



Evaluation of legislation, policy and practice on child participation in the European Union (EU)

Country Report: Malta



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Evaluation of legislation, policy and practice on child participation in the European Union (EU)
Country Mapping Fiche for Malta

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Part 1: Overall arrangements within the country

A. National Legislative/ Policy Framework (including definitions and budget/financing)	
<p>a. Background context to child participation agenda within the country:</p>	<p>There is no child participation agenda in Malta. The closest instrument to an agenda is a draft National Children's Policy. Amongst other factors the Policy advocates for the active participation of children on a social, legislative and judicial basis.</p> <p>Various legislative, social and educational developments in favour of children and their education have been made through the years. These developments include the ratification of various international and regional instruments, the enactment of various laws safeguarding children and their rights, the creation of the Office of the Commissioner for Children (Kummissarju ghat-Tfal) and the Children Council (Kunsill tat-Tfal).</p> <p>Awareness with regard to children's rights and the importance of child participation has increased through the years. However, with regard to child participation as envisaged by the UNCRC, the local system is still not in full compliance with the Convention. This shortcoming may be attributed to the general cultural attitude that views children as passive rather than active subjects. Moreover, both parents and local authorities hold a paternalistic mentality, which overprotects the child rather than seeking to help children actualise their own potential.</p> <p>In June 2013 the Ministry for Family and Social Solidarity appointed a new commission specifically dedicated to children: The National Commission for Child Policy and Strategy.</p>

A. National Legislative/ Policy Framework (including definitions and budget/financing)	
<p>b. How is Article 12 UNCRC reflected in legislation?</p>	<p>The 2003 Civil Court and Family Court Regulations provide for an office of mediators and child advocates representing the best interests of the child. A number of provisions of the Civil Code stipulate that in cases concerning children, such as separation or divorce proceedings, a child advocate may be appointed on the request of the judge, parents or mediator. However as commented by a number of interviewees this framework is not being effectively implemented, since it lacks both the adequate resources and is not advertised appropriately. Furthermore, children themselves do not have a right to make their own individual request for these services¹.</p> <p>What has been considered as a positive implementation of Article 12 of UNCRC is the article 115§3 (d) of the Civil Code, which provides that in cases of adoption, where the adoptee has attained the age of 11, the Adoption decree shall not be made unless with the consent of such a child after having been assisted by the children’s advocate. Assigning a child advocate is left to the discretion of the judiciary and, except in the case of adoption; no obligation is imposed upon authorities to appoint a child advocate. Therefore, in the absence of such an obligation no remedy for the violation exists.</p> <p>A common concern that emerged from the interviews carried out was that there is still no Children’s Act within the local jurisdiction². Children’s Human Rights are catered for through the Constitution which puts children on the same level as adults when it comes to safeguarding and promulgating their rights, although there is no specific provision made for children. This situation constitutes a failure of the local system to adequately and effectively implement Article 12 of the UNCRC in its legislation.</p>
<p>c. How are responsibilities for implementation organised? Is there one entity or body with oversight on implementation of UNCRC Article 12 at national level?</p>	<p>Oversight of the implementation of the UNCRC including Article 12 of the Convention falls within responsibilities of the Council for Children and the Office of the Commissioner for Children (Kummissarju ghat-Tfal) - which is the Ombudsperson for children, as established by the Commissioner for Children Act (Chapter 462) Articles 9§f and 12§6.a. The implementation per se is co-ordinated by the Ministry for Foreign Affairs through the same procedures of ratification and implementation as other international instruments.</p> <p>If any non-compliance by any institution is observed, the Commissioner is to make recommendations in the form of a compliance notice stating the Commissioner’s opinion on how the Convention is not being complied with and what are the necessary measures that should be undertaken for compliance. Upon receipt of the recommendation, the relevant body or institution shall notify the Commissioner, within a designated period set by the Commissioner in the compliance notice, as to whether it shall accept the</p>

¹ Information collected through consultation with national stakeholder.

² Ibid.

