

Every child is unique

Annual Report 2007



Kummissarju għat-Tfal
Commissioner for Children

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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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Foreword

The Office of the Commissioner for Children has constantly highlighted the importance for children's needs to be addressed in as swift a manner as possible, in an acknowledgement of the priority with which children should be treated. Last year's annual report rightly stressed that the requirements of children should be met in the present. Inasmuch as children are the future, they are also the present, and deserve recognition as such.

This year's annual report tackles the generality with which the term 'children's needs' is often confronted. Many fall into the trap of assuming that one situation, one childhood, one set of difficulties, and one solution, exists for children. Children often tend to be marked with a universal stamp, in the misled assumption that what applies to one child applies to all children. Indeed, children's rights in themselves are universal, and are accorded to every young person under the age of eighteen regardless of the individual circumstances of the child. However, it is precisely these individual circumstances which should be given their due attention, in regarding children as individual persons in their own right.

With this premise in mind, it becomes possible, necessary even, to think of children as individuals with specific needs according to their particular circumstances. A 'one size fits all' approach can not work if we are to address the needs of children in an effective manner. It is for this reason that this annual report carries the phrase 'Every child is unique'. The projects undertaken by the Office of the Commissioner for Children during this year retained this premise in mind, particularly the Manifesto for Children

which acted as a voice in speaking up for children's rights as enshrined within the UN Convention on the Rights of the Child.

Children are individuals, with diverse and varying needs. It is our responsibility to respect them as such, and to address their needs in this light.



*Carmen Zammit –
Commissioner
for Children*

Photo: Kurt Paris





Report on Activities

1. Composition of Office

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

Following the decision of Mrs. Camilleri not to accept the renewal of her term in office, Ms. Carmen Zammit was appointed as the new Commissioner for Children on the 6th March 2007. Ms. Zammit has extensive experience in the field of social work, and was appointed following a consultation meeting held by the House of Representatives Social Affairs Committee.

The Office is presently composed of a:

- Manager (Research and Policy) – Full time
- Office Secretary – Full time
- Legal Advisor on Children's Rights – Consultancy Basis
- Case Officer – Part time

The Office experienced a significant staff turnover this year. Aside from the appointment of a new Commissioner for Children, the posts of Manager (Research and Policy) and Office Secretary are now occupied by new staff.

The office also employs a part-time case worker, to deal with incoming complaints. This year an employee from the Ministry of Education, Youth and Employment was seconded to the Office on a full time basis.

This year, the role of the Commissioner for Children became a full time post, corresponding with the workload and responsibilities which the role

carries. Whilst this in itself was an improvement, it was noted by the Commissioner that more staff was needed in order to successfully fulfill the duties of the Office. Due to increased demands on the office on both a National and European level, it is vital that the office further continues to grow in order to be able to meet these demands more effectively. There is also a need for increased space in the premises of the office, and for these premises to be child-friendly and accessible to children. Without such facilities, the Office of the Commissioner for Children confronts inevitable limitations in the work which it is able to do.

It must be noted that due to staff turnover and difficulties in the subsequent recruitment procedures, the Commissioner for Children was left to run the entire office single handedly for a period of two and a half months. Furthermore, prior to the appointment of Ms. Carmen Zammit as the Commissioner for Children in March, the Office remained in a 'caretaker' position for the first two months of the year.

The budget for this year increased to a total of Lm25,000 (€58,234). Whilst there was a minimum improvement, the Commissioner noted that there is a continuous need for investment in the office in order to maintain its day to day running, and to be able to come out with publications aimed at increased awareness and education on children's rights.

2. Council for Children

[ref. Chap 462; Art 12]

The Council for Children is made up of:

- The Commissioner as Chairperson
- Five other members appointed by different Ministers
- Chairperson of the Social Affairs Committee of the House of Representatives
- Three other members co-opted by the Commissioner for Children and approved by the Council
- Four young persons co-opted by the Commissioner for Children and approved by the Council

The Council, on average, held a meeting every three months. 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 for Children.

3. Education and Public Awareness

Public relations are a crucial aspect to the work of the Commissioner for Children, in promoting awareness of children's rights and of the role and function of the Commissioner for Children. The Commissioner featured regularly in the media this year, through numerous television programmes and newspaper articles.



The Commissioner for Children addressing students of Profs. Guze Aquilina Primary School in Sannat, Gozo



The Commissioner for Children also made regular public appearances at numerous events, participating in seminars and conferences, and giving talks and speeches upon request. School visits were also carried out this year, in line with the Commissioner's aim of making the work of her office known amongst children.



The Commissioner for Children on a school visit to St. Bernadette Primary School, with the kind ushers who showed her around

In a bid to enhance co-operation between the office and other relevant stakeholders working with children, the Commissioner for Children regularly met with representatives

from Government Ministries as well as members of the Curia, in order to identify avenues of further collaboration for the benefit of children.

A project in setting up an official website for the Office of the Commissioner for Children began in 2007, and is expected to be completed in 2008. The website will have an interactive and child-friendly format, according to the varying ages of the target audience. The project is being sponsored by HSBC Cares for Children.

4. Complaints received by the Office of the Commissioner for Children

During the year 2007, there were approximately 65 cases concerning children that were reported at our office. These cases are generally classified under: Education, Family, Health and Sports.

a. Cases concerning Education:

Most of the cases that were reported (both officially and unofficially) dealt with school transport, stress due to exams, heavy school bags to carry, bullying, and children with difficult behaviour. Action and referral to appropriate agencies and government departments was promptly taken, according to each particular case. It is important to note that some issues have been ongoing, and action to be taken by the relevant authorities remains pending. One such matter is the fact that children are being transported to school too early, at times more than an hour and a half before school starts. Many telephone calls were also received by the office in order to express concern regarding the stress which the 11+ exam is causing to children.

b. Cases concerning the Family:

The majority of complaints that were recorded at our office were those of families in which the parents are either separated or going through separation. The most common complaint involved issues of access visits and child maintenance. Though the office gave support where possible, in most cases the complaints were directed to the individual's lawyer for further assistance owing to the legal obligation placed on the Commissioner not to intervene in cases which are *sub-judice*. Where children were concerned, the case officer guided the complaint to the relevant social worker, or to the appropriate agency. Some cases were recorded in which grandparents requested access visits for their grandchildren following the breakdown of their son's or daughter's marriage. It is evident that this is a common issue, and grandparents were at times advised to initiate court procedures in order to safeguard the children's rights. Advice was also given for parties to seek the appointment of the children's advocate to represent the child in court.

c. Cases concerning Health issues:

Cases were reported by parents regarding the issue of body piercing being carried out on their underage children, without either their knowledge or consent. This has also been an issue in schools, where children rebel by attending school with body piercings which are clearly visible. Parents complained that the law only regulates tattooing, and did not include anything about body piercing. The Office of the Commissioner for Children is currently actively involved in taking necessary action, so that this law may come to be amended and/or introduced. Meanwhile it is advisable that health services work on this issue and take action wherever possible. A legal notice was issued in the Government Gazette to safeguard health issues related to body piercing, however the notice made no reference to body piercing on minors.

d. Cases regarding Sports

Complaints were printed in a local newspaper in May 2007 regarding the issue of youth football nurseries, where allegations related to paedophilia were mentioned. Action was taken and at present an inquiry is currently ongoing in order to clarify and investigate these allegations.

Regarding the issue of sports, it should be pointed out that some places where sports are practiced lack necessary safety measures. This could present a hazard to children making use of these facilities. In one particular case, it was necessary for the case officer to pay a visit to the location and discuss these issues with the management. The visit took place in order for the Commissioner for Children to get a clear idea of the place and the functions it carries out, and to look into ways in which the Commissioner for Children can intervene at a National level.

e. Action

The Office of the Commissioner for Children strives to draw attention to these issues, in advocating children's rights and encouraging relevant authorities to take action. One of the ways in which the office has done so is through the Manifesto for Children, which incorporated the causes of many of the complaints received by the Office. The Manifesto for Children is intended to increase awareness of these issues amongst the political parties and act as a vehicle for change. Amongst other pertinent issues, the Manifesto highlights issues regarding school transport, undue exam stress, court delays, and lack of adequate play facilities, all of which have been the cause of a number of complaints received by the Office of the Commissioner for Children.

5. Research and Policy

a. Protection of Minors from Audio-visual content

On taking office, the Commissioner for Children continued working on the protection of the rights of children in relation to audio-visual content. Contacts were soon secured with the Broadcasting Authority and the Ministry for Culture and Tourism.

The *Broadcasting Code for the Protection of Minors* has been in force since 1st September 2000, and under the previous Commissioner for Children various initiatives were taken to try and improve quality in children's programmes. Together with the Broadcasting Authority, and after due consultations with the various media stakeholders, a new set of guidelines for audio-visual programme content created for children were published on 20th June 2006, while a national strategy for quality children's programmes was proposed and published in January 2007 recommending that a percentage of television licenses paid by households be directed at the production of quality children's programmes on local broadcasting media.

Quality children's programmes suffer from market failure – they are easily replaced by more commercial programmes as restrictions on children's programmes become more demanding. The responsibility of quality children's programmes falls on all media stakeholders including consumers ("viewers and listeners") and consumer guardians; producers, advertisers and advertising agencies; and all other regulatory bodies who directly or indirectly influence broadcasting media.

