

COMMISSION ON DOMESTIC VIOLENCE

Annual Report

March 2008 – February 2009

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Message



“ All these agencies provide professional services... ”

Domestic violence is not a new phenomenon in Malta and we have been providing services in the sector for many years. The area of domestic violence requires particular attention and in the recent years we strengthened the fight against domestic violence by legislating against such action and by creating awareness in society.

Even though the responsibilities of my Ministry are wide, and varied, we give due attention to the area of domestic violence. In fact through the Commission for Domestic Violence, the Government is launching another campaign against such abuse. The Government intends to keep creating awareness on this social problem, which most of the time remains unnoticed behind closed doors, and create consciousness of the services offered by the government and other NGOs.

In order to achieve good results in this upcoming national campaign it is also important that we ensure that existing resources are used effectively and efficiently, especially by encouraging different bodies to work together. This will minimize undue bureaucracy, leading to resources being freed up for more effective work.

The Sisters of the Good Shepherd were the first to offer a residential shelter (Merhba Bik), which is still in operation, for women escaping abusive situations almost 30 years ago. Since then other organizations, including the state, have developed various direct services to meet the demand emanating from a growing awareness of the problem.

These include: a 24 hour telephone helpline, Supportline 179, operated by trained volunteers under the management of Appogg (Foundation of Social Welfare Services); a specialized social work unit within Appogg; a shelter (Ghabex) also run by Appogg; a second stage shelter (Programm Sebh, Dar Qalb ta Gesu') run under the auspices of Ejjew Ghandi (Diocesan Children's Homes); and a women's hostel (Dar Tereza Spinelli) run by the NGO Fondazzjoni Suret il-Bniedem.

All these agencies provide professional services and the results obtained by these government agencies and NGOs show the dedication and the professionalism of all service providers in this area.

The Domestic Violence Services that are managed by Appogg offer victims of domestic violence and their children, professional services, guidance and support to help these people through their time of crises by giving them a tailor made service in order to meet their social and emotional needs.

Furthermore the services offered to victims of domestic violence include sessions of social training to enhance and encourage self empowerment, which I believe is the right formula to help people carry on with their daily lives without feeling threatened and/or anomic in our society.

The Government is a key player in service provision and through the Commission for Domestic Violence we should coordinate the services offered to the public and ensure that the services given are up to standard and professionally operated. Government is not only committed to help victims of domestic violence socially by also legally. Such services include the police services, legal advocate services and court services, amongst others.

We are committed to help people suffering from domestic violence and not only to help them get out from their current situation but also giving these victims the opportunity to build a new and independent life.

Mr John Dalli
Minister for Social Policy

Foreword



“ We were awarded European Social Fund money for our project ”

Another year, another report... The Commission on Domestic Violence has now been in operation for a full 3 years, hence our third report. Considering that the members of the Commission all have other 'proper' jobs, and that the work being presented herein has to be done additionally to our 'proper' jobs, I feel that it is fair to say that all in all we have done well. Between the plenary Commission meetings and the various sub-committees and task groups we have held a total of forty four meetings involving over thirty people, all of which have given freely of their energy and time to combating domestic violence and improving the lives of those escaping or living with it. To them all I extend my heartfelt gratitude.

As a result of all these people's work, at the end of this our first official term, we can report some work concluded, much work ongoing, and even more work planned. We have succeeded in accessing some training for staff in the field and are in the process of negotiating further training. We have set up a fund to provide private police protection for staff and users of services and another to buy in consultation for workers in matters relating to the mental health of service users. Very importantly, we organised a seminar and we were fortunate to have Judge Sylvia Thaller from Austria as a main speaker. This was well attended by members of the various professions working in the field, and we received feedback that more such activities are needed. We also commissioned a study on the perceptions of the general public on domestic violence so as to be better informed in relation to raising awareness on the subject. We were awarded European Social Fund money for our project, 'Dignity for Survivors of Domestic Violence', and we look forward to starting to see the fruits of that in the coming year.

Ongoing work includes negotiations with the Commissioner for Data Protection as well as various agencies for the harmonisation of data in the field of domestic violence. We are convening a group of relevant agencies to put in an application for Daphne funding which will benefit both workers in and users of the various services. And we have further developed the 'Action Plan' which is bursting with plans for both ongoing and future work.

The previous members of the Commission have all been reinstated for a further 3-year term, together with an additional member, to allow us to continue to carry on our planned work. Hence, as our first term ends, and our second term starts we can say that things are moving, sometimes slowly, sometimes faster, but definitely forward.

Dr Marceline Naudi
Chairperson

1. Introduction

The Commission on Domestic Violence was established under Article 3 of the Domestic Violence Act, Chapter 481 on the 1st March 2006¹. The main role of the Commission is that of advising the Minister responsible for social policy on all aspects of Domestic Violence.

2. Definition

In the Domestic Violence Act, 'domestic violence' is defined as any act of violence, even if only verbal, perpetrated by a household member upon another household member and includes any omission which causes physical or moral harm to the other.

3. The Commission

The Commission has now been operating for three years and its current term ends on 27 February 2009.

4. Terms of reference

The terms of reference of the Commission on Domestic Violence are laid down under Article 4, of the said Domestic Violence Act. These are reproduced below.

"The Commission shall have the function of advising the Minister on all aspects of domestic violence and in particular on:

- (a) increasing the awareness and understanding of domestic violence and harassment and their consequences and on ways and means to reduce their incidence;
- (b) areas of domestic violence on which research is necessary or desirable;
- (c) strategies to expose domestic violence and to facilitate the intervention of public and private agencies and entities with respect to victims and perpetrators of such violence;
- (d) educating the public on all aspects of domestic violence;
- (e) ways to facilitate communication between public and private agencies and entities involved in action against domestic violence;
- (f) standards for care facilities for victims and perpetrators of domestic violence, including public or private shelter services or facilities;
- (g) standards and protocols for practitioners;
- (h) procedures for the effective co-ordination on a national level of the activities of public and private agencies and entities engaged in the giving of services on domestic violence issues including support services;
- (i) a comprehensive and co-ordinated plan for the collection of data concerning domestic violence for use by the courts, prosecutors, law enforcement officers, health care practitioners, social workers and other agencies and entities in a manner that protects the identity of victims of domestic violence;
- (j) developing a comprehensive plan for a multidisciplinary approach of active prevention and early intervention;
- (k) specialized training for professional groups involved; and
- (l) consulting and networking with other relevant national and international entities."

5. Composition

For the last year, the Commission was composed of a chairperson and six members, as it had been in the previous year. The members continue to enrich the Commission with their own expertise and experience, varying from hands-on experience to policy, service provision, planning and research, and continue to learn from the field and from each other. As in previous years, Gozo was also represented on the Commission to ensure that Gozo's specific situation is addressed.

¹Law can be accessed through www.domestiviolence.gov.mt

The Commission started the year with the following members, all of whom were still present by the end of the year:

Chairperson
Dr Marceline Naudi Ph.D.(Manchester), M.A.(Bradford), B.A.

Members
Ms Maria Attard M.A.T.C.
Mr Albert Bell BA (Gen.), BA (Hons.), MA, (Reading for a Ph.D.)
Insp Louise Calleja Dip in Mngt. Studies, (Reading an MBA)
Sr Joan Garner RGS. MQR.
Dr Roberta Lepre' Camilleri B.A., LL.D
Mr Cornelius Mulvaney Dip.Family Therapy (UK); CQSW (UK)

The Commission remained with one member less than when originally constituted.

The Commission is also supported by Ms Doris Vassallo, DPA, who performs the functions of Secretary to the Commission.

6. Premises

The Commission continued to furnish and equip the premises it had been allocated at Block C Beltissebh Floriana. The Commission continued to gather films, books and relevant documents for the Library.

7. Commission Meetings

Between March 2008 and February 2009 the Commission met eleven times, as follows:

	Date	Attendance
Meeting 3/08:	Tuesday, 15 April 2008	5/7
Meeting 4/08:	Friday, 16 May 2008	5/7
Meeting 5/08:	Wednesday, 18 June 2008	6/7
Meeting 6/08:	Wednesday, 23 July 2008	4/7
Meeting 7/08:	Monday, 15 September 2008	5/7
Meeting 8/08:	Tuesday, 21 October 2008	5/7
Meeting 9/08:	Tuesday, 02 December 2008	4/7
Meeting 1/09:	Wednesday, 07 January 2009	7/7
Meeting 2/09:	Thursday, 12 February 2009	5/7

The duration of each meeting was approximately 2 to 3 hours. The venue for the meetings was Block C Beltissebh Floriana. An ad Hoc meeting was held on Monday 12 January 2009 to discuss amendments in relation to the Domestic Violence Act.