A. National Legislative/ Policy Framework (including definitions and budget/financing)	
	<p>recommendation and act in accordance with the opinions set or not. In the latter circumstance, the relative body shall reply to the Commissioner explaining why it will/can not comply with conditions set in the compliance notice.</p> <p>The Commissioner may also “carry out or cause to be carried out a Child Impact Statement relating to any decision or proposal on policy which affects children.” (Article 18§1 Ch 462) and issue an Annual Report to the Minister (Article 19).</p> <p>Although these procedures have been welcomed as a positive contribution towards the observance of the UNCRC, a common concern is that these recommendations issued by the Commissioner are not taken seriously enough and are not always efficiently acted upon. This attitude is even more prevalent with regard to the implementation of Article 12 in view of the fact that the Office of the Commissioner of Children issued recommendations in relation to this in its final report since its inception in 2003.</p>
<p>d. How is children’s participation defined in national legislation?</p>	<p>There is no such a definition in the local legislation. It is presumed that the concept of participation as envisaged by the UNCRC and as expressed by the Committee to the UNCRC in its general comments should be considered as the definition applied in Malta. This in the light of declarations made by the newly elected government that even if a Children’s Act is not enacted, the UNCRC should be implemented within the local system as an Act of Parliament. This procedure would be similar to how the European Convention of Human Rights (ECHR) has been implemented within the local system.</p>
<p>e. Which children are covered by the provisions for Article 12 UNCRC in national legislation?</p>	<p>There is no express definition of child participation although the underlying assumption is that it applies to all children. The few provisions, which specifically address children’s participation, seem to refer to children in cases which are heard before the courts.</p> <p>Individual children do not have their right to express their views freely in all matters affecting them adequately ensured. Expression of views is limited to activities organised within schools, localities or certain organisations. No national framework aimed at listening to or consulting with children with regards to policy and legislation exists, although the new National Commission for Child Policy and Strategy is tasked to address this. The only possibility for participation of children in certain policies and legislation is the Council for Children, which has 5 young members who are reported to be consulted. Although this is a positive practice it cannot equate with the direct participation of each individual child.</p>

A. National Legislative/ Policy Framework (including definitions and budget/financing)	
	<p>Moreover, concern has been raised with regard to the participation of children in more vulnerable situations such as children accommodated in out of home care, children with disabilities and children of asylum seekers, refugees and unaccompanied minor asylum seekers. Being in a more vulnerable position than fellow peers, these children find it difficult to even express their opinion, although support is possible via social workers or parents. More vulnerable children currently have to rely on an adult to voice their needs and for representation – including the seeking of remedies from violations committed personally against them.</p> <p>A further concern was raised with regard to the right of children to participate in their own health (see section B.6).</p>
<p>f. What other drivers of participation exist in the country beyond obligations to implement article 12 of the UNCRC to promote the participation of children?</p>	<p>International (legal) standards and Conventions (such as the UN CRC Committee or the Council of Europe)³ are important drivers in Malta. Governmental stakeholder report a keenness to respond to EU initiatives. [Interviews]</p> <p>The increasing focus on active citizenship by many Government Departments is likely to be an indirect driver for child participation over the medium to long term [interviews]. It is assumed by Government stakeholders that the focus may eventually turn to children. Although as acknowledged above the paternalistic mentality of local authorities will make this challenging.</p>
<p>g. What are the budgetary resources and relevant financial programmes aimed at the promotion and implementation of child participation in each Member State?</p>	<p>The only national financial programme that seems to exist is the yearly budget issued by the Ministry of Finance, from which most of the agencies working with children derive their funds. However, funding is also obtained through various EU financial programmes and also through inter-state co-operation. Certain organisations are self funded or funding comes from sponsors or charity campaigns.</p> <p>With regard to their visibility, the budget announcement is publicly broadcasted each year by all main television and radio stations. However, when it comes to other possible funding this may not always be as clearly visible.</p>

³ International standards have been indicated by various stakeholders as being an important factor which inspires the introduction of local legislation and regulations to promote more child participation