Although the *Broadcasting Code for the Protection of Minors* covers a wide range of values, the principal regulation targeted by this set of subsidiary legislation is that of advertising directed at children during children's programmes. At present a certain level of sponsorship and advertising in local children's programmes is allowable; however, European Broadcasting Authorities

and Regulators¹ are encouraging the discontinuation of such sponsorship by imposing bans on advertising breaks during children's programmes, and forbidding tele-shopping for at least fifteen minutes before and after children's programmes, while also imposing substantial contravention fines.

However, changing broadcasting legislation does not ensure quality in children's programmes.

While envisaging the complete ban of advertising revenue for children's programmes, the Commissioner for Children, the Broadcasting Authority, and the Ministry for Tourism and Culture resumed the consultation process on quality children's programmes with the aim of preparing local broadcasting stations for a more restrictive scenario with regard to children's programmes while also providing the means for implementation of improving quality standards.

A new *Advisory Committee on Quality Programmes for Children* was launched on the 27th September 2007, and was established in order to concentrate on three main areas:

- Upgrading of broadcasting legislation with regard to media content to safeguard the interest of viewers;
- Media training on children's programmes by broadcasters, producers and practitioners;
- Media education of consumers, both children and adults;

In this scenario, the Advisory Committee on Quality Programmes for Children has concentrated on two areas: media training and the revision of the Broadcasting Code for the Protection of Minors. For the revision of the Broadcasting Code a consultation process was initiated. A questionnaire was formulated concentrating on these areas: consumers' awareness of broadcasting regulation; consumers' views on quality in children's programmes;

viewers' perception on the proposed national strategy and on the Public Service Obligation of the national broadcaster. This questionnaire was put on the Broadcasting Authority's website and circulated by post to other national agencies. Response to this consultation was limited but very encouraging, and a report is scheduled to be published in early 2008.

Beside this, the Advisory Committee on Quality Programmes for Children has also made contacts with foreign producers of quality children's programmes and is preparing a highly intensive media training course for local producers and broadcasters. At the time of writing, contacts have already been made and arrangements are being made to conduct this training experience for local media producers in the early months of 2008.

b. Manifesto for Children

In view of the 2008 general elections, the Office of the Commissioner for Children undertook to prepare a Manifesto of Children's Rights, in order to increase awareness amongst the political parties of matters requiring urgent attention with regards to children. The Manifesto for Children was based on principles laid out in the United Nations Convention on the Rights of the Child, as ratified by Malta. Malta is thus committed to abide by the principles laid out in the Convention, and it is the duty and obligation of the Commissioner for Children to promote and advocate the rights and interests of Children as they are enshrined in the Convention.

The Manifesto for Children was a major project undertaken by the Office during 2007 which aimed to identify the needs of children in Malta at present. Numerous consultations were held with professionals in varying fields, in order for the office to identify areas requiring improvement for children with regards to the Family, Education, Health, Work, Sport and Culture, and the Environment. These consultations

were vital in obtaining a realistic and accurate picture of the situations that children are presently facing in Malta, particularly with regards to the current provision of services and support which children require.

Research undertaken on the Manifesto has highlighted the need for children to continue to be given opportunities to freely express their views and opinions, and for these to be listened to and respected by adults. It is necessary to increase awareness of the participatory rights of children, so that these rights may be guaranteed.

With regards to the family, it is important to be conscious of obstacles which occasionally hinder parents from fulfilling their duties in a responsible manner. The existence of poverty traps, as well as behavioral difficulties, mean that these families require additional support and attention. The best interests of the child should be of paramount importance in such circumstances, and should be the guiding principle in providing support to such families. The same holds true for children appearing in the law courts. Court delays are not in the best interests of the child, and every effort should be taken for cases where children are involved to be heard without delay, in an environment which is child-friendly and which empowers children to also have their say. In the case of children who are themselves in conflict with the law, it is vital that these cases are given individual attention, whereby the family context and social circumstances of the child are adequately taken into consideration in determining the course of action to be taken.

The individual needs of the child are of great importance in ensuring the holistic and healthy development of children. This is also evident in the field of Education, where a 'one size fits all' approach can not be applied. Continuous improvement of our educational system is required in order for children to prosper and receive the good quality, broad and holistic education to which they are entitled. In line with this aim, the process of phasing out streaming has already

1 Nikoltchev, Susanne: *Regulation of Advertising Aimed at Children in EU-Member States and some neighboring States – The Legal Framework*; European Audiovisual Observatory, 2000
Downloaded from: www.obs.coe.int/online_publication/reports/childadv.pdf

begun and should be concluded at the earliest possible opportunity. Stress caused by excessive academic pressures as well as the exam-oriented educational system should also be reduced, in favour of a more practical syllabus which better responds to the individual needs of each child. Where obstacles exist it is necessary to facilitate access to a good quality education, by means of addressing issues such as social inclusion, absenteeism, and school age mothers more effectively.

Access should also be increased with regards to the provision of the best health care to children, in accordance with health care practices which are currently taking place in other EU countries. Further improvements to health care should be introduced, through universally accessible vaccines and additional screening tests for babies alongside what is carried out at present. It is also necessary to continue to promote good health practices such as breastfeeding at the point of discharge from hospital after delivery, given Malta's low percentage in this area in comparison with other EU countries.

Research on issues put forward in the Manifesto has also outlined the need for children to be better informed of their rights, particularly in the field of work. Children are working illegally, with only a small fine imposed on those found in violation of child labour laws. The fact that children are not always adequately informed of their rights may lead to an abuse of their rights, and therefore it is vital that awareness on children's rights is increased. A substantial number of 16 year olds leave education to enter into the world of full time employment. Children and young people must also be adequately educated with regards to the increasing opportunities available to them in the field of work, in order for them to access and be aware of present and future work prospects.

Further opportunities should also be introduced in the field of sport and culture, in order to increase child participation in these activities, and for children to do so in a safe and healthy

environment which enables them to socialize and develop their personal and intrapersonal skills. Children have a right to participation, as well as a right to know, understand, and explore their culture in a creative way. Opportunities and accessibility to sport, culture and the arts should continue to be built upon and provided for all children, in order for children to not only learn about them, but to enjoy them in a manner which is irrespective of their social background.

With regards to the Environment, the consultations undertaken in this field have shown the need for a further reduction in air and noise pollution, partly through the encouragement of safe alternative means of transport. More child-friendly open spaces should also continue to be developed in both urban and rural areas, in line with the right of the child to enjoy safe open spaces and increased access to the countryside.

Although the points raised in the Manifesto were applicable to the Maltese Islands in general, certain issues with regards to Gozo such as residential care and the services of care professionals were highlighted in the Manifesto, in order to increase awareness of the situations which require additional attention in Gozo.

The consultations which were held in drafting the Manifesto were instrumental in outlining the achievements reached thus far, as well as the way forward which is required from this point on. The need to address children's issues transcends political differences, and will require significant investment from the political party who will be elected to government in March 2008. Investing in our children is not only worth doing for its own sake, but is also the surest way to guarantee that tomorrow's society is enhanced. In this regard, the Commissioner for Children urged the political parties to take heed of the suggestions put forward in the Manifesto for Children, presented to them by the Office in the days following its launch.

The Manifesto for Children is published in the form of a booklet with a corresponding child friendly version in the form of a poster. Both publications are available in English and Maltese. Due to the extensive information collected during this project, it has been impossible to incorporate all the issues arising from the Commissioner for Children's numerous consultations with professionals. Inclusion of relevant points in the published booklet has been limited to issues felt by the



Ms. Sharon Attard, Manager of Research and Policy, with children from Chiswick House School following a discussion on the rights put forward in the Manifesto for Children

professionals and the Commissioner for Children to be the most urgent and pertinent. A full and unpublished version of the Manifesto for Children is available at the Office of the Commissioner for Children, and will be available at a later date on the website.

Following the great investment of resources in the Manifesto, it is intended that the project will be followed up by means of public discussions on the issues brought forward in the Manifesto. Such public response is vital for the Commissioner to continue to represent and promote the best interests of the child, and is in line with the duty of the Commissioner for Children to "provide public information and education designed to promote an understanding of, and to invite public comment on, the work of the Commissioner" (Commissioner for Children Act, art. 11 [h])

c. Children living in Residential (Out-of-Home) Care

I. Introduction and Aims

The Commissioner for Children has embarked on a three year project concerning children in out-of-home care. This project will include comprehensive research that will lay down the foundations for a National Policy and a National Strategy on Looked after Children. It will also include an aspect of lobbying to put children in care on the national agenda as a social justice issue, so direct action is taken rapidly on their more urgent needs.

The main types of out of home care in Malta provided by either the Roman Catholic Church or the State include Residential/Institutional Care and Family Foster Care. Family foster care refers to when children are taken out of their family for valid reasons, and placed under the guardianship of trained and assessed foster carers in order to be brought up in a more family oriented environment. Residential care on the other hand, is mainly provided by religious orders, NGO's and other entities, and implies children living as part of a group within an institutional environment. The

majority of children in out-of-home-care currently reside in the latter.

Whilst the significant work done by such institutions is to be recognized, local, European and International qualitative research has shown that children placed in foster care fare better than those placed in institutionalized care. Nonetheless, there are by far more children who are placed in these large institutional and residential homes, as opposed to being placed in foster care given that the availabilities for the latter type of placement are still scarce.



First Focus Group Meeting on Residential Care

For the purpose of this project, a working group was set up and members were chosen due to their personal expertise and/or to represent a stakeholder in the field of children in out-of-home care. In 2007, this group convened twice through the main working group. A subgroup was consequently formed, composed of the Commissioner for Children, a psychologist, an economist, a lawyer, a psychotherapist, and a member of the Council for Children. This subgroup held a further two meetings in 2007, and began working on the main issues of concern and planning the way forward for the project.

