

At the *Union Haddiema Magħqudin Youths* (UHM Youths), every member has the right to take part in the UHM Youth Committee, and to give their views on different issues concerning children and youth. The '*Brigata Laburista*' gives children the opportunity to form their own 'Mini Kumitat' so that they can put forward their suggestions for activities that they would like to have.

At OASI in Gozo, empowerment of young people to say NO to drugs is the main driving force of the organisation. In ZEST, the 'Drugs Free Youth Group' within OASI, the planning and conceptualisation of events is in the hands of young people, while the Youth of the Year Award goes to the person who has a proven track record of participation in voluntary work.



Reuben Debono, President of Students' Council of the Junior College (KSJC) during one of the meetings held with the Commissioner for Children, February 2005

Kerygma actively develops the appropriate skills needed by youths for true participation, while one of *ZAK Malta's* aims is of empowering young people with the aim to participate.

The *Mini European Assembly*, organised annually by the N.S.T.F has become a regular event where students at post-secondary level study the situation of various countries in Europe, and during a series of presentations in Parliament, outline their understanding of the economic and socio-political issues of the countries and put forward their resolutions. The winning participants enjoy a week's visit to Brussels where they have meetings with parliamentarians at the European Level.

At *M.U.S.E.U.M.* 'participation is part of the teaching/learning process', while the *Legion of Mary* encourages active discussions in the weekly meetings.

Great belief in children's participation was registered at the *Birzebbugia Windmill F.C.*, where children over 14 are entitled to vote at the AGM to elect the Nursery Committee, and the young players discuss plans and policies on disciplinary measures with their coach. At the *Sliema Wanderers Nursery* a special room has been

allocated where children can meet their coaches before or after the sessions to discuss issues that may arise.

Scout Movement and Girl Guides Association

Child participation is taken very seriously by these two organisations which are encouraged by their international counterparts to fully implement this basic children's right.

In the Scout Movement, children occupy positions of responsibility within the scout group they are part of. These children are chosen by each section leader on the advice of the children composing their particular grouping (Six/Patrol). Section Councils are held purposely to enable the children to voice their opinions on the running of the section. These Councils are chaired by cub scouts and/or scouts who also identify the items on the agenda, while in the seminars organised, the children are asked to choose what they would like to focus on.

The right of appeal from disciplinary action that would expel a child from the Scout Movement is enjoyed by all children.

In 2006 a National Scout Forum is envisaged to be set up officially with Euro-Med Scout Youth Forum in order to ensure that the young people voice their opinion in an official and permanent body.

The Girl Guides

Association is very focused on children's rights. A strong belief which underlies all the work done with young girls, is that through a comprehensive range of support resources, individual members can be empowered to become active and effective citizens in their local and global communities.

In fact two of the six rights being worked upon till 2008 under the theme 'Our Rights, Our



Young people participating actively during a workshop at the Consultation Meeting on "Participation of Young Persons" organised last December 2005

Responsibilities' are: *The right to be heard and The right to work together.*

Concretisation of these rights has been seen in the organisation of forums on a national level which treat issues such as 'Advocacy on the Prevention of Adolescent Pregnancy'. This was one way of responding to the fact that girls today want to express their views, share their worries, be part of decisions and expect help where needed.

Highly significant is the move by the Association to adopt the slogan 'Girls Worldwide Say' as their commitment to be the voice of girls and young women.

2.6. Child Participation in the Justice System

The setting up of the Family Court, of the Mediation Services, of video-conferencing in the Criminal Court, and above all of the post for a Child Advocate, have been moves in the right

direction to give a voice to children.

In view of the extensive caseload at the courts however, the number of Judges, of Mediators and of Child Advocates is still not enough and this is confirmed not only by the clients themselves but also by the judiciary. Training of court staff in dealing with children is still not being provided, although this Office has had occasion to recommend it to the Parliamentary Secretary, the Chief Justice and the President of the Chamber of Advocates.

There is very little awareness of the Child Advocates and how they can be accessed. The Judiciary should also have easier accessibility to support services in the social field.

The structures are in place, even though the Child Advocate is still expected to be the child's lawyer as well as his/her Guardian ad Litem. A consolidation of the services needs to be addressed if children are to be really given a voice.



Young participants during a workshop at the Children's Rights Course

2.7. Child Participation in the Media

2005 has seen the adoption of Guidelines, by the Broadcasting Authority, on how children should be protected in the Media, mainly television. In the same spirit the Public Broadcasting Services issued a set of regulations about the conditions under which vulnerable children can take part in certain programmes.

Participation by children in the wider sense, namely in the choice, planning, drawing up and presentation of programmes is in the very initial stages with only the one-off producer trying to take this policy seriously.



Sonia Camilleri discussing their issues with young skateboarders at the Msida subway

Letters to 30 T.V. and Radio stations as well as newspapers were sent to inform them of article 12 of the UN Convention on the Rights of the Child, and to ask for the level of participation in their organisation.

Only 3 letters of feedback were received. These were from Allied Newspapers Ltd, RTK, and Lehen is-Sewwa. The right of children to participate in all areas that affect them directly appears to be still very new to the other media enterprises.

The Sunday Times of Malta, the Times of Malta and Lehen is-Sewwa encourage children to write in their newspapers. The Sunday Times of Malta features monthly updates from the National Youth Council. The Times of Malta carries a weekly four page Junior News, and both regularly carry contributions by young people. At least two other dailies carry a children's page on a regular basis. Lehen is-Sewwa also has a monthly youth page and welcomes contributions from children and young people. The newspaper supports the magazine 'Taghna t-Tfal' which also publishes children's articles.