B. Tools, Measures, Processes and Scope by Sector				
Sector	Examples	Covered by legislation relating to Article 12 (Yes / No?)	Sector overview Please include brief details for the following: <ul style="list-style-type: none"> • Main legislation / policy directives • Which children (e.g. any age distinctions / measures for vulnerable groups) • If possible, also outline the main forms of participation. 	Strengths and weaknesses Please give a brief overall indication of: <ul style="list-style-type: none"> - Strengths / areas of good practice - Weaknesses / gaps or insufficiencies
1. National Government & overall policy-making		NO	<p>The participation of children in this sector consists only in consultation with the Council for Children and the Commissioner for Children. With regard to policy making, the Office of the Commissioner for Children has recently engaged in various discussions with school children and youths about a policy regarding leisure places for children. This consultation was carried out via workshops through the Rights For You (R4U) seminar organised annually by the Commissioner for Children. Children and young people were consulted on the draft National Children's Policy, when it was launched by the Ministry for Social Policy. The Policy is currently under review by the newly established Commission for Child Policy and Strategy.</p> <p>A children's version of the Draft National Policy was also published.</p>	<p><i>Good Practice:</i> There are some forms of consultation with children even though there is no specific legislation imposing such an obligation.</p> <p><i>Bad Practice:</i></p> <ul style="list-style-type: none"> • There is no legislation imposing upon authorities an obligation to consult with children or to carry out appropriate studies via surveys prior to enacting any legislation that affects children. • Not all recommendations by the Commissioner for Children are accepted or acted upon • General mentality still holds that children do not know what is truly in their best interest

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2. Local and regional government & services		NO	<p>The Commissioner for Children carries out an ongoing exercise with regard to the publication of standards and directives for playing fields and places of leisure for children. This seems to be the only way in which children are contributing towards the planning and development of urban environment.</p> <p>Schools organise various yearly events, activities and clubs which are aimed at educating children about sustainable development and seek to encourage children to contribute in their own way towards the preservation of the environment.</p>	<p><i>Good Practice:</i> The Commissioner and schools recognise the importance of involving children.</p> <p><i>Bad Practice:</i></p> <ul style="list-style-type: none"> • Consultation with children is still confined to schools and deemed to be the responsibility of the Commissioner. Initiatives engaging children by Ministries and agencies themselves are still rare. • Mentality that children need not be consulted because of an inability to formulate an opinion on issues which are more associated with adults – such as house planning and urban development. • Generally, no form of child impact assessment is carried out. • This lack of consultation with children through workshops and surveys may be also seen in the recent proposals to start introducing co-ed in state schools.

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3. Care		YES	<p>An adoption decree cannot be made unless with the express consent of the child who has attained the age of 11 years and upon this child being represented by a child advocate (see section A.b.).</p> <p>Children in out of home care continue to require alternative remedies to access effective access to justice.</p>	<p><i>Good Practice:</i></p> <ul style="list-style-type: none"> • Consideration of children’s opinion and deciding upon it <p><i>Bad Practice:</i></p> <ul style="list-style-type: none"> • This practice is not applied for other children in a vulnerable position such as children in out of home care • Prolonged proceedings and procedures to determine outcomes for these children
4. Asylum and immigration		NO	<p>Stakeholders feel that children in such a vulnerable position are practically never consulted. Moreover, when unaccompanied they suffer from a further prejudice due to lengthy age determining procedures, during which they are often detained in inadequate facilities often together with adults.</p> <p>This practice has only recently been addressed through the intervention of the National Commission on Child Policy and strategy which has lobbied for immediate placement of children under a care order and release of all children, whether unaccompanied or with family.</p>	<p><i>Bad practice :</i></p> <ul style="list-style-type: none"> • Detention of children • Inadequate facilities for care • No possibility to file a case challenging their condition. • No possibility of appeal from age determining procedures results • Little to no help for integration which specifically targets language, cultural and religious differences

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5. Education		NO	<p>Although this is yet another area not covered by legislation relating to Article 12, this is one of the areas through which children seem to participate the most. Most schools have their own student councils, clubs and organise various activities in collaboration with other entities. An example of such a joint activity is the Malta Enterprise, which seeks to encourage children to develop their own business. Secondary schools organise various career visits and also seek to involve children in weekly work experiences at the age of 15 in preparation for eventual employment (school-leaving age is 16 years).</p>	<p><i>Good Practice:</i></p> <ul style="list-style-type: none"> • Effort is made by educators to involve children in various sectors of life even though in a limited manner as done through the school. • On-going projects to make school premises more child friendly • Anti-Bullying policies throughout schools. <p><i>Bad Practice:</i></p> <ul style="list-style-type: none"> • Children were not consulted in the recent changes made to the national minimum curriculum, although this was an area directly related to them. • No children's version of the national minimum curriculum. Therefore children may not understand what is being established even if they wanted to as most of the content is potentially difficult to comprehend. • Child led projects are very rare to non-existent • Not all school facilities are child