The following points are the most salient areas that have been identified through these discussions:

II. Research

Since a number of publications and research projects on the issue of residential care are currently available, the Commissioner for Children appointed two researchers to collate and gather existing local literature and present it to the working group.

When these were presented, it was noted that the literature currently available is based on qualitative research methods. This identifies a gap in research, since quantitative information is also vital for the purpose of policy formulation and lobbying. For this reason, a task group was formed to work on a broad research that will address the most pertinent questions to be answered regarding the issue of children in residential care in Malta.

This task group delineated the importance of such research to outline the need for investment in alternative care, since various studies carried out

internationally and locally indicate that foster children are better adjusted than children in institutionalized care. In many respects, foster care is seen as the most sustainable and viable way forward.

III. Legislation

International research has noted that residential care is particularly detrimental to children under the age of five years, and that fostering is a much better alternative for children at this stage of development. As the law stands however, it does not include the possibility of temporarily freeing looked after children for fostering when the parents do not give their consent. Unfortunately, a number of parents prefer their children to be in residential care rather than foster care.

The working group identified the pressing need for updated legislation that allows for the wavering of parental rights for a fixed period of time, in order to respect the rights of the child to a healthy development. This will ensure that these children have the opportunity to benefit from foster care.

IV. Services in Residential Care

When analysing current service provision in Malta for residential care, a critical factor is the lack of adequate places. Most residential homes are either full, there exist long waiting lists in some, or the personnel in the homes are not professionally equipped to meet the emotional and psychological demands of the child most effectively.

There are currently long waiting lists for corollary services, with children having to wait for a very long period of time for crucial needs such as psychological services. At times, staff turnover of care workers and residential social workers is also a great disadvantage to children in residential care, causing anxiety and frustration in the child due to the fact that they are unable to make long lasting relationships in which they can trust and open up to adults responsible for their well being.

Children who are taken out of their family of origin from a very young age are usually transferred from home to home an average of three times. This shifting around results in instability, and could possibly leave a negative impact on a child's sense of identity. Furthermore, siblings who are placed in care are often separated at the age of nine, and in some cases at the age of four. Literature accounts of children who lived in care delineate the negative feelings associated with missing their siblings.

Studies have shown that many youngsters who spend years in residential care often come out of the home lacking essential life skills and often are unprepared for independent living. Post-secondary education is very scarce among these children, which further restricts their opportunity to find work.

V. Concluding remarks

The consequences of children being placed in out-of-home care are far reaching, with the effects being seen on future generations of these families. Negative consequences have been noted in children whose parents were in out-of-home care themselves a few decades ago.

Recent development in neighboring Ireland produced the National Looked After Children Policy as a reaction to the shocking results of a longitudinal study on looked after children in Ireland. Locally, it is not yet known how much it costs the state when children who have been in care are not well prepared for independent living and perpetuate the problems through generations.

In this respect, it is important for this project to be considered as a sustainable investment for our children, in terms of their present well-being as well as long-lasting and far-reaching negative effects which would be alleviated.

d. National Child Protection in Sport Policy

The issue of child protection has come to the forefront to a much greater extent in recent years, highlighting the need for continuous vigilance amongst professionals working with and for children. Sports activities in particular can be susceptible to various forms of abuse, given the existing opportunities for children to be placed in vulnerable positions during these activities. In this respect it is vital that good practice in the field of sport is promoted, and that children participating in these activities are safeguarded from any form of harm and abuse.

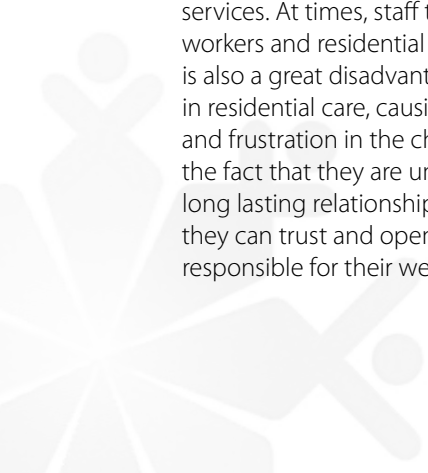
In November 2007, a Commission was formed by the Kunsill Malti għall-iSport with the aim of drafting a National Child Protection in Sport Policy which would address all the relevant issues in the field as it applies to Malta. The Manager for Research and Policy within the Office of the Commissioner for Children forms part of this Commission, which is comprised of numerous representatives working in the field. Following its completion in 2008, it is envisaged that the policy will be implemented within all institutions involved in the field of sport and physical activity. Efforts will be made for this to be incorporated into a legal framework, so that it becomes enforceable.

e. Internet Safety

I. A Safer Internet For Everyone, Especially Children

Safer use of the internet was the main aim behind the multimedia educational campaign being launched from February 8, the week of the European Internet Safety Day. This campaign was coordinated by the Ministry for Investment, Industry and Information Technology and Aġenzija APPOĠĠ, within the Ministry for the Family and Social Solidarity.

Co-funded by the European Commission, this campaign was aimed towards children, parents and educators alike, and included the collaboration of other stakeholders



such as the Cyber Crime Unit of the Malta Police Force, the Ministry for Education, Youth and Employment, the Commissioner for Children and the local Internet Service Providers, among others. It was spread over the following weeks and focused on providing information about internet safety and its positive uses. This multimedia campaign consisted of TV and radio advertising, interventions in TV and radio programmes, press articles, and direct talks and sessions for students in schools.

II. E-Security Working Group

The Commissioner's office is represented on the National e-Security working group set up by the government under the auspices of the Ministry responsible for IT to draft a strategy and implementation for an e-Strategy. This working group includes representatives from the different Ministries, the private sector (Internet Service Providers) and other entities. The working group brings together all the stakeholders directly involved in security and the IT field. Although the Working Group's remit is extensive and covers a number of issues related to e-Security, the issue of Child Safety over the internet was given prominence, and this is clearly indicated in the Working Group's terms of reference.

III. Safer Internet Plus Project

The Commissioner's Office has been involved in a Safer Internet Plus Project (2005-2008) which is co-ordinated by the Ministry responsible for IT and will reach out to the general sections of the public.

f. National Family Policy

During 2007, the National Family Commission submitted the first draft of the National Family Policy to Government. As a second phase of this ongoing endeavour, the National Family Commission launched a consultation process with respect to practical implications to such a policy. This was done through an internal

Round Table Seminar organized jointly by the National Family Commission and the Ministry for the Family and Social Solidarity. The Commissioner for Children, as well as the Manager for Research and Policy, attended this seminar in order to put forward and discuss concrete proposals to promote family measures in the areas of Education, Taxation and Work, Health, Housing, and Welfare.

The Commissioner for Children stressed the need for attention to be drawn towards the issue of monitoring habitual and unjustified absenteeism from schools. Furthermore, a more practical syllabus should be introduced which better responds to the individual needs of the child, and is conducive to a reduction in the amount of homework which children are currently given.

The Commissioner for children also stressed the need to provide adequate family support to those who can not cope with the upbringing of their children for justified reasons. Support

should also be given to school age mothers, in order to facilitate their return to mainstream schooling.

With regards to health, the Commissioner emphasized that new born baby care requires improvement with respect to screening tests at birth, making newer and safer vaccines available to children, and promoting breastfeeding given that Malta has one of the lowest rates in Europe. It was also made clear that young people entering the work force should be better informed of their rights in their place of work.

6. Children's Rights Education

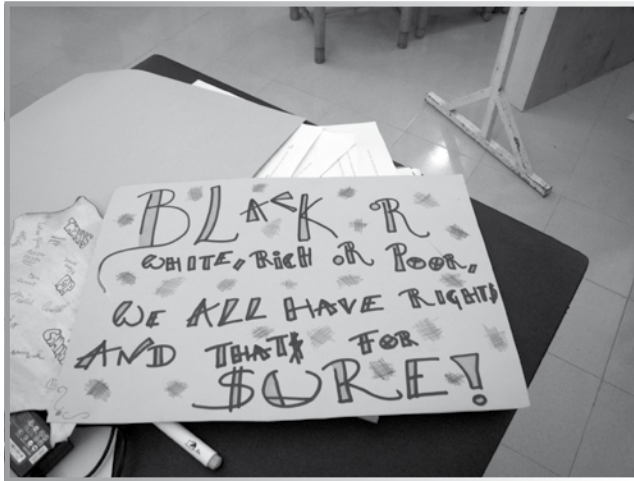
a. Rights 4U: Children's Rights Course for Young People

On the 16th – 18th November 2007, the Commissioner for Children organized a Children's Rights Course exclusively for 13 and 14 year old



Workshops during the Rights 4U course





Gozitan children. The course, Rights 4U, teaches children more about their rights, and gives children a chance to learn about them in an informal way. Participants learnt all about the rights which they are entitled to, through the UN Convention on the Rights of the Child, and they made these rights their own through interactive games, discussions and activities.

The course was carried out over a weekend and took the form of a live-in with 22 participants living at the premises, dining together, and participating in recreational activities. The children were supervised at all times, and Personal and Social Development teachers were on hand in order to encourage young people to approach them if they wanted to discuss any personal issues.

The atmosphere of the group was lively from the start. Although many of the children were only meeting each other for the first time through this course, the warm and friendly environment gave the impression that the children had already known each other for years. The sounds of friendly laughter, popular music, and lively discussions filled the hallways, and were a joy to hear. Ice-breaking activities allowed the children to get to know each other even better, and build a foundation for teamwork throughout the rest of the course. Recreational activities included a night hike, a DVD night, and interactive games, and added to the enjoyment of the young people who participated.