RTK airs a regular programme where children are invited to talk about matters of interest in their lives. There are also plans for a discussion programme for young people.

2.8. Young People's views on Child Participation in general

Having asked for feedback from adults about children's participation, a consultation meeting with young people on the subject was held on the 10th of December 2005. 35 youths who have been in contact with the Office of the Commissioner for the past two years and who have had basic training in Children's Rights were given a short presentation on the true meaning of Participation, and were then asked, in focus groups and by

means of a questionnaire, what they think of the level of participation today. The general feedback was that:

- they feel that they are participating well at home where they are involved in the choice of such things as clothes, family outings, food and even the family budget. A regular discussion point is the time they are allowed to stay out in the evening.
- they reported that they are slowly feeling more involved in what goes on at school and that they were also consulted about the student's council, the school uniform, the tuck-shop, the library, discipline and the school in general.
- their level of participation in sharing ideas and decision making at their parishes was quite low, while that same kind of participation in their local councils was practically non-existent.
- the majority felt satisfied with their level of participation in their youth organisations.
- almost all said that they feel they are not consulted about what goes on in public areas, such as beaches, cinemas, and public transport.
- one focus group expressed the wish to be more involved in politics but said they were not interested in partisan politics.

Their insight into what is hindering participation, and their suggestions as to what can be done to improve participation are particularly interesting.

What is Hindering Participation?

- Shyness
- Lack of training in decision making
- Fear of standing out in a crowd
- Fear of expressing own opinion
- Lack of power and support
- Lack of confidence and knowledge



Young participants during a workshop at the Children's Rights Course

- Lack of opportunities
- Bullying
- Not enough discussion opportunities
- Need to listen more to each other
- Youths/children who ridicule their peers' opinion
- Not enough ideas
- Discrimination
- Overbearing attitude of adults towards children
- Lack of faith in and respect for children's potential
- Lack of interest in adults regarding children's participation
- Adults who ignore children
- Adults who overpower children and their ideas
- Attitude among adults that children "don't understand"
- Adults too busy to bother with children's participation
- Adults not prepared for the fact that children might have an opinion worth considering
- Adults are probably also afraid that they might not be able to control children if they are given the go-ahead on certain issues which involve them

What do you suggest in order to improve participation?

- More education and awareness on participation
- More opportunities offered to children to voice their opinions
- Confidence boosters
- Communication skills
- More help and co-operation from adults
- More Councils for children
- Encourage socialisation
- Adults need to listen more
- More meetings about participation
- Better relationships between adults/teachers and students
- No one should be left out of decision-making
- Students should not miss their Council meetings
- Student Councils should discuss things directly related to the students and not only to the school in general
- Adults would do well to consider children's suggestions seriously before discarding them
- More opportunities to participate in society
- Education and preparation about participation in small groups
- Better education on children's rights



Sonia Camilleri on a school visit in Cottonera

Conclusion

The three month long exercise into taking stock of the level of Participation enjoyed by our children and young people in matters directly related to them, as indicated by the preceding chapter, has shown that we have a good beginning in this area especially at school and at home.

The major steps that need to be taken are:

- That the children and the public in general are educated in the true meaning of Child Participation.
- That we all realise that the right of Children and Young People to Participation refers to *all* matters concerning them, and not only those where we would normally consult and work with children.
- That we wake up to the realisation that it is not only children who stand to gain from the implementation of this Right, but Society as a whole.
- That the right to participation is adopted as a policy in all National Action Plans and environments which involve children.



The Commissioner for Children and some pupils at their school

2B. Major Developments in 2005

Projects/initiatives related to children undertaken by the Ministry for the Family and Social Solidarity during 2005

1. The Children and Young Persons (Care Orders) (Amendment) Regulations enacted on the 12th April 2005. Amongst others, these amendments address the following issues:
 - a. Each child or young person under a Care Order is required to have a care plan and will be assigned a key social worker to draw up, co-ordinate and follow up implementation and progress of the care plan;
 - b. A case review is to be held every 6 months (or less if necessary) during which the child or young person is to be heard;
 - c. A child or young person under an interim care order has a right to be represented by an advocate in the process before the Juvenile Court leading to the issue of a definitive Care Order;
 - d. The Minister responsible for social policy may delegate a representative to hear the parent/s or guardians of the child/young persons or the children/young persons themselves.
2. The Working Group on Residential and Foster Care is coordinating a number of policies and recommendations aimed at improving the quality of life of children in residential and/or foster care.
3. Child Care: The proposed standards, issued in the child day care consultation document, are currently being used as an administrative document. Prospective and current service-

providers are being guided in line with these standards and are expected to be compliant with the policy regarding the introduction of these standards. The standards regard such areas as provisions that ensure the safety and well-being of the child, the qualifications of the staff and the child to carer ratio, the suitability of the premises and the necessary policies and procedures for the suitable delivery of the service.

The Department for Social Welfare Standards, formerly known as the Department for Family Welfare, has recently been renamed to reflect the change of responsibilities of the Department. The latter used to perform a social work service delivery function, but is now assuming the role of a regulatory body for the Social Welfare sector. Its operations will focus on the registration of Social Welfare services, monitoring and assessment of set standards, and ensuring compliance with regulations adopted by the Government. One of the priority areas identified by the Department, and which is currently being addressed, is the child day care sector. The mission statement adopted by the department is 'Improving social welfare standards through dialogue and regulation'. The DSWS carried out a gap analysis exercise with around thirty-five facilities catering for children under three years.