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				friendly <ul style="list-style-type: none"> • Regardless of the mechanisms being implemented a prevalence of tokenism still exists, resulting in children being frustrated as they are aware that they are not truly being heard and adequately represented.
6. Health		NO	<p>Currently children under the age of 18 cannot submit to a medical examination of their own accord or ask for medical advice without their parents' consent or presence, even though they could want to access certain information for educational purposes or they might wish to have this exam carried out voluntarily. However, marriage is possible at 16 so a 16 year old married child may request medical intervention because they are no longer under parental authority.</p> <p>A number of campaigns and programmes have been initiated which seek to promote a healthy lifestyle, particularly in light of the fact that Malta has one of the highest child obesity rates in the World.</p>	<p><i>Good Practice:</i> There is more awareness and campaigns specifically geared at children about the importance of leading a healthy lifestyle such as a healthy diet and frequent physical activity.</p> <p><i>Bad Practice:</i></p> <ul style="list-style-type: none"> • Children still regarded as passive subjects who can only be cared for by their parents. • Sexual education does not recognise the prevalence of sexual activity in youths even before the age of 18 and still advocates abstinence without engaging in a

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				<p>real discussion about contraception and prevention.</p> <ul style="list-style-type: none"> • There is rare to no discussion about gender and sexuality issues i.e. homosexuality.
7. Justice			See section A.b.	<p><i>Good Practice:</i></p> <ul style="list-style-type: none"> • The child advocate • the Juvenile Court, established by the Juvenile Court Act <p><i>Bad Practice:</i></p> <ul style="list-style-type: none"> • Children themselves cannot appoint the Child Advocate. • The office of the Child Advocate is not equipped with the adequate resources such as facilities suitable for meeting with children. • The role of the child advocate is not defined – a guardian ad litem safeguarding the best interests of the child or an advocate having a client-lawyer relationship? • When courts hear the child it is not always done in a way which would adequately listen to the child or

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				<p>provide the child with the necessary safeguards.</p> <ul style="list-style-type: none"> • The facilities, methods and premises used are not child friendly. • Age of Criminal Liability was until recently too low (9 years of age) • Cases involving minors over the age of 16 and cases of children being co-accused with adults are not heard by the juvenile court • Inadequate detention facilities for children
8. Recreation		NO	Various sport activities are organised with and by children. Some of them are even carried out with a charitable purpose where children collect funds in aid of other peers.	<p><i>Bad practice:</i> A mentality of competitiveness permeates many scenarios where parents instil a sense of always having to be the best / being better than the neighbour's child mentality in children. This leads to children being stressed at always proving their best so as not to disappoint their parents. Moreover, this results in situations that when children do not succeed as well as others in certain areas they consider themselves as failures. Therefore, this hinders</p>

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				children from enjoying their childhood and experiencing these activities as a relaxing and enriching experience.
9. Child employment		NO	Although this is not an area covered by Article 12 strict laws regarding child labour exist in Malta.	<p><i>Good Practice :</i> Strict procedures need to be adhered to when employing children where permission by both parents and school administration must be given.</p> <p><i>Bad practice:</i> There is insufficient monitoring for situations where children are illegally engaged in work, especially youths on a summer part-time basis. Proper standards and checks are lacking when the employment is in a family business.</p>
10. Media		No	Article 12 not covered in the relevant legislation.	

C. EU and Wider Policy Influences	
a. What influence do policy and recommendations at EU level have in developing legislation policy and practice for implementing Article 12 in your country?	All interviewees agreed that European policy and recommendations are important. One of them also remarked that it is through international legislation and European policy that certain developments have occurred at a local level. Even the general mentality has started to shift thanks to certain European initiatives. However, the same interviewee remarked that unfortunately in various circumstances authorities act in conformity to European regulations and directives only so as to fulfil international/ regional obligations. This results in no cohesive plan or measures that are truly geared towards the best interests of children ⁴ .
b. What has been done in the Member State pursuant to the Council of Europe Recommendation on child participation?	The Recommendation has not been translated in Maltese and its dissemination and implementation is overseen by the Commissioner for Children and the Council for children in accordance with the procedures explained in section A.c.
c. What tools and measures have been set in place to implement the Council of Europe Recommendation?	The implementation takes place through initiatives and recommendations taken by the Office of the Commissioner for Children.

⁴ Information collected through consultation with national stakeholder.

D. Implementing Legislation and Policy

a. How **effective** is legislation in supporting the implementation of participation overall?