8. Subcommittees

During the year under review the Commission convened various subcommittees and groups, as seen elsewhere in this report. These included:

- The subcommittee on Service Development² – this subcommittee consists of workers in the field representing the various direct service providers and meets regularly to discuss practice issues, problems and solutions.
- Subcommittee on Research and Data Collation³ – this subcommittee consists of representatives of the research/data sections of various entities that touch with the issue of domestic violence.
- Subcommittee on Awareness Raising⁴ - this subcommittee did not meet this year for reasons explained elsewhere, but will be reconvening this coming year, with representatives from the PR sections of the Ministry for Social Policy and the Foundation for Social Welfare Services (designated agency).
- Daphne Group⁵ - this group consisted of representatives of various entities that touch

²For subcommittee report see appendix B

³For subcommittee report see appendix C

⁴For subcommittee report see appendix D

⁵For Daphne Group report see appendix E

with the field of domestic violence and were interested and eligible to apply for Daphne funding.

- Task Group for Seminar⁶ – a subgroup of the commission met a number of times to organize the practical elements of the Seminar held in November.
- Task Group Sexual Assault Response Team – this task group is in the process of being set up and will have representatives of the main stakeholders and will look at the possibility of setting up an effective and sensitive sexual assault response team to operate out of Mater Dei Hospital.

In all these entailed 44 meetings within the year being reported on, involving 30 people.

9. Finance

In January 2008, the Commission was allocated a budget of €47,000 out of which the annual awarded honoraria of the chairperson (€2,329.37) and the members of the Commission (€1,747.03) were paid. The majority of the remaining € 42,923 were utilized by the Commission for its various projects, including the following: a seminar with an international speaker; contributions towards funds which were set up in collaboration with other entities to provide police protection to people experiencing domestic violence when attending Court sittings and to provide support to domestic violence workers dealing with women experiencing mental health problems; and the refurbishment of its premises.⁷

In January 2009 the Commission was allocated a budget of €47,000 to continue its work in the field of domestic violence.

10. Activities

Between March 2008 and February 2009, the chairperson and members of the Commission were again invited to attend and participate in a number of seminars, conferences and other activities, as listed hereunder. The Commission tries its utmost to be represented by at least one or more members, including the Secretary to the Commission at the various activities it is invited to attend. Participation in these activities enabled the Commission to raise its profile and emphasize the importance of Domestic Violence as an issue in Malta, as well as gather useful information, and enable networking with national and international entities.

- Focus Group on Illegal Immigrants on Wednesday 05 March, 2008 organised by the Directorate for Policy Development and Programme Implementation within the Ministry for the Family and Social Solidarity.
- Focus Group on Disability on Friday 07 March, 2008 organised by the Directorate for Policy Development and Programme Implementation within the Ministry for the Family and Social Solidarity.
- Focus Group on Addictive Behaviour on Wednesday 30 April, 2008 organised by the Directorate for Policy Development and Programme Implementation within the Ministry for the Family and Social Solidarity.
- Final Conference on the Gender Aspect from a Legal Perspective organized by the National Commission for the Promotion of Equality on Friday 16 May 2008.
- Seminar entitled 'Try to understand' Sexual and gender-based violence in the context of Mediterranean arrivals organized by JRS Malta and UNHCR Malta at The Conference Room, St Aloysius Sports Complex, B'Kara on Monday 19 May 2008.
- A Stakeholders' meeting on providing services to refugees which was organized by UNHCR at the Coastline Hotel, Salina on Monday 9 June 2008.
- A DAPHNE project dissemination Seminar on Date Rape Cases amongst young women and the development of Strategies for Support and Prevention which was organized by the Institute of Forensic Studies, University of Malta on Friday 20 June 2008.
- Live Quality Conference organized by National Commission for the Promotion of Equality at the Victoria Hotel, Sliema on Wednesday 14 January 2009.

⁶ For Seminar report see appendix G

⁷ For financial report see appendix A

The Commission was also invited to a number of other conferences and seminars but was unfortunately unable to attend due to lack of human resources.

11. National Action Plan on Domestic Violence

National Action Plan

Over this last year the Commission has continued to base its work on the Blueprint of the Council of Europe Campaign to combat violence against women, including domestic violence.

11.1 Legal and policy measures

As stated in previous years, some of the sub-headings found under this measure are already in hand in Malta whereas others require work including the monitoring and review of legislation and measures provided for by the law.

	Action
<ul style="list-style-type: none">• review legislation – identify gaps in the protection of women from all forms of domestic violence;	
1.1 Although last year it was considered rather too early to start reviewing the legislation since it is relatively new, over this past year the Commission has made various recommendations to the Minister for Social Policy. ⁸ It is also being suggested that a structure is set up in the form of another subcommittee to enable constant monitoring and evaluating.	Commission to set up new subcommittee
1.1.2 Furthermore, due to the importance of the legislation in relation to Domestic Violence, the Commission is proposing that a representative of the MJHA is co-opted onto the Commission, with observer status, so as to improve liaison between the two ministries in relation to domestic violence.	Commission to address with relevant Ministers
<ul style="list-style-type: none">• establish effective legal protection, including protection orders, for all women victims of violence, and regularly monitor and evaluate its effective implementation;	
1.2 With regard to monitoring and evaluating the effective implementation of protection orders, the Commission is working on setting up a focal point for the gathering of statistics, and this will be included in the statistics gathered.	Subcommittee on research and Data collation
<ul style="list-style-type: none">• ensure that immigration laws and administrative procedures do not prevent women from leaving violent relationships due to fear of deportation, loss of legal status or revoked custody over the children;	
1.3 It is being suggested that the Commission liaises with the agencies working in the field of migration (e.g. OIWAS; JRS; etc.) in order to ensure that immigration laws and administrative procedures do not prevent women from leaving violent relationships due to fear of deportation, loss of legal status or revoked custody over the children. If necessary, amendments to the current legislation will be recommended. The Commission is already looking at the possibility of raising more awareness of the issue of domestic violence amongst the refugee and asylum seeking community through cooperation on the printing and distribution of a leaflet being prepared by the JRS on this issue.	Commission/ subcommittee on awareness raising

⁸ Please see appendix F

Action

- identify and put in place measures to increase the rate of reporting, prosecution and sanctions of perpetrators of domestic violence against women;

1.4 In relation to increasing the rate of reporting, prosecution and sanctions of perpetrators of domestic violence against women, the police guidelines issued after the changes in the law as a result of the DV act 2006 need to be better promulgated, as well as general public awareness of the changes, and the rights of victims. If necessary changes will be recommended.

Commission/ new subcommittee on legal review/ subcommittee on awareness raising

1.4.1 Gathering and Monitoring of this data is necessary

Subcommittee on research and Data collation

- provide victims with legal aid, psycho-social support and guarantee protection for witnesses;

1.5 Legal aid is already available to victims, however this needs to be monitored since various complaints have been made. It is being suggested that an evaluation is carried out of the current legal aid system.

Commission/ new subcommittee on legal review

1.5.1 With regard to psycho-social support, the Commission has on a number of occasions raised the issue of the need of more human resources (social workers, psychologists) within the designated agency, Appogg, with the relevant authorities. This issue will continue to be raised.

1.5.2 Protection for witnesses and for the victims during court appearances is currently being provided through the setting up of a fund between the Commission and the designated agency, Appogg, to pay for private police protection to accompany them to court. This is a pilot project, which will be reviewed in a year's time.

- develop risk assessment and safety planning as standard procedure in crime prevention to prevent violence against women, and ensure special attention is given to high risk victims who face repeated incidents of violence.

1.6 Risk assessment and safety planning is standard procedure at the DVU, though only for those women who seek help there. It is suggested that the Commission can liaise and work alongside local councils and district police on aspects of community policing and some form of 'neighbourhood watch'.

Commission

11.2 Support and protection for victims

Once again there are several sub-headings under this measure, and once again, several of these are already in hand in Malta, whilst others require further work.

The Subcommittee on Service Development has been working on various issues over this last year as can be seen from the report.

Action

- provide the necessary resources for free 24 hour help lines;

2.1 Thanks to Supportline 179, managed by Appogg, and operated by trained volunteers, we have this. No further action required at this stage.

none

- provide support and advocacy services, that meet quality standards, to all victims of violence and empower women ensuring that services are accessible to all women, including socially excluded women and recent migrants, refugees and women from ethnic minority groups and women with disabilities