During the budget speech for 2006, it was announced that Lm130,000 will be allocated to support existing childcare providers so that they may reach the established standards.

4. During 2005 a review of adoption laws was carried out and a new Adoption Act is currently being drafted. Moreover, a Fostering Act is also being currently drawn up.

5. During 2005, families with more than 3 children received an increase in their children's allowance. For 2006, the children's allowance allocation is set to increase by Lm 38,000, with the total amounting to Lm14.25 million.
6. Guidelines for parents regarding refugee children and a policy for unaccompanied minors were drawn up. During 2005, a second home for unaccompanied minors - Dar is-Sliem, B'Kara - was opened to cater for the accommodation and welfare needs of unaccompanied minors.
7. Domestic Violence Act - This Act, which is not yet in force, will offer protection to victims of domestic violence, including children even if conceived but not yet born. Through this Act, in cases where domestic violence occurs the welfare and needs of the children will be given particular attention.
8. Underage Drinking - The MFSS piloted proposals regarding the sale to and the consumption of alcohol by underaged persons.
9. During the Budget Speech for 2006, it was announced that a programme - "Innocenti" will be launched in the coming year. This service will provide a high support service for children with challenging behaviour.
10. Agenzija APPOĠĠ consolidated the children's services and more financial assistance was allocated.
11. Agenzija APPOĠĠ - Through a Commonwealth grant, APPOĠĠ is being provided with consultation services and intensive training for professionals working with children.
12. Agenzija APPOĠĠ's Supportline 179 has been operating continuously since the 15th of January 1996, through the hard work and commitment of volunteers and dedicated staff. Throughout these years, Supportline 179 dealt with 145,000 callers through 79,970 hours of voluntary work, carried out by 235 volunteers.
 Supportline 179 started off as a helpline to victims of child abuse and domestic violence, evolving into a national helpline dealing with around 60 various presenting problems. The service grew from an 11 hour service to one that offers assistance for 24 hours a day, seven days a week. The volunteers are trained and monitored closely to ensure a professional quality service to the growing demands from the public in need. These are supported by the staff of Supportline 179 and a pool of supervisors who are on call each day of the year.
 Supportline 179 in 2006 is celebrating its 10 year anniversary. It has offered assistance to a large number of children, adults and families in need throughout its years in operation.

Projects/initiatives related to children undertaken by the Ministry of Health, the Elderly and Community Care during 2005

Office of the Director General (Health)

A seminar on children's health and the environment for healthcare Providers was organised by the Office of the Director General (Health) in collaboration with WHO -EURO on the 2nd of December 2005.

The programme included a presentation by Ms Leda Nemer, Children's Health and Environment Programme at the WHO. The presentation was entitled "Why children? Children are not little adults" an introduction to the Children's Environment and Health Action Plan for Europe (CEHAPE).

Health Promotion Unit

1. Meeting of researchers from the Health Behaviour of School aged Children Study held in Malta

The Health Promotion Department hosted the spring meeting of the Health Behaviour of School-aged Children Study between the 27th and 29th May 2005. Over a hundred researchers from forty two countries in Europe and North America participated in the meeting which was held at the Mgarr Hotel in Gozo.

The study is a World Health Organisation cross-national research study of the health and health behaviours of adolescents. It is carried out every four years among 11, 13 and 15 year olds.

The next study will be held in 2006, where a random sample of 1,300 children from each of the age groups will be asked to answer a questionnaire about their health behaviours. The questionnaire that will be used in this study was finalised during the meeting in



Young children listen to the Commissioner for Children

Gozo. The results of the study are expected to be published by May of next year.

2. Teacher Training

Teacher training in Sexual Health was delivered during the in-service teacher training sessions held in July and September 2005.

3. Talks in Schools

The Health Promotion Department receives requests throughout the scholastic year for talks on various subjects to be delivered in schools. The target audience includes pupils, teachers and parents. The following topics were addressed in various schools throughout Malta and Gozo during the scholastic year 2004/2005:

- Healthy Eating for Schoolchildren
- Physical Activity
- Tobacco
- Sun Awareness

Furthermore, a programme of talks is run aimed at Form 4 students in all schools throughout Malta and Gozo covering Sexual Health and Sexually Transmitted Infections.

4. *Task Force for Appropriate School Nutrition Environments (TASNE)*

The Health Promotion Department is represented on the Task Force for Appropriate School Nutrition Environments (TASNE) that aims to develop recommendations for a National Policy for Healthy School Nutrition Environments.

The Task Force finalised a draft National Policy taking into consideration the whole school ethos and based its plan on the Health Promoting School concept.

5. *Saħhti tiegħi, irrid nieħu ħsiebha*

The Health Promotion Department, in collaboration with the Education Division, has piloted a project to tackle Obesity in School Children at Mons. P.P. Saydon Boys Secondary School, Zurrieq. The project is based on the health promoting school approach, where the entire school population is involved and forms part of the school development plan for the next three years. It consists of teaching young people about healthy lifestyles, in particular nutrition and exercise, through curricular and extra curricular, hands-on activities. The project will be disseminated to other secondary level schools.

A manual for schools, entitled SAĦHTI, is currently being prepared and will be published and disseminated to all colleges as a tool for schools.

6. *Sun Awareness*

A campaign was run in April/May with the aim of raising awareness among schoolchildren of the harm the sun can cause to their skin. The campaign also highlighted the desired behaviour changes to reduce sun

exposure. It consisted of:

- a leaflet specifically aimed at children in Year 4, containing an activity that the children had to complete;
- talks in schools throughout Malta and Gozo;
- participation in Education 22 programmes on Television;
- adverts on buses.