From the interviews carried out it emerged that legislation itself has not been very effective in supporting the implementation of participation⁵.

Possibly the most effective legislation would be the [Commissioner for Children Act](#) which created the [Office of the Commissioner for Children](#) and the Council for Children. However, it was also commented that the lack of autonomy of the Child Commissioner (since the Commissioner is appointed by the government) might be regarded as a bad practice.

The creation of the office of the Child Advocate and the introduction of the possibility given to judges, mediators and parents to ask for the services of such advocate is positive but has not been as effective as expected (see [section A.b.](#)). There is confusion as to the exact role of the child advocate who is expected to both represent the child as client but also report regarding the best interests of the child. Furthermore the appointees are limited in number and work on a part-time basis. There are delays in the system and during a number of seminars parents have expressed concern that pending separation or divorce proceedings their children were/are not being adequately catered for by the system since priority is given to patrimonial issues. There have been occasions, especially during sessions and interviews with children, where children have expressed frustration that they are not being listened to.

Various pieces of legislation which provide for further protection of children and promulgation of children's rights have been enacted, such as the [Protection of Minors Registration Act](#) which has created a Sex Offenders Register, the Legal Notice regarding teen parties and amendments to the Criminal Code with regard to sexual offences. However, these pieces of legislation are not aimed at children's participation.

When it comes to practice, interviewees commented on the work of the [Council for Children](#), sessions carried out by social workers with children where they engage in an exchange with children and children eventually speak up about their situation, as well as [Young Enterprise](#) and interaction between youths and children where children may look up to youths as role models⁶.

⁵ Information collected through consultation with national stakeholder.

⁶ Ibid.

D. Implementing Legislation and Policy	
	<p>An interviewee also commented that a form of practice which seems to be effective in supporting the participation of children is the use of social media by children. It is through these that children feel that they may express themselves and that someone at the receiving end is paying attention to what they are doing.</p> <p>Through social media children feel free to comment on whatever issues they consider relevant.</p> <p>A bad practice which is now being addressed through the offenders register is the lack of ensuring background checks about people who are seeking employment or are engaged in activities which are connected with children. Tokenism has also been considered as a form of bad practice. It was felt that there is a situation where it is not always the case that what is said that is being done is actually being done. Or rather it is being done just for the sake of being done⁷.</p> <p>It has been expressed that there is an inequality between the burdens imposed upon the child and the rights that the child may enjoy within the legal system. This in the light of policy which establishes that from the age of 9 a child may be considered as criminally liable; however, it is only at the age of 14 that the civil courts are obliged to consult the child directly.</p> <p>The environment used by certain authorities and institutions to interview and meet with children is frequently inadequate and not age appropriate.</p>
<p>b. What have been the main challenges and barriers to implementing this legislation and policy /developing participation in practice?</p>	<p>The main challenges have been :</p> <ul style="list-style-type: none"> • Mentality & culture held by parents and authorities • Lack of a real strategy aimed at providing real and effective results • Educational attitudes held by certain educators have also been regarded as barriers to change <p>With regard to the mentality: this is being addressed mainly through seminars. The newly elected government has repeatedly stated that a real and effective strategy shall be set up in consultation with the various stakeholders.</p>

⁷ Ibid.

D. Implementing Legislation and Policy	
c. What is the situation of child participation in sectors that are covered by relevant legislation?	Participation exists, however it is very limited. Moreover, it is still not always up to the standard set by the recommendations of either the UNCRC or the Council of Europe.
d. What is the situation of child participation in sectors that are not covered by relevant legislation?	There is some form of participation but this is very limited as it is not on a national level and not very effective.
e. Which groups of children, or types of settings, are experiencing low levels of participation / no participation	Children experiencing very low level of participation are : <ul style="list-style-type: none"> • Children in out-of home care (under a care order), • Children in conflict with the law • Children with disabilities • Children in dysfunctional families • Children of or who are themselves asylum seekers, immigrants or refugees
f. What additional legislation or policy might be needed to address the gaps or weaknesses identified at e. above?	The enactment of a Children’s Rights Act which would have specific provisions addressing these scenarios.