Action

<p>2.2 The commission has taken part in various conferences/ seminars on refugees and asylum seekers, however more work needs to be done in this regard. The commission will increase liaison with JRS/OIWAS and other relevant agencies. The Commission also needs to re-establish its liaison with the KNPD.</p> <ul style="list-style-type: none">• provide resources for an adequate number of safe shelters for women victims of violence who have to flee from violence, as well as for advocacy services and crises centres, and provide these services with the necessary human and financial resources;	Commission/ subcommittee on awareness raising
<p>2.3 The Commission is to continue to advocate for the above. Apart from having advocated for the resources to be made available to enable one of our main shelters to continue to operate, the Commission has also partnered Victim Support Malta in a request for funds to set up a crisis centre. The Commission has also set up a task group to look at the possibility of a sexual assault response team.</p>	Commission/ Task Group/ subcommittee on services development
<p>2.3.1 It is suggested that in the longer term, a proper evaluation of the training needs of staff working in this sector in Malta and Gozo is carried out, and recommendations made on how best to meet these needs.</p> <ul style="list-style-type: none">• develop a coordinated well resourced multidisciplinary specialist sector to increase capacity building across core national and local agencies such as health, justice, social welfare and education, in order to provide women victims of violence with immediate, comprehensive and coordinated support;	Commission/ subcommittee on services development
<p>2.4 The Commission organized a seminar entitled 'working together' for workers from different sectors, such as social workers, police, lawyers etc that touch with domestic violence and will be publishing the proceedings. The usefulness of joint training was strongly emphasized by the participants.</p>	Commission/ subcommittee on services development
<p>2.4.1 The various subcommittees of the Commission provide fora for different sectors to interact and network; these will continue to do so.</p>	Various subcommittees
<p>2.4.2 A proper ongoing training plan, after a detailed evaluation of the gaps, needs to be set up, in the longer term (see 2.3.1 above).</p>	Commission/ subcommittee on services development
<p>2.4.3 The devising of protocols between the various services is part of the intended outcomes of an ESF funded project being undertaken by the Commission over the next couple of years.</p> <ul style="list-style-type: none">• organise training on domestic violence against women for professionals (e.g. police, medical professionals, judicial officials etc.);	Commission/ ESF project
<p>2.5 Whilst the Commission always meets any requests for training (e.g. lecture for final year law students; training for college of chaplains; etc) this year we also organized the seminar mentioned above, and started negotiations with the organizers of a Grundtvig course being held in Malta for workers touching on domestic violence.</p>	Commission
<p>2.5.1 also see 2.4.2 and 2.3.1</p> <ul style="list-style-type: none">• include the issue of violence against women as a violation of women's human rights and a public health issue in the education curricula of all studies and training for judicial and security personnel, health care professionals, social workers, teachers and others;	
<p>2.6 Following on last year's appeals to the various University Faculties, this year training was requested, and provided for final year law students; negotiations were initiated and are in hand for training to be provided for seminarians in 2009; our next priority for this coming year will be training for student teachers.</p>	

	Action
<p>2.6.1 In the longer term it is being suggested that the Commission would initiate negotiations with various university departments to offer a post-graduate certificate course on domestic violence open to various professions.</p> <ul style="list-style-type: none"> • encourage at all levels the work of NGOs involved in combating violence against women, and establish active cooperation with these NGOs, including appropriate logistic and financial support; 	Commission
<p>2.7 The Commission already encourages and supports the work of, as well as advocates on behalf of, NGO's, through: its subcommittee on service development; the domestic violence workers forum; facilitating access to training; daphne group. It will continue to do this as well as deal with ongoing issues as they arise.</p> <ul style="list-style-type: none"> • provide financial support, housing, independent rights to residence as well as training and employment to women victims of violence to enable them to freely decide whether or not to leave their violent partner; 	Commission
<p>2.8 With the start of a project 'Dignity for Survivors of Domestic Violence' made possible through ESF funding the Commission intends to start working on the issue of unemployment and domestic violence.</p>	Commission/ ESF project
<p>2.8.1 Through its subcommittee on service development the Commission has started to monitor public housing allocation and will continue monitoring time lapse of receipt of social security benefits.</p> <ul style="list-style-type: none"> • encourage the establishment of nationally coordinated and locally based programmes for perpetrators. These programmes must have at their core the need for women's safety and be organised in close cooperation with services for women victims. 	Subcommittee on service development
<p>2.9 This service already exists in Malta. NO further action is required for the time being.</p>	None

11.3 Data collection

The subcommittee also worked with the NSO on the replication of the 2003 study commissioned by the then Ministry for Social Policy titled "Domestic Violence against Women: Perceptions of the Maltese General Public", the report of which should be out soon.

Another big task being undertaken is that of a prevalence survey for the Maltese islands in order to get a better idea of not only those that report incidences, but also those that do not. This is needed in order to better plan policy and provision of services. This will now be linked to the economic independence of women through employment and be carried out as part of the ESF funded project, Dignity for Survivors.

	Action
<ul style="list-style-type: none"> • ensure the systematic collection of statistical data disaggregated by sex, by type of violence as well as by the relationship of the perpetrator to the victim in all fields 	
<p>3.1 Over the past year, the Subcommittee on Research and Data Collation has continued to work on the standardisation of statistics gathered by the different entities to enable us to gain a better picture of those seeking help. This work is ongoing.</p> <ul style="list-style-type: none"> • use a methodology that allows for gender analysis and comparison with other member states of the Council of Europe; 	Subcommittee on research and Data collation
<p>3.2 The subcommittee on research will be liaising with other entities within the council of Europe member states to be able to provide data that is comparable across countries.</p>	Subcommittee on research and Data collation

Action

- collect and disseminate good practices for preventing violence occurring in the family or domestic unit, protecting its victims and prosecuting the perpetrators

3.3 Whilst this will not be tackled as a whole in the short term, the subcommittee on service development will be gathering instances of good practice on the part of the police and these will be brought to the attention of the Police Commissioner.

Subcommittee
on service
development

11.4 Awareness raising

The Commission had set up a Subcommittee for a National Publicity Campaign to plan and co-ordinate media events on domestic violence based on a two-year period. Public relations personnel from the Foundation for Social Welfare Services and the Ministry for Family and Social Solidarity sat on this Subcommittee together with two Commission members. This helped in dovetailing of activities, reducing duplication and increasing cooperation between these main entities. One of the factors continuously considered was to try to ensure that the current services are not swamped with referrals as a result of the publicity.

This subcommittee stopped meeting due to the elections, and then was not re-constituted because of a request by the designated agency not to hold publicity events since these increased the rates of referrals and due to reduced human resources they were not able to cope with this. It is now planned to reconvene this subcommittee in the near future.

Action

- publicly denounce domestic violence against women as a violation of women's human rights and commit to taking action against it at the highest political level

4.1 The Commission made a presentation to the Parliamentary Social Affairs Committee on Domestic Violence in Malta, raising the various issues of concern. Another presentation is planned for this year to answer queries raised by the members and to better discuss causes of domestic violence.

Commission

- raise awareness on domestic violence against women using all available means, in particular through the media and educational curricula to challenge prevailing gender stereotypes, and discriminatory cultural norms and public opinion about its acceptability;

4.2 Notwithstanding that the subcommittee on awareness raising did not meet this last year, several media/ awareness raising activities were nonetheless carried out. Two members of the Commission took part in a programme of 'Qalbinnies' dedicated to domestic violence, and we liaised with the producers as to content of said programme; a couple of press releases were issued to mark significant days. The subcommittee will be reconvened and publicity should once again increase this year.

Subcommittee on
awareness raising

4.2.1 With regard to educational curricula, a session was held for law students and another one planned for seminarians. This year work with schools is to be prioritized.

Commission/
subcommittee on
awareness raising

- encourage national and community leaders and opinion formers to publicly acknowledge the gravity of violence against women occurring in the family or domestic unit, to condemn its perpetration and the use of custom, tradition or religion to excuse it.

4.3 Presentation made to parliamentary social affairs committee, and another one to follow.

Commission

4.3.1 Following last year's meeting with the Archbishop, this year we held a session for the College of Chaplains of the Maltese Curia. We will be following up the Bishop of Gozo to hold a similar session in Gozo.

Commission

Action

- support specific awareness raising initiatives aimed at men in order to mobilise them to take an active part in eliminating all forms of violence against women, including domestic violence .

4.4 One of the activities planned as part of the Dignity for Survivors project, funded through ESF, is a football match with the players publicly supporting men against violence against women, through the wearing of the white ribbons.

Subcommittee on awareness raising

12. Awareness-raising

Raising awareness on domestic violence and its effects remains an important part of the Commission's work, though in the year of reporting our efforts have had perforce to be somewhat muted. This will continue to be considered a priority.

12.1 Awareness Raising and Collaboration: Professionals and Other Stakeholders

As envisaged in last year's report, the Commission entered into further correspondence and meetings, where appropriate, with various stakeholders.

These included:

- A meeting held on 15 April 2008 with Fr Jimmy Bonnici, Rector of the Seminary regarding the possibility of holding discussions and information meetings with current seminarians who, on becoming priests, will work with the general public. It was agreed that Fr Jimmy Bonnici would discuss the suggestions made with the staff to include in next year's programme.
- A meeting held on 16 June 2008 with Mr Tony Mifsud, Co-ordinator Malta Unborn Child Movement within Social Assistance Secretariat and Ms Antoinette Formosa, Malta Midwife Association. Mr Mifsud emphasized the need to focus more resources on the protection of the 'unborn child' as included in the Domestic Violence Act.
- A meeting held on 25 June 2008 with Fr Eric Overend and the College of Chaplains at the Archbishop's Curia where it was agreed that information with regards to the Domestic Violence Act and the services provided for people experiencing domestic violence would be forwarded, and that an information/training session would be held with the Parish Priests during one of their monthly meetings.

12.1.1 Presentations

The chairperson delivered a talk at the Seminar entitled 'Try to understand' Sexual and gender-based violence in the context of Mediterranean arrivals organized by JRS Malta and UNHCR Malta at The Conference Room, St Aloysius Sports Complex, B'Kara on Monday 19 May 2008.