7. *Adolescent Tobacco Control Projects*

The Health Promotion Department, in conjunction with other European Union countries, is participating in an anti smoking campaign. This campaign called “HELP” – For a Life Without Tobacco” sets out first and foremost to effectively reach out to young people and those who work closely in the field with young people, whether smokers or non-smokers.

Tools used in this campaign included a road show that was the initial step in attracting the general public, followed by the distribution of information material, applications and promotional objects. There were also television adverts, press releases and a press conference. This campaign brought about awareness on smoking prevention, the dangers of passive smoking and cessation. A scheduled time table of smoking cessation classes were running up to July 2005.

8. *Importation of cigarette-shaped sweets*

The Health Promotion Department is opposing the importation of cigarette shaped sweets. Children are influenced in learning behaviours associated with tobacco when they are exposed to these sweets. It is



Young people participating actively during a workshop at the Consultation Meeting on "Participation of Young Persons" organised last December 2005

generally accepted that children imitate adults in many behaviours and the availability of the cigarettes provides the tool with which they can do so. This may promote the uptake of the smoking habit among children at a younger age.

The importers have initiated court proceedings against the ban.

9. *European Network of Health Promoting School*

The Health Promotion Department participated in this year's European Network of Health Promoting School meeting held in Edinburgh, Scotland. The meeting discussed policy and action in targeting obesity in school children. A manual that will be used throughout the Network was formulated and is now available to the Health Promotion Department in Malta and will aid in the publication of the local manual.

10. *Healthy Breakfast for Schoolchildren*

The Health Promotion Department is consulted in organising Healthy Breakfasts in

schools. The Department advises on the food to be made available to children during breakfast.

Zejtun Primary school organised one of these events with a difference in that the children prepared a healthy snack for their parents too. The parents were addressed by the Health Promotion Unit during the morning, where they learned about healthy eating for the family. The event was filmed and aired on Channel 22.

11. *Media coverage*

- A set of 10 weekly 20-minute sessions on Channel 22's 'Sibt il-Familja' about various aspects of healthy eating and regular physical activity were carried out on every Saturday afternoon
- A series of 6 sessions on Sun Awareness for children in 'Sibt il-Familja' on Channel 22
- A two-part series with Annalise Ellul on 'Childhood obesity' on Channel 22
- A slot on a children's programme 'Luna Park' (Channel 22) – topic: physical activity
- An interview on 'healthy eating and physical activity for schoolchildren' was carried out for a children's programme known as 'Żmeraldi'

12. *'Move for Health Day 2005'*

– Walk to Ghar San Martin

To mark 'Move for Health Day 2005' and in collaboration with the Wardija Special School, a walk was organised from the school to Ghar San Martin and back. A flyer was designed and circulated to invite also the general public.

Ċaqraq leaflets and sun caps, sun protection cream samples and fruit juices were distributed to all the participants, totalling around 100 people.



A young participant speaking during one of the many Consultation Meetings organised for young people

13. Malta Olympic Committee Seminar

'Childhood Obesity – A move to reduce' was the theme of the presentation prepared for the seminar entitled 'The Role of sports science in young athletes' that was organised by the Malta Olympic Committee at the Dolmen Hotel, Bugibba between the 18th and 20th of November 2005. Target audience: young athletes.

Projects/initiatives related to children undertaken by the Ministry of Education, Youth and Employment during 2005

The Ministry of Education, Youth and Employment has set out its plan of review in the education sector with the aim of analysing, reflecting and making recommendations on important issues in the field. The Ministry has set out the following areas for review:

- Early Childhood Education
- School Attendance
- Governance
- Autonomy
- Career Guidance

- MATSEC
- Inclusive and Special Education
- Higher Education
- Adult Basic Skills
- Lifelong Learning

Several reports are now complete and being implemented, others are on the way to completion.

For All Children to Succeed (FACTS) was published in June 2005 and proposes two main changes in the educational system. The first addresses the restructuring of state schools into a number of Colleges. The benefits of such a system will mean that students will be assured an experience of smooth transition from one educational stage to another; from kinder to primary and from primary to secondary. The proposed changes will introduce a principal who will be responsible for all the schools in the College. Each school will still have its own Head. All the Heads of School will meet in a Council for Heads and together decide on a programme that will cater for the needs of a particular college. In this way, educational programmes will address much more the individual needs of students, rather than students fitting into the system.

The Education Division will also evolve into a regulator and a services directorate. This will work towards giving schools more autonomy within an agreed framework of accountability. The aim of this entire reform is to ensure that children are provided with quality education that will help them develop to their full potential.

The Inclusive and Special Education review (Spiteri report) makes a series of recommendations with the aim of offering improved educational services to students with a disability. A coordinator has been selected with the mandate of initiating the implementation of

the Spiteri report. The sectors of inclusive and special education are now under the same direction as recommended in the report. The coordinator is now working on training programmes for facilitators, specialised training in the area of special needs at postgraduate level and also the introduction of new services for students with a disability.

The School Attendance report presents a draft policy regarding the need for schools to improve the rate of school attendance. The report makes a series of recommendations whereby each and every child is thoroughly followed and as far as possible absenteeism is kept at an absolute minimum. Children, who miss out on school, miss out on experiences that cannot be retrieved.

The MATSEC report is one of the latest publications and outlines a number of changes that are thought to bring about an improved system of operation. One of the main changes is that a new system of certification will be introduced in the area of basic skills. The objective is that each student will leave compulsory schooling with a certificate that outlines acquired skills.