The participants were constantly occupied in organized activities from early morning to late evening during the course. The Commissioner for Children, Ms. Carmen Zammit, was constantly present throughout, and explained the role of her office as well as the aims of such a course. Ms. Zammit stressed the importance for young people to be aware of their rights, and for these rights to be respected. Workshop sessions

then introduced the participants to children's rights as they are enshrined in the UN Convention on the Rights of the Child. The participants also had the opportunity to engage in small group discussions, conduct on-site investigations in different parts of Victoria, and prepare and give out presentations to the rest of the group on their findings. The programme concluded with a very interesting workshop conducted by Dr Marthese Portelli and Ms. Miriam Portelli.

Two members of the Council for Children, Mr Mahmoud El Bakry and Mr Gerald Sant participated in the programme, and had a very positive impact on the other participants. They gave an overview of their life experience and of their experience as members of the Council, and they played an essential role in bringing the group together.

The Bishop for Gozo, as well as the Minister responsible for Gozo, each paid a visit to the group of young people. The Bishop ate lunch with the



The participants of the Rights 4U course had the opportunity to discuss what they had learnt in the course with the Minister for Gozo, after which they presented her with a handmade souvenir of the event



young people, whilst the Minister for Gozo joined the group during one of their workshops. Both officials held discussions with the young people on what they were actively learning during the course.

At the end of the course, an evaluation exercise was carried out in which the participants were invited to provide feedback on the three-day programme. According to the feedback given by the young people who participated in the programme, this year's course was a wonderful and enriching experience to all participants. Participants particularly expressed that they enjoyed the atmosphere of unity and tolerance, sharing and friendship. They appreciated that their ideas were valued, and that they were trusted with the responsibility to work together as a team.



The Commissioner for Children with the participants for the Rights 4U course

Some of the feedback which was received from the children was that:

"We were trusted with responsibility to do some work"

"We had fun"

"You get the chance to express yourself"

"Not everyone knew each other but then we made new friends"

"Everyone was a team and worked like one"

"We learnt all our rights"

"All like one family"

"Made great new friends. . . bomba"

"We could give our views"

As a result of the successful outcome of the course, follow up sessions have been arranged on a monthly basis, in order to continue with the good work which began at the Rights 4U course.

Many thanks are due to Ms Anna Grech from Youthscape, together with Ms Raina Gatt, and Mr Malcolm Micallef who took on coordinating roles for the course. The Rights 4U course was supported by the Good Causes Fund.

b. UN Convention on the Rights of the Child in Child-Friendly Language

The Commissioner's Office printed 500 copies of a poster designed by UNICEF, outlining the UN Convention on the Rights of the Child in Child Friendly Language. These posters are mainly intended for children under the age of 14, and are distributed to children through schools and public activities such as World Children's Day.

c. Media presence

The Commissioner for Children featured regularly in the local media this year, through numerous television programmes and newspaper articles. The Commissioner for Children also made regular public appearances at numerous events, participating in seminars and conferences, and giving talks and speeches upon request.

During such events, the Commissioner for Children makes it a point to highlight the Rights of the Child, as enshrined in the UN Convention. Attention is generally paid to a specific right, according to the nature of the occasion, in order to promote and increase awareness on child rights. This must occur amongst children themselves, as well as with all adults, particularly those working with and for children. It is the responsibility of these professionals to make young people more aware of their right to a voice, and their right to be heard and respected. Such professionals play a vital role as multipliers in the community in guiding the child towards an effective exercise of his or her rights, and the Commissioner dedicated much time in this respect in communicating with youth workers and service providers.

d. Project Mosaic – One in Diversity

As part of the European Year of Equal Opportunities for all 2007, *Project Mosaic – One in Diversity* was established as a campaign against discrimination on the basis

of age, race, gender, disability, religion, and sexual orientation. The project included partners from the National Commission for the Promotion of Equality, the Office of the Commissioner for Children, European Network against Racism, National Council for the Elderly, National Youth Council, Malta Federation of Organisations Persons with Disability, Malta Confederation of Women's Organisations, Malta Gay Rights Movement, National Council of Women, and the National Youth Information Centre.

Through involvement in Project Mosaic, the Commissioner for Children further promoted the rights of the Child, by highlighting the importance for children not to be discriminated against on the basis of their age. Despite their young age, the project stressed that children deserve respect and are entitled to have their voice heard regarding issues which are of concern to them.

e. School visits

The Commissioner for Children personally visited many schools this year, particularly: St. Bernadette Primary in San Gwann, Vincenzo Bugeja Boys Secondary school, St. Anne Primary School in Marsascula, St. Patrick School in Sliema, Guardian Angel School in Hamrun, Floriana Primary School, and Profs. Guze' Aquilina Primary School in Sannat, Gozo.

In each school visit, the Commissioner initiates a discussion with the children on their rights, and receives feedback from young people on various issues which are relevant to them. The Commissioner attempts to retain direct contact with children regularly through school visits, in order to keep abreast of situations which children are facing from their own point of view.

Some of the schools visited took the liberty of organizing a programme of events on the occasion of the Commissioner's visit. The students showed the Commissioner around the school, and also organized wonderful and spectacular play and choir performances. The Commissioner



A meeting with the Student Council at St. Bernadette Primary School



Parents from Sannat during a talk given by the Commissioner for Children

also had the opportunity to sit in on meetings with the school councils, and to attend special school assemblies which were organized around her visit.

On one occasion, the Commissioner for Children gave a talk to parents of students with learning and behavioural difficulties at Skola Secondarja Żebbuġ. The talk was intended to increase awareness amongst parents regarding the fundamental rights of the child, and to promote the recognition of these amongst parents themselves. The event was organized by *Għaqda Ġenituri bi tfal b'diffikultajiet fit-Tagħlim* in collaboration with the Żebbuġ local council. The Commissioner for Children also gave a talk to parents whose children attended Prof Ġużè Aquilina Primary School in Sannat, Gozo, in holding a discussion with them and

informing them of the rights which are due to their children.

The Commissioner for Children also participated in a cultural initiative for school children organized by the Equal Partners Foundation, entitled 'Dawra Durella Madwar l-Imdina'. The event aimed to increase cultural awareness among young schoolchildren at Primary schools. The Commissioner spoke to the children present and taught them about their rights, particularly their right to know, understand, and explore their culture.

Lastly, as part of the Ekoskola initiative, the Commissioner for Children was also present at the Ekoskola Annual Seminar held at St. Monica School in Gzira. The project promotes environmental education and awareness, and the session allowed primary school students to have a meeting with Xummiemu about waste management, whilst secondary school students reflected on their responsibilities towards the government.



Ekoskola Annual Seminar

(Photo courtesy of DOI)

f. Website

The Office initiated a project in setting up an official website for the Office of the Commissioner for Children in 2007. Various consultations have been held in order to ensure that the website will be attractive and appealing to diverse age groups within the target audience. The website will be officially launched in 2008.

The website will have an interactive and child-friendly format, according to the varying ages of the target audience. The website also aims to be

another educational tool in promoting children's rights, particularly their right to information which directly concerns them. The website is also intended to increase dialogue between the Commissioner for Children and the children themselves, particularly through a 'Children's Club' where children can communicate with the office directly.

Discussions on proposed design and content have taken place so that the website can be as appealing and informative to children as possible. The website will also incorporate a section for an older audience, in providing information on resources and legislation for researchers, academics and those interested in the field. The project is being sponsored by HSBC Cares for Children.

g. World Children's Day

A good number of families attended World Children's Day celebrations at Ta' Qali on the 25th November 2007, along with their children. The event was supported by HSBC Cares for Children, with many organizations and entities present for the event. The event was organized by the Ministry for the Family and Social Solidarity, in collaboration with the Ministry responsible for Education, Youth and Employment.

There were several organized games, such as, tug-of-war, football, basketball, archery, pony rides, human table soccer, bungee run, and a bouncy castle. There were also animators, balloon shapers, face painters, film and



The Commissioner for Children is pictured here with Hon. Dolores Cristina the Minister for the Family and Social Solidarity, Dr. Louis Galea the Minister of Education Youth and Employment, and Mr. Charlo Bonnici

cartoon characters and stilt walkers to provide the best entertainment possible. At the same time, there were also performances by children and young people who took their turn on the main stage singing and dancing together with the participation of well-known artists.

The Commissioner for Children was present for the entire day, interacting with the children and stressing the importance of their right to play. The Commissioner for Children also had an information stand on the day, in promoting the activities of the office to the families and children who were present. Young volunteers helped in running the stand.

John Axiak from the Maltese fair trade co-operative, and Julian Micallef from Forum Malta fl-Ewropa. The event was chaired by sociologist Angele Deguara.

The Commissioner for Children spoke of the prominence of child labour in developing countries, due to poor wages and low incomes requiring many families to send their children to work rather than school in order to survive. This work is at times dangerous in nature, and threatens the health, safety and well-being of the Child. By improving resources and empowering people at both family and community level, it helps ensure better access for children to clean water and sanitation, education and health care.

In speaking of the situation of children in Malta with regards to child labour, the Commissioner mentioned the lack of information and statistics pertaining to children who habitually do not attend school for unjustified reasons. This increases the difficulty in obtaining a clear picture of how many of these children do not go to school due to the fact that they are occupied in undertaking work which is illegal for their age. This information and research is necessary in order to identify why children and young people in Malta work. The Commissioner for Children stated that such work denies children of their childhood, and in this respect all relevant authorities have a responsibility to ensure that children's fundamental rights are observed.