Following the above mentioned meeting the Commission was invited by Fr Eric Overend, President of the College of Chaplains to give a presentation to the parish priests on the 5 November 2008. Dr Marceline Naudi, the chairperson of the Commission, Dr Roberta Lepre, member, and Ms Doreen Camilleri, Service Area Leader of the Domestic Violence Services of Appogg delivered a one hour talk.

The chairperson was further invited by the Social Affairs Committee to give a presentation on domestic violence in collaboration with Agenzija Appogg. These were part of the work plan of the Committee on the subject of the Family. The presentation was held on 15 October 2009.

12.1.2 Communicating with Judiciary

The Commission will continue to persevere in its endeavours to meet with the Judiciary to enable it to discuss important issues that are being raised both by frontline workers and by service users. No response to the letter written to the Commission for the Administration of Justice delineating the areas of concern has been received. The same areas have been raised with the Parliamentary Secretary within the Ministry for Justice and Home Affairs and a meeting with the Chief Justice has been suggested.

12.2 Awareness raising: General public

The subcommittee on awareness raising/publicity campaign stopped meeting as per required procedure for the general elections. Once the Commission was reinstated we were requested by the designated agency not to undertake any publicity campaigns targeted at the general public since these tended to increase referrals to the extent that the Domestic Violence Unit social workers were overloaded and had to initiate a waiting list. As a result this subcommittee was not reconstituted at that time. Some awareness raising, mainly through media appearances and the press, did nonetheless take place, though much less than in previous years.⁹ This subcommittee is being reconvened in the coming year.

⁹ For further details see Appendix D

12.3 Website

The Commission's website www.domesticviolence.gov.mt was set up in June 2007 as part of the Ministry's website. The website includes information on the Commission and its activities as well as links to the laws related to domestic violence. It further contains links to websites of other organizations who deal with cases of domestic violence. The website is continually being updated.

13. Service and Policy Development – a grass roots orientation

13.1 Meetings with the Designated Agency responsible for the provision of preventive, therapeutic and, or treatment programmes for persons experiencing domestic violence and perpetrators of domestic violence.

The Commission continued to liaise closely with Agenzija Appogg throughout this past year.

Various meetings were held between the Chair of the Commission and Ms Maryanne Gauci, Adult & Family Service Manager, Agenzija Appogg to discuss issues raised and ways of furthering collaboration between the Commission and Agenzija Appogg. Issues discussed included:

- Police protection for women, resulting in a joint fund being set up to pay for private police protection to accompany women to court.
- The need for more social workers in the Domestic Violence Unit of Agenzija Appogg.
- The problem of publicity resulting in the possibility of services being swamped.
- Writing the required reports for the Council of Europe Campaign to combat Violence against Women, including Domestic Violence.
- Test-case for third party reporting to police.
- Other activities that could be organised to raise public awareness on the issue of domestic violence.

13.2 Continued Participation in the Compilation of the National Action Plan on Social Inclusion

As reported in last year's annual report, the Directorate for Policy Development and Programme Implementation within the Ministry for Social Policy organised a series of Focus Group half day seminars for discussion the vulnerable groups identified in the National Action Plan on Social Inclusion (2006-2008) in order to be able to compile the forthcoming NAP. Apart from participation in the focus groups falling under last year's report, as indicated therein, the Chair further participated in the Focus groups on Irregular Migration (5/3/08); Children and Youth (26/3/08); Older Persons (9/4/08); Addictive Behaviour (30/4/08); and Disability (7/5/08). Since the issue of domestic violence touches with each of these other areas it was important that this was acknowledged and included in the NAP on Social Inclusion.

13.3 Meeting with Minister Mr John Dalli, Minister for Social Policy

The chairperson and members of the Commission met with Minister John Dalli on September 30, 2009 to present the Annual report for 2007-2008 and to discuss their work. A brief outline of the current situation was given to Minister Dalli. It was explained that although around 200 cases a year were reported to the police, more people seek help from the social work services, indicating that there are still many people who do not wish to make an official report. Many cases do not get to Court. However, with increase in awareness of the issue, more people appear to be seeking help of some kind. The issue of lack of social workers at the Domestic Violence Unit at Agenzija Appogg was raised and discussed.

It was further explained that domestic violence cases were reported from all parts of the island and from all strata of life, and that gender inequalities remain one of the main causes of domestic violence. The Commission's plans for commissioning a prevalence study on domestic violence in Malta to enable it to better plan its work and advise on policy measures were discussed. To date the only figures available are of those who report – this is often seen as the tip of the iceberg.

With regard to targeting children through educational programmes, the Minister was informed that

the Commission held an Art Competition for Private, Church and Government school children. The importance of organizing not only awareness activities but prevention programmes for children, activities that teach them about gender equality and respect for both women and men was stressed.

The Minister was informed about the problem of increased referrals to the Domestic Violence Unit of Appogg as a result of awareness raising, leading to an overload of work for the current number of social workers, and that therefore the Commission had been asked to limit its awareness campaign on the issue. This is problematic since raising awareness is one of the terms of reference of the Commission.

Another problem being faced by the domestic violence field was raised, being that the (volunteer) Head of Home at MerhbaBik had resigned and that due to lack of funds they are unable to employ a replacement. It was emphasized that it would be a disaster if the services at MerhbaBik were lost.

13.4 Meeting with Minister Dr Carmelo Mifsud Bonnici, Minister for Justice and Internal Affairs

The Commission met with Minister Dr Carmelo Mifsud Bonnici, Minister for Justice and Internal Affairs on November 21, 2008 at the Ministry for Justice and Internal Affairs, Valletta. During this meeting, the Commission presented the Minister with a letter that the chairperson of the Commission had sent to the Commission for the Administration of Justice in August 2007 raising issues that relate to his Ministry. These issues were discussed and various suggestions made.

It was suggested that the Commission should contact the centre for mediation to discuss issues relating to mediation, and the Director General of the Courts to discuss issues that touch with court administration. It was further suggested that the Commission should make direct arrangements to meet with the Chief Justice.

The importance of targeting the general population about their rights in respect of domestic violence was emphasized and it was suggested that the Commission produce a leaflet to be issued to households and distributed in court. Monitoring police reports and cases that get to court was also emphasized.

The Commission was referred to the Parliamentary Secretary for Health, Dr Joseph Cassar, to discuss the issue of the setting up a task group to look into the possibility of a sexual assault response team and the provision of premises for it within Mater Dei Hospital.

The Minister was also informed about the perceptions of the Maltese public study that the Commission is undertaking and the Commission's plans for a prevalence survey.

13.5 Meeting with Parliamentary Secretary for Health, Dr Joseph Cassar

The Commission met with Parliamentary Secretary for Health, Dr Joseph Cassar on January 21, 2009, at Palazzo Castellania Valletta. The meeting was principally held to discuss the issue of setting up the Sexual Assault Response Team and as a result of a meeting held with Hon Dr Carmelo Mifsud Bonnici, Ministry for Justice and Internal Affairs.

A copy of the Memorandum for the setting up of a Sexual Response Team was presented to the Hon Dr Joseph Cassar and he was informed that the NGO Victim Support Malta, in conjunction with the MCWO and the Commission on Domestic Violence, had applied for NGO funds in this respect. Hon Dr Joseph Cassar agreed with the setting up of a task group and that it should include representatives from the Ministry of Social Policy, the Commission, Victim Support Malta, the Ministry for Justice and Home Affairs, Mrs Antoinette Martin/Mr Ray Galea and other individuals that could contribute towards setting up this team. The task group would work on a business plan to be forwarded to him for tabling for discussion before Cabinet. With regards to financial resources it was suggested that the Task Group should look into the possibility of funding from other sources apart from funds from the Ministry for Social Policy and the Ministry for Justice and Home Affairs. Dr Joseph Cassar agreed to make enquiries about premises within Mater Dei though also suggested the possibility of the team being based within one of the Health Clinics.

13.6 Review of domestic violence law

The Commission held an ad hoc meeting to look at the problems and issues being encountered in practice in relation to the law and legal matters.¹⁰ These included difficulties being faced by women attempting to escape domestic violence as well as frontline workers. These issues were communicated to the Ministry of Social Policy.

13.7 Liaison with the Domestic Violence Worker's forum

Apart from the Subcommittee on Service Development the Commission also liaises regularly with the domestic violence worker's forum (also known as 'the shelters' meeting') which includes all the social worker's employed in the sector, as well as representatives of the various shelters. The Chair of the Commission attends the forum's meetings in a personal capacity and relays information. Through this forum, as well as through the subcommittee on Service Development, various practice issues are raised and brought to the attention of the Commission.

13.8 Liaison with Richmond Foundation

One of the above-mentioned issues was the problem encountered by workers when dealing with a service user who has both domestic violence and mental health issues. Contact was thus made with the Richmond Foundation and following a meeting between the chairperson of the Commission and the CEO of the Richmond Foundation, two pro-bono training sessions were given by Richmond to social workers and shelter workers in the domestic violence field on issues of mental health and their impact. As part of the evaluation of the training it was agreed that the social workers would benefit from the services of a mental health support worker when dealing with such cases. The problem was thus quantified and the Commission entered into an agreement with the Richmond Foundation for the buying of 100 hours of consultation. Social workers and shelter workers will use these consultation hours to seek help from a Richmond support worker. This arrangement will be monitored and reviewed.