The reports regarding the Higher Education sector are aimed at creating further access to the post-secondary educational provision. It is the Ministry's firm belief that our nation's future lies in the development of its citizens and creating educational opportunities will not only primarily allow the individual to reach to their full potential, but will also be beneficial socially and economically.

Projects/initiatives related to children undertaken by the Ministry of Justice and Home Affairs during 2005

The Ministry of Justice and Home Affairs proposed amendments to the Civil Code, Act 16 (2004) which entered into force on the 1st of March 2005. These amendments form an

important part of the necessary updating both for civil rights to remain relevant.

The changes which were effected to the Civil Code cross three sectors: inheritance, status of persons and property.

There are two fundamental changes related to children:

1. In the code there is not anymore the prerogative distinction between legitimate children and illegitimate children. Although, doubtlessly, this classification served its purpose in other times, nowadays it is only serving as a social sanction on children who are not at fault. Today our society, with a sense of justice, feels that it should not let this stamp remain a life-long indelible mark. We still have a number persons in our society who feel that they are inferior to others, due to this ancient classification. For this reason the Civil Code will be updated with new articles and amendments by means of which this stamp will be discarded to be substituted by the words 'children born out of wedlock'
2. For the first time there will be a complete change in the legal mechanism by which a natural father, in an out of wedlock birth, will recognize a child to be his. Previously the system allowed for a man, whether the child's father or not, to appear in front of a public notary with the child's birth certificate, and declare that he was recognizing the child as his own. This meant that the mechanism used to function without the mother, who was never asked for her consent at any stage of the process. Besides, but even much worse, the child had its surname changed.

This will now be changed completely. With the inclusion of these amendments in the Code, whoever now wants to recognize a child as his own, by means of an official letter, must inform and ask for the mother's consent and, in cases where the progeny is already a grown up, he/she

would be informed also so that such institution would decide whether the recognition should be effected or not. All this means that the child's mother is not simply a passive object which could be overlooked. An abuse was got rid of and a better balance was introduced in this mechanism.

Projects/initiatives related to children undertaken by the National Statistics Office (NSO) during 2005

The NSO is a firm believer in Children's Rights. In the course of the Census, this organisation accorded the greatest importance to children, both as junior citizens in their own right and as a means of reaching the adult members of their families. The NSO:

1. Participated in the International Trade Fair of Malta and met with thousands of children together with their families, distributing balloons, rulers and bookmarks to all. There were also five computer terminals on which children could try out a set of specially devised electronic games.
2. Participated in the SkolaSajf programme. This entailed the organisation of seven sessions with the children attending SkolaSajf. In all, seven sessions were held, six in Malta and one in Gozo. The programme lasted from August to September 2005. In this connection, the NSO organised a one-hour information/entertainment programme that was animated by two census characters, Censinu and Censina and included the distribution of an educational children's comic.

Projects/initiatives related to children undertaken by the British Council Malta during 2005

The British Council Malta has embarked on several projects which put in action the right to participation of children and young people under the four strategic themes of their action plan:

1. The internationalisation of young people encouraging the real and virtual mobility of young people through language learning, education, sport, educational policy and reform work:
 - i. Internet-matching schools through Global Gateway
 - ii. Supporting the Education Division (Malta) in English language learning through *Class Out!* A bi-annual British Council, language learning magazine for secondary school learners.
2. Dialogue and the exchange of ideas on values, identity and issues of social cohesion. This includes migration, cultural diversity, faith and religious identities, societal change and transition and language identities:
 - i. 'Something Dark' by Limn Sissay at St Patrick's (Boys') Home. The workshop focuses on the life experience of a British performer poet whose life journey started in Ethiopia and then through foster families and residential care in the United Kingdom. The workshop strives to be interactive with the young audience.

It is British Council policy that each culture activity is combined with a workshop carried out with children and young people.

Recommendations

3. Recommendations regarding the need for legislation or change in rules or policy

3.1 Law against Abortion in Constitution

On the 9th May 2005 the Office of the Commissioner for Children issued a press release declaring the Commissioner's stand in favour of a measure proposed to entrench the law prohibiting abortion in the Constitution. This is particularly relevant in the context of the Commissioner's obligation under article 9 (h) of the Commissioner for Children Act which states that the Commissioner shall promote special care and protection, including adequate legal protection, for children both before and after birth.

The press release concluded by encouraging other Maltese entities to support the initiative.

3.2 Recommendation to Broadcasting Authority re guidelines for participation in media programmes of vulnerable persons

On the 18th of May 2005 the Commissioner for Children issued a press release to express full support for the initiative taken by the Public

Broadcasting Services (PBS) for the protection of vulnerable children under the age of 16 years who have been invited to participate on media programmes. She also encouraged other broadcasting stations to adopt such policies.

In relation to the same topic, the Commissioner also wrote to the Chief Executive Officer of the Broadcasting Authority expressing her appreciation and satisfaction at the measures that were being taken by the Broadcasting Authority with the aim of adopting the Guidelines and the support offered by an impartial agency in the preparation of any children who may opt to participate in media programmes, which would make the Guidelines relevant to all stations.

She recommended that the focus rests solely on children and the wording be clarified to highlight their position as vulnerable persons in virtue of their minority. She also suggested clarification in the terminology used with particular relation to children.

In fact, the recommendations were accepted by the Authority and one of the sections is now only on vulnerable children.

3.3 Recommendations to Social Affairs Committee re IVF

On the 23rd May 2005 the Commissioner for Children was invited to address the Social Affairs Committee of the House of Representatives and make a presentation regarding Biotechnology and Human Rights.