Young volunteers at World Children's Day

h. Worldfest 2007

The 6th edition of Worldfest focused on the issue of Children at Work, and the Commissioner for Children was the main guest at a public forum on the topic. The Commissioner was joined by Swedish Clean Clothes Campaign activist Nina Zita, students Beverly Tonna and Nicole Chetcuti from Carlo Diacono Girls Junior Lyceum in Zejtun,



Worldfest 2007

7. Responses on the General Circumstances of Children in Malta

The Commissioner for Children must regularly keep up to date with situations that children in Malta are facing, and developments which affect children. The Commissioner for Children regularly commented on current developments, in order to effectively fulfill her role as a spokesperson for the rights, needs, and interests of children.

a. Child Obesity

The Ministry of Education, Youth and Employment put forward healthy eating guidelines in 2007 by means of the Healthy Eating Lifestyle Plan. The plan aims to eradicate unhealthy foods such as pastizzi, chips and chocolate in school tuck shops, whilst introducing healthy alternatives aimed at encouraging a healthier lifestyle and eating habits amongst children. The Commissioner for Children noted the positive impact which this move will have on children's health. Given the high percentage of Child Obesity in Malta², the Commissioner stressed that it is important to enable our children to enhance their lifestyle and their quality of life to the highest attainable degree.

The Commissioner for Children welcomed the guidelines put forward in the Healthy Eating Lifestyle Plan as a concrete measure against obesity. The ban introduces the possibility for children to acquaint themselves with healthy food alternatives at school, and empowers children to make healthy eating choices.

The Commissioner for Children also expressed her support on a proposed ban on junk food advertising, under a strategy for quality children's

programming which was put forward by the Broadcasting Authority as well as the former Commissioner for Children Mrs. Sonia Camilleri in 2006. The strategy has yet to be implemented, however the Commissioner for Children supports the swift enforcement of this ban at the earliest opportunity, stating that only healthy food should be advertised in children's programmes.

The Commissioner has made public statements on the issue of childhood obesity, through media articles as well as television appearances.

Work in order to decrease the problem of child obesity was continued from initiatives which the former Commissioner for Children, Mrs. Sonia Camilleri participated in. One such initiative was the Walking Bus Pilot Project, the certificates of which were presented in early 2007 whilst Mrs. Camilleri was in a 'caretaker' position in the Office of the Commissioner for Children. The initiative stemmed from Guze' Delia Primary School in Siggiewi, whilst already taking place in different countries around Europe and Australia. The former Commissioner for Children was one of the main partners of this project together with the Kunsill Malti ghall-iSport, the Health Promotion Department and the school administration, council, parents and other volunteers. The walking bus consisted of a group of students who walk from home to school safely every morning under the guidance of adult supervisors who are mainly parents. Amongst other benefits, the initiative gave the children the chance of being active on a daily basis whilst promoting healthier alternatives of transport.

b. The Unborn Child

The Commissioner for Children has delivered talks and attended conferences on the subject of the

Unborn Child, in calling for the inherent dignity of the child to be protected and respected at all times. The preamble to the UN Convention on the Rights of the Child refers to the Declaration on the Rights of the Child, in stating that "the child, by reason of his physical and mental immaturity, needs special safeguards and care, including appropriate legal protection, before as well as after birth."

In October 2007, a public debate was held by the pro-choice organization 'Women on Waves', in order to prompt an open discussion on the need for legalized abortion in Malta. The Commissioner for Children, together with the Council for Children, released a statement in order to express concern over the press conference, and encouraged the Maltese people to cooperate in the protection of the right of the child to life and development both before and after birth.

c. Child Care

Recent social trends in Malta, particularly the drive towards promoting equal opportunities and female employment, has resulted in a demand for family-friendly measures that help parents balance work and family responsibilities. One such measure is the provision of quality child care which children are entitled to. Article 18 of the United Nations Convention on the Rights of the Child states that governments '*shall take all appropriate measures to ensure that children of working parents have the right to benefit from child care services and facilities for which they are eligible*'. In this regard, the Commissioner for Children actively promoted the message that children have a right to a level of quality in child care necessary to their well-being, and in which their best interests remain the primary consideration.

Aside from attending the official openings of child care centres, the Commissioner for Children also delivered speeches at seminars aimed at improving quality child care; such as 'Putting Children First' organized by the Malta Labour Party together with the PES Committee of the Regions,

2 A study on obesity in 34 countries carried out in 2005 by Queen's University in Kingston, Ontario, Canada revealed that the highest prevalence of overweight youth was found in Malta (25.4%), followed by the United States (25.1%) and Wales (21.1%). In this same year, the European Federation of the Associations of Dieticians also noted that 30% of children in Malta aged 7-11 years old were obese. More recently, in a study carried out by Nestle Malta in 2006, it was found that almost one fifth of Maltese children are obese, and 14% are at risk of being overweight.

and a National Conference on Quality Child Care organized by ETC as part of a National Campaign promoting the benefits of Quality child care (funded as an ESF50 project).

The Commissioner for Children also participated in a Round Table discussion organized by the National Commission for the Promotion of Equality, as part of a project entitled 'Promoting Equal Opportunities for Empowerment.' The aim of the project was to reach out to the inactive segment of the Maltese population, particularly women, and encourage them to be part of, remain and advance in the labour market by promoting the uptake of opportunities to this end.

d. Underage drinking

The Commissioner for Children showed support to an educational campaign launched by the Ministry for the Family and Social Solidarity, which aimed to enforce the law prohibiting the consumption, possession, and buying of alcohol by minors less than sixteen years of age. The law came into force in July 2007, and the Ministry for the Family and Social Solidarity launched an Inter-Ministerial Focus Group to co-ordinate the six month educational campaign. Whilst this remains a very positive step, the Commissioner for Children strongly feels that this legislation should be extended to persons under the age of eighteen years.



The Commissioner for Children present at the launch of a six month awareness campaign, on the new legislation regulating the consumption of alcohol by youths under the age of sixteen

(Photo courtesy of DOI)

e. Effects of parental separation

Given the number of complaints received by the office regarding separation cases, the Commissioner for Children made a few public appearances on television in order to speak about this topic and elaborate upon the emotional and psychological effects which such cases have upon children. Court delays in particular are known to impact negatively on children in these situations. In her public statements on the issue, the Commissioner for Children stressed the importance of keeping the best interests of the child at the forefront of separation cases.

The Commissioner for Children also spoke to and answered questions from University Law students as a guest of honour during the annual Child Law Seminar hosted by the Faculty of Laws at the University of Malta. On this occasion, she highlighted challenges regarding the issue of child participation in separation proceedings dealing with care and custody.

f. The Situation of Children with Very Challenging Behaviour in Malta

At the first European SEBCD conference (Social, Emotional and Behavior Competence and Difficulties in Children) the Commissioner for Children spoke of how regrettably, more often than not, children with very challenging behaviours and their families have to endure difficult circumstances due to the fact that presently limited services are available. Consequently, children who manifest such behaviours might end up in Mount Carmel Hospital. Alternatively, if children with very challenging behaviour are convicted of a crime, at times they end up serving time in the Young Persons section (YOURS) of the Corradino Correctional Facilities.

The Commissioner for Children stressed that if such services are to be effective, the child needs to feel cared for, understood and heard. In helping the child to develop secure attachments, professionals can help them to flourish and develop their potential. Every child must be at the centre of any service provided, and this service must respond effectively to children's individual needs.

In view of the extensive study and work carried out by the Office of the Commissioner for Children in previous years, it was felt that a response to the needs of these children is well overdue.



First European SEBCD Conference (Photo courtesy of DOI)

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

The Legal consultant to the Commissioner for Children was coincidentally a guest speaker at this same conference and presented a research paper commissioned within the EU project parameters.

b. European Forum on the Rights of the Child

The Commissioner for Children, along with the Policy Co-Ordinator for the Ministry for the Family and Social Solidarity, attended this meeting held in Berlin on the 4th and 5th June 2007. This Forum follows other major initiatives of the European Union on children's rights, namely the Communication 'Towards an EU Strategy on the Rights of the Child.'

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

8. International Relations

International Relations are important to our Office to:

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

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

The Office Manager for Research and Policy attended this conference from the 9-11th March 2007 in Florence, Italy. During this conference, the current situation of unaccompanied minors in the new EU member states was brought to the forefront, and the current problems reflected on.

The research on which the conference was based explored the support provided to unaccompanied minors applying for asylum, as well as to

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

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

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

A corresponding youth conference was held in Vienna during this time, which was attended by a young member of the Council for Children, Ms. Lara Cassar. A report from Ms. Cassar on the discussions taking place during this conference follows:

The Convention on the Rights of the Child states that appropriate measures should be adopted to reduce infant and child mortality, to ensure the provision of necessary medical assistance and health care to all children, with emphasis on the development of primary health care, to combat disease and malnutrition, to apply readily available technology and to provide adequate nutritious foods and clean drinking-water whilst taking into consideration the dangers and risks of environmental pollution. Appropriate pre-natal and post-natal health care for mothers who are the primary carers of children should be a top priority. All segments of society should have basic knowledge of child health and nutrition, the advantages of breast feeding, hygiene and environmental sanitation and the prevention of accidents. Parents and families must be offered guidance to plan this education and services.

Moreover, governments should strive to abolish the traditional practices prejudicial to the health of children. International co-operation should be promoted and encouraged to achieve full recognition of this article by all. In this regard, particular account shall be taken of the needs of developing countries.

In simpler terms, article 24 focuses on the right to good quality health care, clean water, nutritious food, and a clean environment, so that all children will lead a healthy lifestyle. Rich countries should help poorer ones to achieve this.