13.9 Liaison with the Police Commissioner

The Commission requested and was granted a copy of the report of the proceedings of an international CEPOL conference on domestic violence which was held in Malta in June 2008.

After discussion with workers and police officers in the field, the Commission had also suggested that a specially trained police officer is assigned to each district during every shift so as to deal with reports from people experiencing domestic violence. This suggestion was not accepted and the Commission was informed that each police officer is being trained to enable him/her to handle cases related to domestic violence as part of in-service training being given by experienced officers from within the police corp.

As already briefly mentioned above, following several discussions and meetings with the various stakeholders, it was agreed that police protection was necessary in certain cases to accompany women and social workers to court. Several options were considered and a step-by-step procedure to follow was agreed. A fund was set up between Appogg and the Commission, to be administered by Appogg, to pay for private police protection where necessary and where other options were not appropriate or possible. The Commissioner of Police was contacted by Appogg and approved the provision of private police protection as requested.

14. EU and International Projects

14.1 European Social Fund

The project 'Dignity for Domestic Violence Survivors' under the Cohesion Policy 2007-2013 Operational Programme II, Priority Axis III Empowering People for More Jobs and a Better Quality of Life, was awarded to the Commission as the lead partner with the cooperation of several other organisations. The award of this project will enable the Commission to use the funds to continue its work in the area. The project will start in 2009 and runs into 2011. The project includes:

- Prevalence Study – to achieve an indication of the actual prevalence of domestic violence and the existence or otherwise of a link between domestic violence and non-employment of women.

¹⁰ For further details please see Appendix F

- Study visit – to learn how other shelters for victims of domestic violence in European countries empower their residents and promote social inclusion through employment and self-employment, including through the setting up of co-operatives in their operations.
- Development of standards for shelters to include provision for inclusion of victims of domestic violence within the labour market.
- Development of co-ordination plans including protocols for sectors involved in domestic violence including:
 - police
 - media
 - government entities
 - health service providers
- NGO's – to work in a coordinated manner to promote inclusion of domestic violence victims in labour market
- Media awareness campaign re domestic violence and importance of labour market participation for victims of domestic violence

The Commission was also approached by WasteServ Malta Ltd to be partners in a project entitled 'Care Creates Change' under the Cohesion Policy 2007-2013 Operational Programme II, Priority Axis III Empowering People for More Jobs and a Better Quality of Life.

The Commission with Victim Support Malta as partners has handed in another ESF application 'Economic Empowerment for Victims of Domestic Violence' under the Cohesion Policy 2007 – 2013 Operational Programme II, Empowering People for More Jobs and a Better Quality of Life, and is still awaiting a reply.

14.2 DAPHNE III Programme, 2007-2013

Malta was represented in both DAPHNE III meetings held in Brussels within this year, once by Mr Cornelius Mulvaney in May 2008, and once by the chairperson of the Commission in September 2008. The DAPHNE Programme is aimed to prevent and combat violence against children, young people and women and to protect persons experiencing violence and groups at risk. DAPHNE III is part of a general programme 'Fundamental Rights and Justice', and is a continuation of the policies and objectives laid down in Daphne I and Daphne II programmes. The objectives of the programme are aimed at preventing and fighting all forms of violence including sexual exploitation and trafficking in human beings, occurring in the public and private domain. Malta's representatives raised the issue that Malta is being disadvantaged due to its small size, and therefore its lack of 'local' agencies. As a result the Commission cannot be the lead partner or even a full partner in a Daphne project since it forms part of the Ministry although it was pointed out that it operates as an independent entity.

Notwithstanding, the Commission had convened a group of interested and eligible entities working in the field of Domestic Violence to put together a joint application under the DAPHNE III programme. Unfortunately the joint group was unable to submit an application by the April deadline due to lack of approval of co-funding in the required time frame and lack of international partners. Another call for applications has since been issued and the group continued to work together on a new application.¹¹

The chairperson of the Commission was invited to attend a seminar related to the Daphne III programme. The seminar 'Combating Violence – European and Polish practice' was held in Warsaw, Poland on 20-21 November 2008 and it was organised by the Ministry of Interior and Administration of Poland.

14.3 Grundtvig 3

Ms Doreen Camilleri, Service Area Leader, Domestic Violence Services of Agenzija Appogg attended training sessions on domestic violence as part of a project entitled 'Acting on the Background for a higher Climbing up of Women Survivors of Violence' organized by 'Centro Studi Il Perugino', Italy through EU funding under Grundtvig 3. The Commission had informed the Foundation for Social Welfare Services as well as other agencies about these sessions.

The Commission was also informed that training sessions under Grundtvig course –Acting on the Background for a higher Climbing Up of Women Survivors of Violence were being held in Malta in May 2009. The training sessions were part of a 'Background course on Domestic Violence'. The information was forwarded to interested entities in Malta and abroad. The Commission has started negotiating with the organizing agency in regard to allowing Maltese participants to attend at a reduced fee.

¹¹ For Daphne Report see Appendix E

14.4 Council of Europe Campaign

The Commission was represented at various conferences organized by the Council of Europe Campaign for the elimination of violence against women, including domestic violence.

14.4.1 As the appointed High Level Official, the chairperson and Ms Emma Portelli, as a representative from an NGO attended the Council of Europe Conference for National Focal Points that was held in Strasbourg on 21-22 April 2008. Ms Maryanne Gauci Malta's focal point presented a report at the Conference that had been previously discussed with the Commission's Chair.

14.4.2 The chairperson of the Commission attended the Council of Europe closing conference held in Strasbourg on 10-11 June 2008. Dr Naudi attended as the Minister's representative. During this conference, it was agreed that a proposal would be made to the Council of Ministers for a comprehensive convention covering Prevention of violence against women and Prosecution of perpetrators, as a legally binding human rights instrument. If the proposal is accepted the Convention would then be drafted by a Committee with representatives of each of the Council of Europe countries and eventually presented to the Council of Ministers for approval.

14.4.3 The chairperson of the Commission prepared a report, together with the appointed focal point for the Campaign, Ms Maryanne Gauci, as requested by the Council of Europe, to mark progress at the end of the Campaign. Collaboration over the writing of the final report is ongoing.

14.5 WaVe Women against violence Europe

WAVE is a network of European women's non-governmental organizations working in the field of combating violence against women and children. The Network sets out to promote and strengthen the human rights of women and children in general and to prevent violence against women and children in particular. The Commission on Domestic Violence accepted to be WaVe's focal point on the WaVe website.

Information requested by WaVe on the legislation concerning domestic violence and women services in Malta was included in the WaVe country report 2008.¹²

Insp Louise Calleja represented the Commission at the 10th WaVe conference entitled "The Role of Women's Refuges in the Prevention and Elimination of Violence against Women" which was held in Kosice, Slovakia between the 24-27 September 2008. In this conference, experts in the field of violence against women from almost twenty European countries and the US, participated. These experts included shelter workers and counsellors. The main aim was to discuss several topics in the context of violence against women like working with perpetrators, training the staff of shelters and childcare in shelters and inspiring cooperation of public, private and NGO sector to develop specialised services for women-survivors of violence. Main speakers included Liz Kelly from the UK, a well known academic and activist, and Rosa Logar from Wave in Austria. A panel discussion included contributions from representatives of various countries, such as Sweden, Buglaria, Germany, Austria, the Netherlands, Scotland and the U.S.

14.6 UN paper GA Resolution 63/134 - Eliminating rape and other forms of sexual violence in all their manifestations, including in conflict and related situations

The paper was forwarded by Mr Joe Ebejer, Permanent Secretary, Ministry for Social Policy for the comments of the Chairperson, which were duly given.

A questionnaire DAW/2008/12 forwarded by UN's Secretary-General's Division for the Advancement of Women coordinated database on violence against women was duly filled.

14.7 WHO Questionnaire

The WHO Regional Committee for Europe adopted a Resolution on the Prevention of injuries in September, 2005 (EUR/RC55/R9) and consequently requests country updates. Responses to the questions relevant to the Commission were given in a questionnaire, in collaboration with Dr T. Firman Tilney as the WHO focal point on the part of the Department of Health.

¹² Report can be accessed through <http://wave-network.org/start.asp?ID=23087&b=15>

14.8 Council of Europe Questionnaires

The questionnaire 'Parliaments united in combating domestic violence against women – follow up of Resolution 1582 (2007) was duly filled.

14.9 Questionnaire by the Portuguese Association about Victim Support

A questionnaire forwarded by Portuguese Association for Victim Support on Victims Support in Europe with regards to a survey on organizational implementation was duly filled. The questionnaire was part of a project by the Portuguese Association for Victim Support (APAV), to determine the implementation of the Framework Decision 2001/220/JAI in the Member States of the European Union, developed the Project Victims in Europe (VinE) on behalf of Victim Support Europe.