The presentation focused on the effects of IVF treatment on the child prior to birth and highlighted the cost of life incurred during such treatment, to the detriment of the child. The Commissioner emphasised her position that having a child is not an absolute right and that children's rights within such a process should be safeguarded.

In conclusion she recommended the introduction of legislation to regulate assisted reproduction and urged caution where the safety record of certain methods was still under debate.

The full text of the presentation is available on www.tfal.gov.mt and on www.parliament.gov.mt

3.4 Recommendations re rights of siblings living in residential care

In May 2005 the Commissioner wrote to the Minister for Family and Social Solidarity with information relating to the Recommendations of the Committee of Ministers of the Council of Europe on the rights of children living in residential institutions. The recommendations made direct reference to the right for siblings, whenever possible, to stay together or maintain regular contacts which the Commissioner felt highly relevant in view of a communication she had received from a child in foster care lamenting loss of contact with siblings. The Minister informed this Office that our comments and the recommendations made by the CoE

were to be brought to the attention of the drafters of the proposed law on fostering, for their consideration

3.5 Amendment to Domestic Violence Bill

In July 2005, written representations to the Minister for the Family and Social Solidarity were made to encourage specific reference to the unborn child in the definition of household member for purposes of protection under the Domestic Violence Bill. The Minister then referred the proposal to the Chairperson of the Parliamentary Committee discussing the Bill for further consideration.

The Commissioner proposed that the words "before and after birth" be inserted after the words "parents and their children" in the definition of household member in article 2 (iv) of the Domestic Violence Bill.

3.6 Recommendations to Minister for Health, the Elderly and Community Care re cochlear implants

In August 2005 the Commissioner wrote to the Minister following a series of exchanges with parents of children with cochlear implants. She expressed her appreciation at the money being spent by the Ministry for Health to enable the necessary operation to be carried out on each child but called for the subsequent Radio Aid, said to be essential to the optimum use of the device, to also be made available. As each operation cost Lm 40,000 the Commissioner requested that the additional Lm 1,500 be spent on the Radio Aid needed rather than allow the children to wait for long periods on a waiting list within the KNPD (National Commission for the Disabled).



Young participants voting for their representatives on the Council for Children

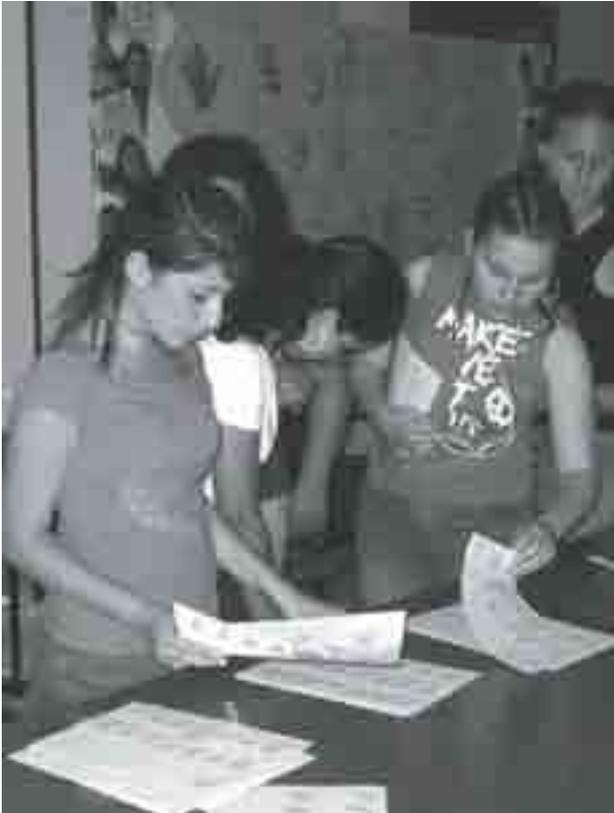
The Private Secretary to the Minister replied that the request would be considered within the parameter of other priorities in the health department.

3.7 Correspondence with Attorney General and Minister for Justice re toy guns

In September the Commissioner entered into correspondence with the Minister for Justice and Home Affairs and the Attorney General relating to proposed amendments to the Arms Act, Act 480, of the Laws of Malta whereby an article prohibiting the sale of toys resembling firearms etc was to be repealed.

The response was to affirm the decision to repeal the article in view of its primary intention being to criminalise the use of toy guns when used for illicit purposes. The Minister for Justice and Home Affairs expressed his lack of agreement with the Commissioner on criminalising the sale of toy guns, citing Europe as supporting his contention that possession of toy guns is not illegal in itself.

The Commissioner regrets that the repercussions of such an amendment on children in their having unrestricted access to toy guns do not seem to have been taken into consideration.



Young council members registering for the Children's Rights Course

3.8 Recommendations to the Ministry for Education, Youth and Employment re Guidelines to Schools re discipline

In October 2005 the Commissioner presented her written comments to the Ministry on the Policy on Good Behaviour and Discipline in Schools.

In her recommendations, the Commissioner suggested the updating of the document with reference to three main areas:

- a. the lacuna concerning children of parents who are separated, particularly within the context of section 5 entitled "Desired Parent Behaviour".

- b. the lack of reference to Mater Dei School and St Patrick's Craft Centre and the need for information to both children and parents when expulsion is used.
- c. the dissonance between this document and the more recent "For all children to succeed" which need to be complementary in their approach.