The Office of the Commissioner for Children has taken an active interest in this Article. Amongst the activities organized, two Maltese representatives were selected to attend the CEHAPE meetings. These were Lara Cassar (myself) and Kristina Miggiani. The term CEHAPE stands for Children’s Environment and Health Action Plan for Europe. This is a document for policy-makers which addresses the risks caused by the present environmental factors, which affect the health of European children. This document focuses on four main regional priority goals for Europe and indicates the main commitments to children’s health and environment.

The four regional priority goals are to ensure the availability of:

- safe water and appropriate sanitation
- protection from injuries and appropriate physical activity
- outdoor and indoor clean air
- a more chemical free environment.

Young people (both the two Maltese representatives and other European young people) have been working on the CEHAPE youth action plan. Both the Maltese delegates and the Commissioner for Children, Ms Zammit, have attended the Intergovernmental Midterm Review (IMR) which was held in Vienna. During the last day of the IMR young people were given the opportunity to open the session and present the finalised action plan for children’s health and environment. This youth action plan includes the four regional priority goals as well as our recommendations on how to implement the European Commission action plan on Environment and Health 2004-2010. The next step is now up to us youth delegates who have to strive to implement this in our respective countries. It was during this meeting that Ms.Zammit gave her contribution and voiced her queries.

The conference focused on strengthening the youth network and on the interchange between the young people and the other delegates. Involvement of young people in decision-making processes was a key objective.

d. Children's Rights, Children's lives

From the 6th till the 8th September 2007, the Commissioner for Children attended a conference on Children's Rights in Windsor, United Kingdom organized by Cumberland Lodge Educational Trust. The aim of the conference was to look at how children's rights were currently being defined at the national, European and international levels by lawyers, politicians, non-governmental organizations, academics, and campaigning groups. The conference considered developments in the field of Children's rights in recent years, particularly with the introduction of the UN Convention on the Rights of the Child, in that it gave relevant attention to the specific needs and vulnerability of children where existing discourses on human rights did not.

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

e. Annual Conference of the European Network of Ombudspersons for Children

Barcelona hosted this year's Annual ENOC Meeting that brought together Children's Ombudspersons and Commissioners from around Europe. Malta participated for its fourth consecutive year, together with 22 other countries whose representatives attended the convention.

The selected focus for this year's meeting was 'Supporting Children with Special Needs'. Presentations on this subject were given by various members, and participating Commissioners discussed the adoption of a new ENOC statement on the rights of children with disabilities. In relation to this main theme, Ms Kathleen

Marshall presented the observations of the UN Committee on the Rights of the Child regarding children with disabilities. Mr Vernor Munoz, a UN Rapporteur for the right to education, was invited to speak about the right to education of disabled children.

Another beneficial session in this year's programme was the inclusion of 'Good practices' presentations by some members, highlighting how their particular institutions have contributed in the field of the protection of children's rights. These presentations allowed members to share positive experiences and learn from each other.

Other items on the agenda included discussions on the following national operational issues, considering good practices of ombudswork for and with children:

- Forms of cooperation with NGOs on children's rights;
- Following up Ombudspersons' recommendations to the parliament;
- Using the media as a tool for disseminating work;
- Acting as a catalyst for mobilising public institutions and agencies.

It was decided that two new working groups will be formed entitled:

- 'International Justice and Children's Ombudsperson' that aims to map out current practices and produce guidelines on the ways in which a Children's Ombudsperson can use international justice mechanisms and assist children in accessing them;
- 'European Forum on the Rights of the Child' that aims to contribute towards setting the principles and guidelines for the representation of children at EU level meetings.

The legal consultant to the Commissioner for Children was independently commissioned by the Council of Europe to participate at the Council of Europe conference on International Justice for Children supported by ENOC, and presented a paper on the main international texts related to children's rights. This conference forms part of an ongoing initiative about access to justice for

children, highlighted in the ENOC meeting. In 2008, the legal consultant will be carrying out more research on behalf of the Council of Europe relating to child access to justice in civil courts as part of a larger project identifying access to justice mechanisms throughout Europe.

Members were further invited to support the forthcoming Council of Europe campaign against Corporal Punishment and to contribute to the IRC survey on 'Ombuds for Children', a research project that will provide findings on how such institutions work.

The Commissioner for Children, Ms. Carmen Zammit, participated in this annual event and further contributed by presenting a general update of the activities developed by the Maltese Office, including the most significant achievements and forthcoming challenges, since the previous annual meeting.

Such international events are regarded as highly beneficial for networking with other European Commissioners and Ombudspersons. Furthermore, they keep the Commissioner informed of the way other offices with similar mandates are operating, promote greater awareness of children's realities in other countries, help the local office keep up to date with major issues and violations of children's rights internationally, and ameliorate further the implementation of the Convention at the national level.

9. Legal Issues

a. UNICEF Child Protection Strategy in support of the MTSP

The Office of the Commissioner for Children was requested to comment and make recommendations in response to the latest UNICEF Child Protection Strategy issued in 2007. The UNICEF document provides an overview of current and proposed UNICEF activity in the field of Child Protection and was presented with a view to establishing the stage at which

work in achieving the goals set in the MTSP (medium-term strategic plan) 2006-2009 have progressed.

The main areas of interest target:

1. Government decisions influenced by increased awareness of child protection rights and improved data, and analysis on child protection;
2. Effective legislative and enforcement systems and improved protection and response capacity;
3. Better protection from the impact of armed conflict and natural disasters (as per the Core Commitments for Children in Emergencies);
4. Children better served by justice systems that ensure greater protection for them as victims, witnesses and offenders;
5. Children and families identified as vulnerable reached by key community and government services aimed at reducing children's and families' marginalization.

All five items are of concern to the Office of the Commissioner for Children, although to varying degrees. Certainly there have been repeated requests for action in relation to items 1, 2, 4 and 5 with differing reactions by authorities to these calls.

The strategic actions recommended by the UNICEF plan include a series of improvements which have been called for by the Office of the Commissioner for Children, namely:

1. The improvement of national monitoring of child protection issues.

The Violence Study had recommended that States "improve data collection and information systems in order to identify vulnerable subgroups, inform policy and track progress towards the goal of preventing violence against children". It is strongly felt that this area still requires considerable commitment and investment if it is to be addressed adequately and appropriately.

Requests for statistical data by international bodies such as UNICEF continue to underline the vacuum felt at present.

2. The need for a Child Protection Policy together with accompanying resources.

UNICEF has highlighted the urgency for analyzing child protection risks, existing policies, structures and services which aim to protect children, taking into account the views of practitioners, academia and the views of children themselves. The Office of the Commissioner for Children supports this initiative and would welcome long term planning and management of issues relating to child protection.

UNICEF also makes a number of recommendations for concrete steps which could militate towards the strengthening of a strategy for child protection. This calls upon states to support global and regional initiatives. Such an undertaking by the state would ensure that the issue of child protection is given due consideration within the fields of social policy, justice, health and education where international and regional fora frequently meet to discuss and formulate policy relevant to this sector. The Office of the Commissioner for Children will continue to support such initiatives to the best of its capacity and to strive to place this topic on a priority agenda within ENOC and similar high profile institutions.

At the domestic level, UNICEF expects that there will be:

1. Support for the incorporation of child protection outcomes and the underlying system strengthening required in national development plans and social protection strategies.
2. Incorporation of child protection responsibilities and actions in strategic planning, policy and guidance in the health and education sectors.
3. Assessment of the child protection system to determine which required policies and services are

in place and identify obstacles and opportunities in implementation.

4. Support for the development and increased coverage of community based family support and justice related services to reach vulnerable children as a first priority, as part of broader CP system strengthening.
5. Support for the increased coverage of social protection, including social welfare services, to reach the most vulnerable children as a first priority.

The Office of the Commissioner for Children is obviously totally supportive of all such measures and looks forwards to their introduction, implementation and strengthening.

With reference to the elimination of violence against children, it is expected that suitable reforms to legislation will be enacted in order to promote change in attitudes that condone violence against children in the homes, schools, communities, workplaces and institutions. This will require the promotion of parenting education to discourage harmful practices and strengthen the protective role of families. The Office of the Commissioner for Children is prepared to contribute to this undertaking and initiate a campaign relating to the outlawing of corporal violence against children, subject to appropriate support and funding. This is in keeping with the recommendations made to the Government of Malta by the United Nations Committee on the Rights of the Child in its concluding remarks to the Malta Report in 2000.

The UNICEF report concludes with reference to indicators of child protection outcomes being tracked within the current MTSP. In addition to this results monitoring under the MTSP, UNICEF recommends the broadening of tracking to critical indicators not currently in wide use, and to the coherence of government efforts to improve child protection. Its suggestions include:

1. The establishment of global baselines in juvenile justice and alternative care by 2009.
2. A biannual review of Child Protection progress, accompanied by a dedicated report on the State

of Child Protection and beginning with a leadership forum/high level review of Child Protection progress in 2010.