15. Research and Statistics

As already mentioned, the Subcommittee on Research and Data Collation¹³ met several times over this last year and has continued to work steadily on attaining its objectives. The issue of relevant data and statistics remains a priority for the Commission. Networking and comparison of statistics/ data collated has continued, with significant headway, in relation to setting up a centralized system of routine data collection. The subcommittee, through the commission, also commissioned a replication of a 2003 study titled "Domestic Violence against Women: Perceptions of the Maltese General Public" conducted by the National Statistics Office (NSO). The finalised report is expected to be published soon. A proposal for a prevalence study on domestic violence was also formulated by the subcommittee and funding for this has now been acquired through ESF (as mentioned elsewhere).

¹³ See appendix C for full report on Subcommittee's activities.

16. Conclusion

This report marks the close of the 1st term of the Commission on Domestic Violence which was set up in 2006 as a result of the 'Domestic Violence Act'. When we first set off on this journey on the 28th of February 2006, 2009 seemed far away, and we were full of dreams of what could be achieved within that time frame. Now here we are, and looking back the time has flown. Some of our plans have been achieved, but we have also been flexible and we have listened to the expressed needs of the front-line workers and adapted our priorities accordingly. The more we learn, the more we have to acknowledge the amount of work that remains to be done. We have made much progress, and in some areas we are doing well, but there is still a long road ahead. This does not discourage us however, but rather, increases our determination and our commitment. Every small achievement encourages us and sustains us in our work. If that were not so we would not be here today.

One of my own personal disappointments remains, however, that notwithstanding our raising the issue of the need for more human resources in the field at every opportunity and in every year of this term, this need still has not been met. With our planned publicity campaign through our ESF project, more people will come forward seeking the services to help them deal with or escape their abusive situations. This will put further pressure on the services. We therefore hope that this issue will be taken up soon, so that current and future users of the services can get the quality of service they deserve.

At the start of our second term, therefore, we are now looking, with hope and more dreams, at the next three years. And once more, 2012 seems far away, giving scope to our hopes and dreams. We will be doing our best within that time to be worthy of the trust placed in us.

Appendix

Appendix A

Financial Report

Breakdown of Item 5477 Domestic Violence Commission up to and including 31.12.08

Budget	€ 47,000.00
Details	Amount paid
Seminar	€ 4,932.60
Campaign	€ 414.73
Printing of Reports	€ 3,758.76
Honoraria 2007	€ 12,811.55
Survey	€ 15,320.00
Library	€ 5,061.50
Refurbishment of premises	€ 308.36
Fund in collaboration with FSWS for Private Police Protection	€ 215.50
Setting up of Fund with Richmond Foundation	€ 1,000.00
UNIFEM contribution	€ 672.02
Consultancy re ESF Project	€ 273.76
Travel expenses for conferences	€ 453.00
Miscellaneous	€ 584.18
	€ 45,805.46
Balance left	€ 1,194.54

Appendix B

Commission on Domestic Violence Subcommittee on Service Development

Annual Report March 08- February 09

Cornelius Mulvaney Dip.Family Therapy (UK); CQSW (UK)

Following the resignation of the Commission on Domestic Violence in March 2008 due to the national elections the subcommittee on service development was suspended pending confirmation of the Commission.

Consequently, from March 2008 to February 2009 the Subcommittee on Service Development met four times on the following dates: 21 October 2008, 02 December 2008, 23 January 2009 and 26 February 2009.

The current members of the subcommittee are:

Dr Marceline Naudi (Chairperson)
Ms Christine Camilleri (Dar Tereza Spinelli)
Ms Doreen Camilleri (Service Area Leader, DVS, Appogg)
Mr Ashley Cumbo (YMCA)
Ms Pamela Demicoli (Dar MerhbaBik)
Ms Sandra Falzon (Former Service User)
Ms Pauline Mercieca (Ghabex, Appogg)
Mr Cornelius Mulvaney (Commission on Domestic Violence)
Ms Stephanie Muscat (Dar Guzeppa Debono, Gozo)
Mr Peter Paul Portelli (Social Worker, Gozo)
Ms Josette Stensen (Dar Qalb ta' Gesu')
Ms Doris Vassallo (Secretary)

Primarily in 2008-09 the Subcommittee on Service Development discussed mainly five topics, namely:

- 1) Standards: Rules and Regulations, incorporating Confidentiality policies and procedures within all the Women's shelters';
- 2) The Housing Problem;
- 3) Police protection and training;
- 4) Mental Health;
- 5) Training and Development.

1) Standards: Rules and Regulations, incorporating Confidentiality policies

The issue of standards falls under the Commission's terms of reference as follows:

"The Commission shall have the function of advising the Minister on all aspects of domestic violence and in particular on:

- (f) standards for care facilities for victims and perpetrators of domestic violence, including public or private shelter services or facilities;
- (g) standards and protocols for practitioners;

The issue of confidentiality policies within the various units was the first to be discussed. This involved all the Shelters and members on the Subcommittee discussing at length what was already available as well as how these could be standardized. It was agreed to submit all the material gathered to a member of the subcommittee also forming part of the DV Commission for the latter to study the various material with the view of extracting common and differing elements and to bring out suggestions. An ad-hoc meeting specifically convened to draw a common set of regulations and confidentiality forms, and these were agreed. The next issue to be discussed will be Health and Safety.

2) The Housing Problem

The Housing problems facing women who on leaving the shelters were committed to seek alternative

housing were multi-faceted and this issue is one that still needs further investigation and discussion in order that specific issues are brought before the competent authorities with the view of safeguarding the woman's rights. Problems appear to exist both in relation to public housing allocation as well as to private rented accommodation. Public allocation has improved over recent years but is still not sufficient. Other problems encountered include that women have to produce a separation contract before applying, and that forms which were previously signed by the relevant social worker now have to be signed by the head of the organization. There are also fees being requested by the Housing Authority in relation to research which they have to do, and which require social work intervention to get them waived. The subcommittee is attempting to monitor the situation. In other cases women have been denied their rights by private landlords refusing to issue an official rent book, which prevents them from applying for rent subsidy. Ways around this were discussed and shared. There is also the problem of deposits being requested which the women often cannot afford.

It was agreed that statistics regarding allocation of public housing, as well as women acquiring private rented accommodation would be kept so that the situation can be better monitored.

3) Police protection and training

The issue of police protection for the women and social workers accompanying them to court was discussed at length, both within the subcommittee meetings as well in an ad-hoc meeting with members of the Police force. It was finally decided that a special fund would be set up between the Commission and Appogg to pay for private Police Protection Services. This fund is to be administrated through Appogg but is accessible to all shelters. It is to be used when all other means of obtaining police protection have been exhausted. This arrangement would be reviewed after a year.

Following discussion, the Commission put forward a proposal to the Commissioner of Police to have one specially trained officer on duty in every shift in every district. The Commission was informed by the Police commissioner that all police officers were receiving training on Domestic Violence since all officers may deal with cases of domestic violence. The Chairperson requested the services represented within the subcommittee to inform the Commission if any difficulties are encountered with regards to reporting domestic violence cases at Police Stations, as well as to monitor examples of good practice on the part of the police.

4) Mental Health

The issue of women who were experiencing or escaping domestic violence and who also have mental health difficulties was discussed on various occasions. This problem has been raised many times over many years, and various attempts had been made to resolve this, but still the problems persist. Workers in the field of domestic violence felt that they lack training on mental health and therefore are not able to provide these women with a good service. The Commission therefore liaised with the Richmond Foundation and negotiated 2 half days of training on mental health for the domestic violence workers. These were well received though it was noted that more are needed. The Commission further reached an agreement with the Richmond Foundation who will be offering 100 hours, paid for from the Commission's funds, of support worker time to the social workers dealing with domestic violence cases involving mental health. This arrangement will be reviewed in a year's time.

5) Training and Development

Apart from the above mentioned training on mental health, the Commission is in the process of negotiating access to a Grundtvig training course on domestic violence which is to take place in Malta. The Commission is offering the organizers a free venue for their course in exchange with some free places in the training course for local workers.

Appogg workers had requested of their agency that training is provided in relation to the new rent law and it was suggested that when this training occurs it should be open to all the shelters and not just to Appogg staff.

Appendix C

Commission on Domestic Violence Subcommittee on Research and Data Collation

Annual Report March 08- February 09

Albert Bell BA., BA (Hons.), MA

Set-up in September 2007, the Subcommittee on Research and Data Collation was established with the scope of galvanising the Commission's remit to advise on actions that are grounded on the reality of the experience of domestic violence in Malta and that reflect the aspirations and needs of service users and domestic violence survivors. Throughout the period under review, the Subcommittee focused on two major objectives namely, (a) the strengthening of efforts aimed at harmonising and standardising administrative routine data on domestic violence, and (b) widening the scientific knowledge base for policy and service development initiatives in the sector through the undertaking of related empirical studies. Both these objectives followed from the Subcommittee's efforts in the previous term to develop an action plan on research and data collation on domestic violence. The Subcommittee's achievements in both these areas over recent months underscore the Commission on Domestic Violence's on-going and unrelenting commitment to bolster and advance a research-based and pro-active response to the problem of domestic violence in Malta.