The Commissioner also took the opportunity to express her concern at the way the Minister was reported in the press as having spoken about discipline in the schools. The reported comments advocated the increased use of expulsion as a response to children with difficult behaviour. The Commissioner expressed her fears at the use of such a strategy to address the needs of children who exhibit difficult or challenging behaviour, advocating alternative methods and increased professional staff to address the needs of these children. She concluded with the recommendation that exclusion as a solution be averted at all costs and requested a meeting to be organised on the subject of discipline for managerial teams of all schools where good practice could be shared.

3.9 Recommendations to the Minister for Health, the Elderly and Community Care re Breastfeeding

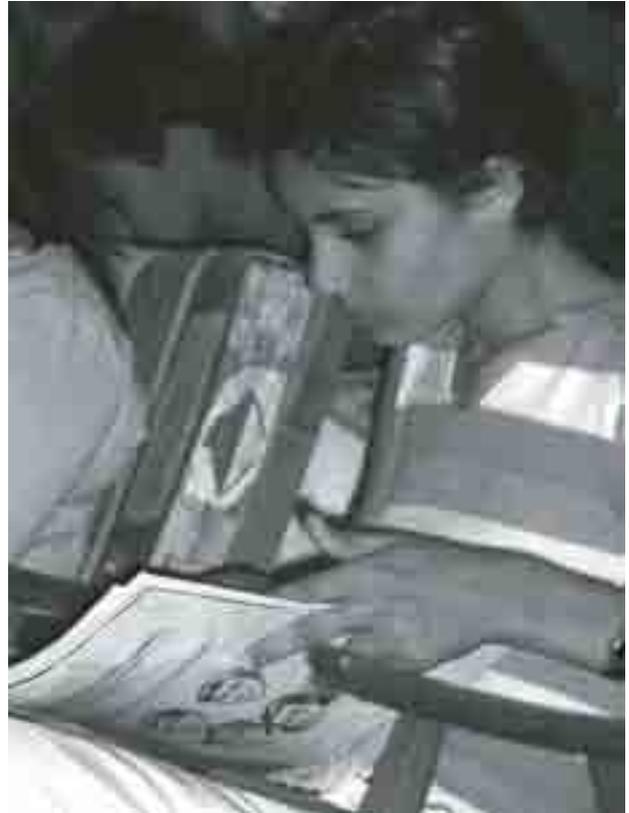
On the 12th October 2005 the Commissioner for Children wrote to the Minister on the occasion of International Breastfeeding Week. She drew his attention to article 24 (e) of the Convention on the Rights of the Child which makes specific reference to the advantages of

breastfeeding and to the Breastfeeding Policy Monitoring Committee which had been set up following the National Breastfeeding Policy drawn up in 2000. The Commissioner expressed her regret that little seemed to have come of the work of the Committee with its members receiving no feedback to their efforts. She mentioned the positive step of allocating a room in the Post Natal ward of St Luke's Hospital used as a Breastfeeding Clinic on two mornings a week but lamented the lack of additional funds for the promotion of breastfeeding in Malta, which may be one reason for the rate of breastfeeding in Malta being so low.

The Commissioner appealed to the Minister to designate funds for the better promotion of breastfeeding in Malta.

3.10 Recommendations to Minister for Education, Youth and Employment re inclusion of media studies in curriculum

In November 2005 the Commissioner wrote to the Minister regarding media education. She cited the Round Table Conference organised by her Office together with the Broadcasting Authority which had focused on the topic of "Quality Programmes for Children" where reference was also made to suggestions made to the Ministry for Education, Youth and Employment relating to the need for more systematic and widespread programmes of education about the media. She also made reference to the National Statistics Office Survey on Children and the Internet where children had



A young participant at the Children's Rights Course

been shown to lack critical approaches necessary for assessment of media presentations.

The Commissioner quoted her own annual report of 2004 and referred to various talks and interviews where the point had been made that media education should be offered to all children in accordance with the Convention on the Rights of the Child (Article 17e). Her recommendation to the Minister was for serious consideration of the benefits children from other countries achieve with a view to making them available to children in Malta.

*Responses made to the Commissioner in accordance
with the Commissioner for Children Act*

Individual Complaints submitted to the Office in 2005

Adoption	1
Bullying	9
Care Orders	1
Child abuse	21
Child Services	2
Child Trafficking	1
Children and Hotels	1
Children and the Media	6
Children with very challenging behaviour	3
Court Cases – delays and related problems	12
Delinquency	1
Detention Centres	1
Domestic Violence	5
Education	23
Entertainment spots	1
Equal Opportunities	11
Fostering	1
General request for help	8
Housing	5
Indecent magazine exposed on shop shelf within reach of children	1
Inheritance	1
Jobs	1
Paedophilia	1
Police Procedures	1
Rating of shows and censure in Malta	2
School transport	5
Separated Families [Access]	19
Services in hospitals	2
Social Security	3
The Corradino Correctional Facility and the Visiting Room	1
Toy arms and others	1
Training in Children Residential Homes	1
Unacceptable behaviour by professionals	2
Underage mothers	1
Urban environment and children	2
Violence on Children	2
Young Persons Unit, Mt Carmel Hospital	2
Total	162

The Commissioner for Children shall 'collect information and investigate any breaches of the rights of children.' Article 11 (c)

The Commissioner shall also 'act as a spokesperson for the rights, needs and interests of children and put forward proposals for measures which can solve or prevent conflicts between children and society.' Article 11 (k)

An increasing awareness of children's rights and of the Office of the Commissioner for Children has resulted in an increase in the number of people who have sought the help of the Commissioner in what they understood to be breaches of the rights of children.