3. A review of Child Protection policies and procedures in selected national Health and Education systems by 2009.
4. A review and analysis of Official Development Assistance (ODA) dedicated to Child Protection, by 2010, identifying current baselines and a methodology for calculation; as well as annual meetings convened by UNICEF of the Child Protection Donor Group

In order to comply with these recommendations, all of which are constructive methods to assist the implementation of the strategy on child protection, the Office of the Commissioner for Children would require additional resources. It is strongly felt that once in place, such initiatives would undoubtedly make an invaluable contribution towards the situation of child protection in Malta and benefit our children and our society as a whole.

b. Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse

The Commissioner for Children was asked to examine the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse which was to be offered for ratification in October 2007 during a Council of Ministers meeting in Spain. After due examination of the document, the Office of the Commissioner for Children found it to be a thorough and focused approach towards addressing the issues relating to children as actual and potential victims of sexual exploitation and sexual abuse. The Office of the Commissioner felt that a number of issues are already being addressed within the domestic scene but the following issues remains outstanding:

1. Article 5 of the Convention refers to the ratifying state's obligation in the field of recruitment, training and awareness-raising of persons

in contact with children. Such an undertaking reflects the call that this Office had made during 2006 highlighting the need for screening and monitoring of persons in contact with children, particularly in the educational and recreational sectors.

2. At present there would not seem to be any intervention programmes of activities mentioned in Article 7 for persons who may feel that they are likely to commit such offences. Such an undertaking would contribute towards the prevention of such abuse.
3. Article 10 makes reference to the establishment or strengthening of a body focused on child rights such as this Office, underlining the state's obligation to make adequate resources available for the Office to be able to fulfill obligations. Should the convention be ratified, additional resources will need to be allocated to the Office of the Commissioner for Children to enable it to respond to additional commitments contained therein. Furthermore, a body such as a Department for Children still requires investment and establishment. The gathering, keeping and analysis of statistics is essential in all areas relating to children, and is particularly alluded to within the Convention.
4. The Office of the Commissioner for Children is pleased to note that the notion of mandatory reporting is listed in Article 12. As this issue has been brought to the attention of the authorities on other occasions, perhaps this Convention will be a means for its incorporation into local legislation.
5. Article 16. 3 makes direct reference to the requirement for the introduction of appropriate programmes or measures which respond to the needs of minors who sexually offend. The Office of the Commissioner for Children would welcome such introduction.
6. A number of domestic articles criminalizing activities relating to sexual exploitation and abuse require adjustment following the extensive application of the

Convention.

7. Article 25 indicates the state obligation to apply the principle of extra territoriality in regard to jurisdiction over offences committed by persons listed in this article. Such extension of jurisdiction may require amendment of domestic legislation and is welcomed by the Office of the Commissioner for Children. Although the Convention permits the entering of a reservation with respect to persons habitually resident (Art. 25. 1. (e)), it is hoped that a full undertaking of the article will be confirmed.
8. The criminal aspects of the procedure and their effects on the victim and his/her family are thoroughly addressed in the Convention, and domestic procedure and practice will require adjustment. The Office of the Commissioner for Children welcomes the opportunity to be of assistance in ensuring that such measures are appropriate and accessible to all victims and their families as required.
9. In order to comply with Article 35 relating to interviewing children, a number of measures will need to be introduced at domestic level. Although a number of actions have already been taken, the Office of the Commissioner for Children looks forward to the better application and implementation of all appropriate measures to ensure that children are interviewed in a way which respects their rights and promotes their best interests.
10. Issues relating to storage of material regarding the offender (Article 37) and the sharing of such material may require domestic amendments. The Office of the Commissioner for Children, while aware of the issues relating to privacy and confidentiality of the offender, strongly feels that all such measures directed at the protection of children from sexual exploitation and abuse are warranted in order to protect the most vulnerable.

Although the Convention was not ratified in 2007, the Office of the Commissioner for Children fervently hopes that the Convention will be ratified by Malta and that all necessary machinery will be put into place to ensure its observance and enforcement.

c. Reactions to the Amendments to the Code of Police Laws relating to Children drinking alcohol

The Commissioner for Children was pleased to see the introduction of new sections into the Code of Police Laws (Annex B) whereby the sale, serving or procurement of alcohol to minors has become unlawful. Similarly there has been the introduction of the prohibition of consumption of alcohol by minors in any public place.

The Commissioner however remains committed to the extension of this legislation to cover all children, i.e. those persons under the age of eighteen years of age and not “minors” as defined under this law, which means any person under sixteen years of age. A similar amendment to prohibit smoking by all minors under the age of eighteen was enforced and it is augured that this alcohol prohibition will be further extended in due course. This is particularly relevant in view of the Espad surveys³ which continue to show Maltese youth as high on the list of persons abusing of alcohol with pursuant worrying consequences.

d. Reactions to Foster Care Act

The Office of the Commissioner for Children warmly welcomed this piece of legislation. However the Commissioner was concerned to note that the legislation focused mainly on structures, and seemed to lose sight of the child who should be central. Whilst acknowledging the importance of setting up correct structures and procedures within new

legislation, as an Office for Children the Commissioner feels that their paramourty should remain central to all legislation about and for children.

It was felt that the child placed in foster care will have a number of needs that must be addressed on a very personal basis, and there is insufficient emphasis on the voice of the child in relation to the Fostering Board which actually decides on the placement, the Central Authority which may terminate it, and the Board of Appeal (subsidiarily).

At the discussion of the Bill stage a number of issues were highlighted by the Office of the Commissioner pertaining mainly to the impact of the procedures on the child, and the child’s active participation in issues which directly affect his/her wellbeing. These included how the child’s wishes would be addressed independently and who would explain decisions taken by authorities to the child, particularly when these are against the foster carer.

It was also strongly felt that there should be an undertaking to promote stability in the child’s life – on the part of the foster carer(s), and the agency in its social work intervention. In addition, if a child has been in the same foster placement for a long period, say 5 years, and there is no hope or little hope of family reunification, the possibility of adoption should be put forward. Most importantly however, the Commissioner for Children reiterated the position on behalf of children that where a biological parent who cannot or should not care for the child objects to foster care, this should not impede the placement ab initio. Finally the Office asked what mechanisms would enable the child to make a complaint and what form of after care would be envisaged.

In view of the need for more foster carers to respond to the needs of children with disabilities, unaccompanied minors, children in conflict with the law, and children with mental health conditions, it was

also felt that foster carers should be financially acknowledged for their services and professionally trained and supported.

There is still no mechanism to review long term care plans and assess whether they have reached their goals. Many other jurisdictions have a Court which effects review and takes key legal decisions relating to the child’s best interest, including termination of parental rights. There is still no provision for this which means the child may be placed in care for numerous “determined” periods of time with no view to the stability essential to the well being and happiness of the child.

e. Reactions to the Bill entitled the Adoption Administration Act, 2007

The Commissioner for Children was invited to give her comments and recommendations to the Adoption Administration Bill. As amendments to the law on adoption contained in the Civil Code were long overdue, this was a pleasure and the Office was pleased to note that a number of issues had been taken into account in the amendments.

It was however, a surprise to see that the Act was entitled the Adoption Administration Act, giving rise to the notion that the administration rather than the actual adoption procedure was the focus of the legislation. This seemed to follow the precedent set in the workings of the Foster Care Act which had preceded it.

Some of the issues raised include concern over the appointment of the child advocate to each child, and the child’s right to access to information in the adoption procedures.

Although it would appear that private adoptions are no longer to remain legal, there does not seem to be any mention of the procedure for an individual to give up a child in adoption other than through the central authority via an accredited agency.

³ Espad 2005 re 2003: Alcohol is the substance most widely used by 15-16 year olds in Malta, with 94% of students participating in the study reporting that they had drunk alcohol at least once in their lifetime, 82% drank alcohol in the last year, and 75% during the past month.

In practice, mothers who wish to place their children with persons of their choice may go underground. Because of this concern, it might be more advisable to introduce a clear procedure for a person wishing to give up a child in adoption by making information easily available (at hospitals and clinics as well as through educational promos and national campaigns), waiving fees where applicable and clarifying implications. Encouraging formal adoption where appropriate would also ensure a screening process of prospective adopters in the best interests of the child.

Some other issues relate to possible incidents during the waiting period and the concern regarding whether a child cannot be returned, and the introduction of an eighteen month term to ensure adoption against parental consent. It is positive that the child is to be heard in open adoption proceedings, but age and understanding are used alternatively with the minimum age of eleven years, depending on which procedure is being applied. Furthermore the roles of child advocate and social worker are very different, and legal representation requires a child advocate to be appointed. Finally, the Commissioner asks what sort of support will be given to the applicant within the reunion setting, and the level of expertise required in such procedures.

By the end of 2007 the Bill was still not through all stages in Parliament and the Office of the Commissioner for Children looks forwards to its introduction.

f. The rights of children as laid down in the UN Convention play a part in policies for preventing and combating poverty and social exclusion

The Office of the Commissioner for Children was requested to give feedback on two specific questions related to administrative decisions and minimum standards, in relation to research being conducted referring to the rights of children as laid down in the CRC and their role in policies for preventing and combating poverty and social exclusion.

The Office felt that while the National Action Plan (NAP) relating to prevention and combating of poverty and social exclusion makes reference to children, there would not appear to have been any focused effort to address specific rights issues in this context. Furthermore, the Commissioner for Children has not been kept au courant or involved in the compilation of child policies, and was therefore not currently in a position to comment on the incorporation of policies into legislation.

There is no specific legislation to protect rights related to prevention and combating of poverty and social exclusion. However, there is general protection under Chapter 16 of the Laws of Malta relating to parental responsibility towards children. This protection requires parents to provide maintenance to their children failing which a Court Order⁴ (legal decision) or a Care Order⁵ (administrative decision) may be issued to protect the child.

Furthermore, to the knowledge of the Commissioner for Children there are no specific services directed towards access to minimum standards of quality relating to combating poverty and social exclusion.

g. Feedback on the Family Court Experience

The National Family Commission coordinated a report relating to the reactions to the Family Court following its relatively recent introduction in December 2003. The Office of the Commissioner for Children was invited to give its feedback and provide the child's perspective in Family Court Experience.