Throughout the period under review the Subcommittee was comprised by the following members:

Mr Albert Bell – (Commission on Domestic Violence) – Chairperson
Dr Marceline Naudi – (Commission on Domestic Violence)
Dr Maja Miljanic Brinkworth (MSOC)
Ms Joslyn Magro Cuschieri (NSO)
Insp. Trevor Sammut (Malta Police)
Ms Christine Agius Marchand (FSWS)
Mr Joseph Deguara (IMU, MSOC)
Dr Christine Baluci (Health Division, MSOC)
Mr Francis Xavier Mangion (Courts of Justice, MJHA)
Ms Doris Vassallo (MSOC) - Secretary

As may be noted from the above, the Subcommittee entails multi-disciplinary expertise and a trans-sectorial approach. This model has continued to prove productive in attempts to create synergies between stakeholders and epitomises how a concerted response to crucial policy priorities may be ascertained by actively involving, sharing and drawing upon from the manifold and edifying experiences that exist among the key players in the field.

Due to the National Elections, which required the tendering of the Commission's resignation as per protocol, and the subsequent delay in confirmation of the Commission's members, the Subcommittee stopped meeting for some months. Consequently, during the period in question, the Subcommittee convened five times at the Commission's premises at Belt is-Sebh, Floriana on the following dates: Wednesday, November 12th 2008, Friday, 12th December 2008, Friday 23rd January 2009 and Friday, 19th February 2009, Tuesday 17th March 2009. Each meeting extended to approximately two hours.

On a more substantive level, one may summarise the main tasks and accomplishments of the Subcommittee during this period as follows:

Significant headway has been achieved in relation to the introduction of a centralised routine data collection and analysis structure that pools in administrative data from the different stakeholders in the field. Pathways for the resolution of data protection issues that were hindering advancement to this effect and constraining the possibility of data sharing and exchange have been identified, while still safeguarding and upholding the ethical use of personal data. Such concerns are paramount for the Commission and it is committed to see that future developments in this regard will comply with current standards on ethical research and data collection practices. It is anticipated that at the start-up level, the focal point will pool in routine, reported DV data from the Malta Police and Agenzija Appogg (FSWS). These entities have been identified as the most critical partners at this stage, given their comparatively developed DV data structures. Over time, it is hoped that the focal point will also be able to draw upon other important nodes of source data (which at this stage remain under-developed). The next step forward in this regard is the identification of solutions for the setting up and resourcing of the data focal point. This shall be a main priority for the Subcommittee in the coming months.

From the outset of its setting up, the Subcommittee recognised that the harmonisation of routine administrative is only one (albeit central) step in the process of building a more scientific understanding of the nature and extent of domestic violence in Malta. This process also requires the ongoing execution of prevalence surveys and other empirical studies. To this effect, the Subcommittee thus prioritised the formulation of a proposal for domestic violence prevalence survey at the initial stages of being instituted. This proposal was approved by the Commission and pertinent authorities throughout the previous term although funds still needed to be secured for this project to be implemented. Under the guidance of the Commission's resourceful chairpersonship, financial resources for this project have now been allocated through ESF and the implementation of the first national prevalence survey on domestic violence is expected to be conducted over the forthcoming term.

During the period under review, the Subcommittee also prioritised the replication of a 2003 study titled "Domestic Violence against Women: Perceptions of the Maltese General Public" conducted by the National Statistics Office (NSO). The replication of this study in 2008 was also identified as a major objective by the Subcommittee in an attempt to ensure a multi-pronged research strategy on domestic violence in Malta. The study was in effect conducted between November and December 2008 and the Subcommittee is now in a position to report the completion of this follow-up study (commissioned by the Domestic Violence Commission to the NSO to facilitate comparability of findings and standardisation of research procedure and methodology). The final report entailing the aims and objective of the study, the definitions used, the survey's methodology and research procedure, the constraints of the study and its findings (including qualified comparisons with the 2003 report) shall be published shortly and shall offer *inter alia* more possibilities for grounding preventive and awareness-raising media campaigns on scientific data.

Despite these significant milestones, the Subcommittee recognises that further effort is requisite in relation to other related areas identified as priority concerns for the betterment of the sector. These include, most notably, the implementation of a domestic violence service evaluation to demarcate service outcomes and potential lacunae in service delivery. The Subcommittee's focus for the forthcoming term shall thus turn to this crucial concern while ascertaining the timely completion of the afore-mentioned projects.

Appendix D

Commission on Domestic Violence Subcommittee for a National Publicity Campaign

Annual Report March 08- February 09

Since one of the terms of reference of the Commission on Domestic Violence is awareness raising for the general public, the Subcommittee for a National Publicity campaign was set up in October 2007. Due to the National Elections in March 2009, which required the tendering of the Commission's resignation as per protocol, and the subsequent delay in confirmation of the Commission's members, the Subcommittee stopped meeting for some months. During that time the Commission received a request from Appogg (the designated agency as per Domestic Violence Act 2006) asking that publicity be kept to a minimum since it had been noted that every time an activity took place there was an increase in referrals to the Domestic Violence Unit, resulting in an overload for the under resourced unit. After much discussion, it was agreed that this sub-committee would not be reconvened at that stage.

As a result, awareness raising activities for the general public by the Chairperson and the members was limited over the period being reported on. Those that did occur were organized through the setting up of specific task groups within the Commission, or as a result of a request from an outside agency. It is planned to reconvene the sub-committee this coming year.

The main activity organised was a day seminar in November 2008 to mark the International Day for the Elimination of Violence against Women. The task group set up for this purpose included Inspector Louise Calleja, Sr Joan Garner, Mr Cornelius Mulvaney and Ms Doris Vassallo as Secretary. The seminar was targeted at the Judiciary, Lawyers, Police and social workers, with the added participation of a foreign expert from Austria, Judge Sylvia Thaller as the keynote speaker.¹³

The Chairperson and members of the Commission also participated in various programmes during the year. These included:

- Participation in a radio programme Campus Cocktail on Campus FM hosted by Fr Joe Borg on Wednesday 12 March 2008, and repeated on Friday 14 March 2008 (Dr Marceline Naudi).
- Participation through an interview by Ms Claire Azzopardi on the programme I-Ewropej on Net TV on Friday 30 May, 2008 (Dr Marceline Naudi).
- Participation in the programme Gustizzja aired on Family TV on 27 November, 2008 (Dr Roberta Lepre' Camilleri).
- Participation on the programme Wara l-Ahbarijiet through a Telephone interview on RTK on 1 December, 2008 (Dr Marceline Naudi).
- Participation in the programme QalbinNies on PBS on Sunday 08 February 2009 (Dr Marceline Naudi, Inspector Louise Calleja).

Press releases were issued by the Commission on various occasions as indicated hereunder:

- Malta's Representative in the Council of Europe closing conference on domestic violence released on 17 June 2008
- The Commission on Domestic Violence presented its second report released on 30 September 2008
- Working together to combat domestic violence issued on 25 November 2008

Now that the Commission had been awarded EU Funding through the European Social Fund for its project 'Dignity for Domestic Violence Survivors', further awareness raising activities, emphasizing particularly the connection between domestic violence and women's unemployment, will be conducted over the coming years on a national level, amongst professionals and the general public at large, in order to enhance co-operation between all the relative players and promote zero tolerance to domestic violence amongst the Maltese population.

¹³ For report of seminar please see Appendix G

Appendix E

Report 2008/09 on the Daphne Group convened by the Commission on Domestic Violence

Dr Marceline Naudi is Malta's representative for the DAPHNE programme fund which supports actions to combat all types of violence against children, young people and women in Europe. As such it was felt that the Commission should convene an initial meeting with potentially interested and eligible stakeholders to inform them about the DAPHNE funding and decide a way forward for Malta to be able to benefit from these funds.

Following from that meeting, a group was set up to attempt to submit a joint application for funds for a project under the DAPHNE III. Various stakeholders who had expressed an interest were contacted and invited to attend this forum. These were: the Foundation for Social Welfare Services (FSWS); the Good Shepherd Sisters; Fondazzjoni Suret il-Bniedem; Dar Qalb ta' Gesu (which falls under the Diocesan Children's Homes); Konservatorju Vincenzo Bugeja; National Council of Women; Malta Confederation of Women's Organisations (MCWO).

A smaller group consisting of representatives of the Foundation for Social Welfare Services (FSWS), the Good Shepherd Sisters, Fondazzjoni Suret il-Bniedem and Malta Confederation of Women's Organisations (MCWO) met regularly to devise a project that met the larger needs of the sector and fitted the priorities of DAPHNE III programme. The meetings were convened by the Commission and held at its premises, with Dr Marceline Naudi acting as Chair, on the following dates: 07 March 2008, 10 March 2008, 01 April 2008, 10 April 2008, 12 June 2008, 02 July 2008, 21 October 2008, 07 November 2008, 14 November 2008 and 05 December 2008.

The group also attempted to gather funds through sponsorship by the private sector to cover part of the co-funding (20%).

By end of March 2009 a project outline had been designed, and various partners, both local and European, had been contacted. The writing of the application was still to be done, though research and drafting was ongoing.

The Daphne Group will continue to meet to finalise its work. Submission of the project is due in April 2009.