The absolute majority of the complaints were made by adults, although a few also came directly from older children. Ideally, children will grow to feel empowered enough to access the Commissioner's office themselves, and this is why the stickers with the email address and the telephone number of the office are constantly distributed in children's circles. In fact a few young persons have regular contact with the Commissioner via email and they pass on to her their suggestions, ideas and complaints.

The number of official complaints received in 2005 was 162, a 100% increase on last year's number. Complaints were received in writing and then an appointment was set up for the person to meet the Commissioner and elaborate on the issue. As from 2006, a complaints form

has been prepared, a copy of which is found in the Appendix, and complaints will be accepted when the form is duly filled.

The greatest number of complaints this year came from the field of education, and many had to do with the service of facilitators.

Child abuse and neglect were a close second, while problems arising from marital separation followed.

Delays in court were in evidence once again, and problems faced by children with disabilities and their families were received, and addressed very often together with the National Commission for Persons with Disability.

A lack of awareness of services available in the fields of Health, Justice, Education and Social Services was noted and the Commissioner often found herself referring the complainants to the relevant officials or services.

Two requests for official investigations were received. One was dropped by the complainant and the other was carried out. A full report was given to all the parties concerned.



Kummissarju għat-Tfal

Commissioner for Children

Formola ta' l-Ilmenti

Complaints Form

1) Dettalji ta' min qed jagħmel l-ilment

Details of complainant

a. Isem u Kunjom
Name and Surname _____

b. Numru tal-Karta ta' l-Identità
Identity Card Number _____

c. Data' tat-twelid
Date of Birth _____

d. Indirizz
Address _____

e. Kodici Postali
Postcode _____

f. Numru tat-telefon
Telephone Number _____

g. Numru tal-mobile
Mobile Number _____

h. Email
Email _____

i. Tifel/Raġel Tifla /Mara
Boy/Man Girl/Woman

2) L-ilment huwa dwarek dwar persuna oħra
The complaint is about you another person

3) Jekk l-ilment qed isir dwar persuna oħra,
ikteb id-dettalji tal-persuna
*If this complaint is about another person,
kindly fill in the person's details*

a. Isem u Kunjom
Name and Surname _____

b. Numru tal-Karta ta' l-Identità
Identity Card Number _____

c. Data' tat-twelid
Date of Birth _____

d. Indirizz:
Address _____

e. Kodici Postali
Postcode _____

f. Numru tat-telefon
Telephone number _____

g. Numru tal-mobile
Mobile Number _____

h. Email
Email _____

i. Tifel/Raġel Tifla /Mara
Boy/Man Girl/Woman

4) Iddeskrivi n-natura ta' l-ilment fil-qosor
Describe the nature of the complaint in short

5) Firma
Signature

6) Data
Date

Egħmez id-dokumenti relevanti għall-ilment ma din il-formola
Kindly attach any relevant documents to this complaint form

Dak li ktibt huwa protett mill-Att dwar il-Protezzjoni
u l-Privatezza tad-Data, Kap 440 u minn Artiklu 13 ta' l-Att
dwar il-Kummissarju għat-Tfal, Kap 462*
*This information is protected under the Data Protection Act, Chap 440
and Article 13 of the Commissioner for Children Act, Chap 462**

Importanti li tkun taf li l-Kummissarju ma għandu jagħmel ebda
investigazzjoni dwar konflitti speċifiċi individwali bejn tfal u ġenituri jew
tutori tagħhom, jew bejn il-ġenituri jew it-tutori inklużi affarijiet li għandhom
x'jaqsmu ma' l-eżerċizzju tar-responsabbiltà tagħhom ta' ġenituri u kull haġa
oħra li taqa' taħt il-kompetenza ta' xi qorti jew tribunal stabbilit bil-liġi u f'kull
kaz bħal dak il-Kummissarju għandu jippreżenta lil min jagħmel l-ilment, ir-
raġuni għaliex ikun qiegħed jirrifjuta" (Kap 462, Att dwar il-Kummissarju
għat-Tfal, Artiklu 14 (2)).

*Kindly note that the Commissioner shall not carry out investigations concerning
specific, individual conflicts between a child and its parents or guardians, or between
the parents or guardians including matters concerning the exercise of parental
responsibility and any other matter that falls within the competence of any court or
any tribunal established by law and in any case the Commissioner shall submit to
the complainant, the reason for the refusal. (Chap 462, Commissioner for Children
Act, Article 14 (2)).*

*Il-Kummissarju, l-Kunsill u kull membru tal-persunal fl-uffiċju tal-
Kummissarju għandhom iżommu s-segretezza fir-rigward ta' kull haġa
personali li jsiru jafu biha fl-eżerċizzju tas-setgħat tagħhom u fil-qadi ta'
dmirijiet u l-funzjonijiet tagħhom skond dan il-Att, u ma għandhom jikxfu
ebda haġa li jsiru jafu biha kif hawn qabel imsemmi hlief għall-iskop ta' xi
investigazzjoni, jew prosekuzzjoni għall-reat kontra dan l-Att, jew xi reat ieħor
kontra l-persuna ta' xi tifel jew tifla. (Kap 462, Att dwar il-Kummissarju
għat-Tfal, Artiklu 13).

**The Commissioner, the Council members, and every member of the staff of the
Commissioner's Office shall maintain secrecy in respect of all personal matters that
come to their knowledge in the exercise of their power and carrying out of their
duties and functions under this Act, and shall not divulge any matter coming to their
knowledge as aforesaid except for the purpose of an investigation, or prosecutions for
an offence against this Act or any other offence against the person of a child.
(Chapter 462, Commissioner for Children Act, Article 13).*