The Commissioner for Children raised the issue of delays in court proceedings which had not changed in any tangible way for children caught up in such cases. The physical environment which had been seen to be improved for adults had not really impacted on children, and further arrangements were necessary for children to feel comfortable and welcomed within the Family Court setting.

The Commissioner also pointed out that it remains a discrepancy that children continue to depend on the good offices of the Court, the mediator or their parent(s) for the appointment of a Child Advocate to represent them. The Child Advocate should be automatically appointed to all those children whose parents are commencing the separation process.

The Commissioner was also concerned that there is no mention of the child's position in the mediation process. This continues to be an issue for hot debate. While it is true that mediation is usually strictly between the parties, the children are directly affected by a number of issues resolved in mediation. While allocation of matrimonial home and maintenance are to some extent incidental, although very relevant to the child, the issue of custody and access arrangements affect the child directly and agreements should not be reached without reference to the wishes and best interests of the child in that particular case.

Far greater attention needs to be given to the trauma that separation represents for children. The state should fund counselling and effective coping and remediation programmes to be made available to the Family

4 Article 154 Civil Code, Chapter 16 Laws of Malta

5 Children and Young Persons Care Orders Act, Chapter 285, Laws of Malta

Court as part of the closure of the separation proceedings. This might also be better served outside the Court arena. NGOs could do this, and the Office of the Commissioner for Children could be instrumental in coordinating such an initiative.

The Commissioner also raised her concern regarding issues of confidentiality for children. Children are frequently interviewed by the Child Advocate and promised that the information they give will be privileged. In view of the sensitive disclosures children may make relating to the actions of their parents and the repercussions of such information on the outcome of the separation process, lawyers often insist on access to this information. While it is true that for justice to be done all parties must be au courant of all allegations and discovery must be adhered to, such a principle negatively affects children in a very distinct way. The current practice is for the Child Advocate to tell children that what they say cannot be privileged, resulting in many children not sharing information with the only person able to represent them. This issue desperately needs to be addressed.

However the main area which requires attention is certainly that of court delays.

The Commissioner feels that there is a need for appeal decisions of the Family Court to be fast tracked. The Commissioner also highlighted that, from the child's perspective, repeated delays in Court hearings have a particularly serious effect on their present and future wellbeing. Their custodial parent may be negatively affected by the session being postponed or put off, and this in turn affects the child. Also from the child's point of view, a three month deferment seems an eternity. The suggestion would be to appoint Family Cases in the same way as Criminal Cases, i.e. hear them in a week and conclude. Even if there is a wait until they get started, at least they would be finished in a set time. This obviously only applies to the case when it has gone beyond the mediation process.

Where a case is to be concluded in an 'amicable' separation, children should still have the right to be informed as to the contents of the contract, insofar as this affects them. Just because parents are happy to agree on access arrangements does not mean they are always in the best interests of the child. Including children at this stage might contribute towards ensuring observance of access orders rather than issuing judgments against parents for failure to comply.

Annex A

The following statement was drafted during the annual ENOC Conference, and is supported by all members of the European Network of Ombudspersons for Children:

Statement on Children and Young People with Disabilities

"We must remember that children with disabilities are first and foremost children. They, like children, without disabilities, must have the right to be free from violence, they too have the right to be respected and protected. It is our legal responsibility to ensure that this happens." (C. Mc Clain-Nhlapo, editorial board of the UN SG Study on Violence against children)

We, the members of the European Network of Ombudspersons for Children (ENOC), call upon our governments to ratify - without delay - the UN Convention on the Rights of Persons with Disabilities (UN, Dec. 13th 2006) and its optional protocol and to do whatever necessary to fully implement it.

The Convention sets out a rights-based approach to children and young people with disabilities and complements the rights of the child set out in the UN Convention on the Rights of the Child.

The Convention sets out eight general principles, including "respect for the evolving capacities of children with disabilities and respect for the rights of children with disabilities to preserve their identities". It calls on governments to initiate a cultural change,

emphasising equality, inclusion and non-discrimination for children with disabilities.

In order to achieve this, we urge our governments – and other competent authorities - to proceed and invest in the following actions:

Awareness raising:

1. Provide general information to children and young people with disabilities, their peers and the general public on disability with a view to combating stereotypes and nurturing receptiveness to difference.
2. Familiarise public opinion about disability and promote positive images of children with disabilities, respect for children with disabilities and respect for their rights.
3. Disseminate information on the dangers of the use of alcohol, tobacco and certain drugs during pregnancy,

Participation:

1. Bearing in mind Article 12 of the Convention on the Rights of the Child, promote participation of children, really listen to children with disabilities and involve them in policy planning.
2. Recognise that children with disabilities are experts on their own living conditions; therefore structures must be set up to enable and encourage children and young people to share their experiences in a positive way and to fully

participate in decisions about them as individuals and in policy and public life.

3. Facilitate full access for children and young people with disabilities to all cultural, leisure and sport activities, including disability-specific activities, and facilitate the exercise of choice by children and young people with regard to involvement in activities.

Inclusion:

1. Take all necessary measures to fully include children with disabilities in all aspects of life on an equal basis with other children so as to ensure the full realisation of their human rights and fundamental freedoms.
2. Invest, more specifically, in the promotion and the implementation of inclusive education and undertake measures to ensure an inclusive education system on all levels. Such investment must not be constrained on resource grounds. Evaluation systems that take into account diverse capacities should be developed and implemented.

Peer support:

1. Take measures within educational and leisure settings to meet the needs of children with disabilities to associate with children in similar life settings.

Care in residential or disability-specific centres and other settings:

1. Use care in residential or disability-specific centres only in the best interests of the child and never just because of a disability or financial considerations.
2. Invest in and guarantee the allocation of adequate numbers of staff with sufficient and continuous training within residential or disability-specific centres.
3. Treatment within residential or disability-specific centres must be compliant with human rights standards and kept under constant review, including periodic review of individual placements and treatment.
4. Adequate supports should be put in place to prepare older children and young people for transition to adult life and adult service provision.

Support for families and siblings:

1. Make available and facilitate access to respite periods for families of children with disabilities.
2. Make available specific, additional support including self-help and peer support groups to siblings of children with disabilities.

Abuse and violence:

1. Recognising the fact that children with disabilities, especially girls, are even more vulnerable to abuse and provide sufficient measures to prevent abuse, including initiatives to support positive parenting.
2. Allocate additional funding for the treatment of victims of abuse and violence.

Accessibility:

1. Actively promote full access to all aspects of life through inclusive participation in social life and the promotion of universal design in all public settings by all means including through legislation.
2. Ensure access for children with disabilities to: all public areas including schools, colleges, shopping areas; public transport; and play and leisure facilities.

Health:

1. Provide children with disabilities with the best possible health care, including early identification and intervention, as well as any adjusted aid and assistance needed for their specific disability.
2. Clearly prohibit forced sterilisation of and forced use of contraception by children with disabilities.

Strategic instruments:

1. Fully implement the Convention on the Rights of Persons with Disabilities and meet the obligations set out in Article 33 to establish focal points within Government, a coordination mechanism regarding implementation of the Convention and (Paris Principles compliant) independent mechanisms to monitor implementation of the Convention.
2. Complaints mechanisms, where not already in existence, should be established and access to independent advocates facilitated. Information campaigns to raise awareness of their existence and enhance their accessibility for children with disabilities are needed.



Annex B

CODE OF POLICE LAWS [CAP. 10.]

PART XXV B OF MINORS AND ALCOHOL

Sale, serving or procurement of alcohol to minors.

Added by: Ill. 2007.2.

316C. It shall be unlawful for any person to:

- (a) sell alcohol to, or purchase alcohol on behalf of, a minor; or
- (b) serve, or in any manner supply, alcohol to a minor in any public place.

Prohibition of consumption of alcohol by minors.

Added by: Ill. 2007.2.

316D. It shall be unlawful for a minor to:

- (a) consume alcohol in any public place;
- (b) procure or attempt to procure alcohol in any manner whatsoever in any public place;
- (c) be in possession of alcohol in any public place; or
- (d) falsely represent his age for the purpose of consuming, receiving, procuring or attempting to procure alcohol.

Definitions.

Added by: Ill. 2007.2.

316F. For the purposes of articles 316C to 316E and of article 319(9) to (11):

- (a) the expression "agency" means any agency designated for the purpose in the Gazette by the Minister responsible for social policy;
- (b) the expression "alcohol" means any wine, beer, cider or spirituous liquor;
- (c) the expression "minor" means any person under sixteen years of age;

Power to stop and take particulars.

Added by: Ill. 2007.2.

316E. It shall be lawful for any member of the Police Force to stop any person, whom he suspects to have acted in breach of articles 316C and 316D, for the purposes of identifying such person and taking his particulars.



The Commissioner for Children mingles with the children of Profs. Ġużè Aquilina Primary School and Kikkurillu

Il-Kummissarju għat-tfal tidher fost it-tfal ta' L-Iskola Primarja, Profs Ġużè Aquilina, u Kikkurillu



The Commissioner for Children with Volunteers from MCAST

Il-Kummissarju għat-Tfal u voluntieri mill-MCAST

2007 photos



Tug of War on a school visit to St. Bernadette Primary School

Kompetizzjoni tal-ġbid tal-ħabel waqt żjara lill-Iskola Primarja, Santa Bernadetta



Scenes from World
Childrens Day

Xeni mill-Jum
Dinji tat-Tfal