Appendix F

Suggestions for Improvement of Legal Framework Pertaining to Domestic Violence

1. Protection of the person who has experienced domestic violence

a. The new law allows for protection orders to be issued to help protect the victim, not only in criminal cases but also in separation cases. Clearly, in order to be effective these have to be issued with urgency. Currently our protection orders are issued by a court; however the length of time that is required for such an order to be issued often weakens the effect of this measure. Therefore one could either establish a time limit within which a court should hear a case of harassment, fear of violence or domestic violence, which should in no case exceed 2 weeks; or allow the police or the office of the attorney general to have competence to issue such orders. In either case, appropriate resources should be allocated in order to render this measure possible¹⁴.

b. It is suggested that protection orders should be issued automatically by Courts in cases of domestic violence rather than having to be requested as is currently the case.

c. It is recommended that cases of breaking of bail conditions, protection orders and probation orders, in relation to domestic violence, should be heard with urgency.

d. It is being suggested that the police could be empowered to intervene and to immediately remove in their own capacity the presumed offender from the household of the victim. The order could be decided either by the police, the public prosecutor or a court. The issuing of such an order should not depend on the will of the victim, especially since domestic violence should be treated as a matter of public policy and public security. The order should be issued if it can be assumed on the basis of certain facts that an assault on the physical safety of an individual is imminent. It is vital that the police make the victim as well as the perpetrator aware of the fact that the police order is enacted ex officio, not because the victim wishes so. This order should remain in effect for a short period of time (10-20 days in Austria) during which time the victim can apply for the issuing of a protection order through the Court, with longer lasting effects.

e. During this period, the victim should be approached by a specialised agency providing victim support (legal and psychological) to help her map out her possibilities. There should be a legal basis for such intervention, establishing, inter alia, that Law enforcement officers are required to advise the woman at risk on suitable victim protection services. Moreover law enforcement authorities should be empowered by law to disclose personal data of cases of domestic violence to suited victim protection facilities to the extent that this is necessary to protect individuals at risk. Victim support facilities shall be supplied with information on the intervention procedure and the behaviour of the perpetrator which are of significance for their work. These victim support services will then be empowered to intervene with the victim, and provide free counselling and other support services which can end the violence in the long term. Appropriate resources should be allocated in order to render this measure possible.¹³¹⁴

f. The law allows for fast-tracking of separation processes that include domestic violence, and states that these should be heard within 4 days of being filed, however this does not always happen. Once they appear in court, the protection orders can be issued for a temporary period, pending the eventual outcome. This protection measure, applicable to married persons under the civil code, should be extended to unmarried persons (where domestic violence exists or existed) involved in civil suits, such as suits for maintenance of children.

g. Another suggestion which would help protect the persons experiencing domestic violence is to consider them as 'vulnerable' and allow them to give their evidence via video link since having to face the alleged perpetrator causes further trauma. This would also enable them to enter and leave the law courts with greater safety and peace of mind. This should become an accepted practice.

2. Protocols between relevant services providers should be adopted as legal notices to ensure their enforceability. This will ensure that the holistic approach that is so much required can in fact be implemented.

3. Mediation
To start with there is a time lapse from when the case is filed to when the first mediation session occurs, which again adds to the overall delay (possibly due to lack of sufficient personnel). Furthermore, training for mediators was clear that in cases of domestic violence mediation should be stopped

¹⁴ There is currently a pending application for ESF funds on the part of Victim Support Malta, jointly with the Commission on Domestic Violence and Malta Confederation of Women's Organisations to cover the provision of this sort of service.

immediately and the parties should be referred to court for immediate processing. Unfortunately this does not appear to be happening. This again causes delay in the issuing of protection measures, thereby increasing the risk of harm to the complainant. This also adds to the trauma undergone by the women who have to appear several times with their alleged aggressor whilst not being legally protected. It has been suggested that this situation may be due to both the mediators not adhering to the training given, as well as to some Judges/ Magistrates insisting that several sessions should be held before the case appears before them for litigation. With all due respect to the independence of the Court, whilst this may be appropriate in other separation cases, in cases of domestic violence it may not seem to be serving the purpose of justice. It has further been suggested that a case could be made for the mediation services accepting an affidavit on the part of the person experiencing domestic violence to prevent her having to face her alleged aggressor.

4. Protection of workers

Some Magistrates/Judges insist that the workers giving evidence divulge their personal details in open court, in front of the alleged perpetrator. This would include their name, ID number and their address. This endangers their safety especially since they will often be giving evidence against the alleged perpetrator. Other Magistrates/Judges accept that they give only their name, and then give the address of the agency they are employed at, since they are there as agency workers. Some direction to judiciary on this would be beneficial.

5. Temporary order for care and custody, maintenance and access to children should be issued quickly. It is further suggested that all cases involving domestic violence both civil and criminal are fast-tracked.

6. Requesting Stay of Proceedings

With the new law requiring police officers to proceed ex officio victims are given the opportunity to request the Court for a stay of proceedings once the case has commenced. The decision is then taken by the judiciary concerned. It is being suggested that in such cases the Judiciary require the victim to explain to the Court her/his reasons for such request, to ensure that pressure has not been placed on the victim (possibly by the perpetrator or other family members) to request the stay.

7. The Domestic Violence Act – Chapter 481

Amendment to Part II 3(i) There shall be a Commission to be known as the Commission on Domestic Violence which shall be composed of a Chairperson and not less than seven other members appointed

There is much work to be done by the commission, having at least 8 members would facilitate the achievement of the planned work.

Appendix G

Commission on Domestic Violence Working together to combat Domestic Violence – 2008

Seminar Report

Inspector Louise Calleja Dip in Mngt. Studies, (Reading an MBA)

On the 25 November 2008, being the International Day for the Elimination of Violence against Women, the Commission on Domestic Violence organised a one day seminar titled Working together to combat Domestic Violence. The seminar was held at the Mediterranean Conference Centre and was attended by participants from different organisations involved directly and indirectly in Domestic Violence issues, including social workers, police, lawyers and magistrates.

The seminar started after a welcoming address by the Mr John Dalli, Minister for Social Policy, who highlighted the importance of strengthening the fight against domestic violence. He explained that some ways of improving the situation is to ensure that existing resources are used effectively and efficiently, also by working together. The Minister also remarked on the need for minimization of any undue bureaucracy/red tape, leading to resources being freed up for more constructive work. During his speech, Minister Dalli welcomed the initiative on the part of the Commission on Domestic Violence in bringing together professionals from different fields in order to encourage better networking and concluded by thanking all the professions who operate in the sector for domestic violence, for their dedication and perseverance.

This was followed by an opening speech by Dr Marceline Naudi on behalf of the Commission on Domestic Violence. Dr Naudi spoke about the work of the Commission and the idea of organising such seminar.

The keynote speaker for the seminar was Dr Silvia Thaller, from the Austrian Judiciary who was invited over to Malta by the Commission on Domestic Violence. Dr Thaller presented an overview of the domestic violence situation in Austria, highlighting the three pillars on which the Austria model rests:

- 1) eviction and barring orders imposed by the police;
- 2) specialised intervention centres where NGO's specialised in the field of victim's support play a crucial role;
- 3) free counselling and support by the intervention centres.

After her presentation, Dr Thaller invited participants to question her regarding the Austrian legal system. In fact there was relevant interactivity between the keynote speaker and participants.

After a short coffee break, a 'working together' panel started with a round table discussion where local experts from different organisations gave information about their responsibility in dealing with cases of domestic violence. The highlight of this part of the seminar was the experience presented by a woman who had personally experienced domestic violence.

After lunch, the seminar continued with workshops whereby two questions were distributed for discussion. The topics prepared were: "How can we work more co-operatively as a profession?" and "how can we work more co-operatively interprofessionally?" Feedbacks from the workshops were presented by a moderator in each group. Many shortcomings were identified and presented to the Chairperson for possible action. These included lack of training in the profession, amendments to legal measures, more co-ordination between different entities, need for protocols between different stakeholders.

The seminar was officially closed with the speech presented by the Minister of Justice and Home Affairs Dr Carm Mifsud Bonnici whereby he emphasised that since the problem of domestic violence is difficult to address, it requires the full involvement of several institutions, including legislators, law enforcement authorities, the Judiciary, educational establishments, non-governmental organisations and above all the Commission on Domestic Violence. He noted that domestic violence calls for concerted action, bringing the knowledge that all the different stakeholders have gathered together to tackle this matter in a holistic approach. The Minister concluded the seminar by stating that the event had brought together all stakeholders and noted that this exercise should be repeated regularly.



Dr Marceline Naudi, Chairperson of the Commission after signing an agreement with Ms Doris Gauci, CEO, Richmond Foundation to provide support services to social workers



Presentation of the Commission's Annual Report 2007 to the Hon Minister Dr Carmelo Mifsud Bonnici during a meeting held with members of the Commission on 21 November 2008



The Hon Minister Dr Carmelo Mifsud Bonnici delivering the closing speech at a seminar organised by the Commission on 25 November 2008



The Hon Minister John Dalli delivering the opening speech at a seminar organised by the Commission on 25 November 2008



Presentation of the Commission's Annual Report 2007 to the Hon Minister John Dalli on 30 September 2008



Group photo of WaVe conference held in September 2008, attended by Inspector Louise Calleja.