E. Structures and Children's Networks	
a. What official bodies and institutions are involved in promoting and implementing child participation?	<p>The Commissioner for Children and the Council for Children.</p> <p>Very recently, the new National Commission for Child Policy and Strategy</p>
b. Which children's networks exist nationally to support participation and relationships with policy and legislation?	<p>There is no specific children's network. The closest would be Agenzija Zghazagh, a Youth Agency which operates on a national level. This is a semi-state agency which works with youths and seeks to implement policy, mainstreaming and empowerment to youths. It also organises the Youth Parliament which holds 1-2 sessions per year. It is managed by youths and it is partially funded by the state and partially self-funded. Certain activities receive funding from the EU.</p>

F. Implementation in practice/on the ground	
a. What tools or mechanisms are in place/have been used most frequently to support implementation and monitoring of children's participation in practice?	<p>The clearest examples of monitoring of participation were undertaken by the Children's Commissioner. After all events or meetings, children are given the opportunity to feedback on how the event went.</p> <p>Ad hoc research studies have also been undertaken as a mechanism to monitor participation across a number of fields. Examples include a study on Minors in Advertising and During Election Campaigns which involved 3 focus groups with children aged 12-18 and a study on Children in Out of Home Care involving a survey of all children aged 5-18 living in residential or foster care.</p> <p>Beyond this, there is no more routine monitoring or established tools which are used by the Commissioner for Children or others.</p>
b. What support or training exists for organisations in developing appropriate child friendly participation?	<p>Some trainings are available through :</p> <ul style="list-style-type: none"> • Courses at University and MCAST • Training seminars and sessions organised by various entities
c. What are the prevailing modes of children's participation that can be found within your	<p>Children participate through the following entities :</p> <ul style="list-style-type: none"> • School Student Council • Council for Children

F. Implementation in practice/on the ground	
country?	<ul style="list-style-type: none"> • Rights for You – R4U seminar (youth conference) • Youth Agency (Agenzija Zghazagh) • Young Enterprise (not prevailing but becoming popular)
d. What are the most common forms that participation takes? e.g.	<ul style="list-style-type: none"> • Consultation through the Council for Children • Education • Mini European Assembly and Youth Parliament sessions by Youth agency (Agenzija Zghazagh) • Young Enterprise projects are the only ones which are child-led

G. Cultural attitudes towards children's participation	
a. Please provide an overview of the following: <ul style="list-style-type: none"> – Predominant attitudes towards children's participation – Drivers of positive/negative attitudes – Challenges in changing attitudes and additional legislation needed at national and EU level 	<ul style="list-style-type: none"> • Predominant attitudes: on paper and in theory everyone is in favour of further participation but when it comes to putting it into practice there is a misconception by some authorities that children cannot offer anything new and that they do not truly know what is best for them. There also seems to be a concern held by parents that empowering children could result in loss of authority. A shift in mentality is required for parents to perceive themselves as primarily responsible for children rather than exercising authority over them. • Drivers of positive/negative attitudes: There are a number of campaigns and seminars aimed at parents seeking to change this mentality. These campaigns are also influenced by international developments. • Challenges in changing attitudes: the main barriers are the fear of the unknown and tradition.

H. Impact	
a. To what extent has children's participation been effective in influencing /affecting change (e.g. in policy and practice)?	<p>Since there have been very rare occasions when children have been consulted with for the purpose of legislation and policy one may argue that children's participation has not been very effective.</p> <p>However, recent developments and consultations with children regarding the Draft National Children's Policy and the Playgrounds guidelines show that in these scenarios child participation has been employed effectively.</p>
b. What are the most commonly accepted measures of 'effective' and/or 'meaningful' children's participation within the country?	There are no particular measures set; however, stakeholders state the approach most commonly adopted is consultation through discussion and surveys.
c. How is the effectiveness of participation monitored and evaluated , and by whom?	<p>Again there are no particular measures for monitoring and evaluation. This is generally done through analysis of the results obtained.</p> <p>No processes or frameworks for feedback are present.</p>
d. What nationally recognised examples of children's participation are considered to be good practice ? And why?	In addition to practices in section F.c. voting age for local councils lowered at the age of 16. These are all examples enabling children to actively participate in decision making.

Part 2: Specific settings and vulnerable groups within the Member State

Setting 1 : [Care] Vulnerable groups: Children in Out of Home Care & Asylum seeking Children	
<p>Overview of the country context</p>	<p>Parents are responsible for their children unless they are proven to be unable or unwilling to provide care and protection in which case the State intervenes to place the child under a care order.</p> <p>The two vulnerable groups targeted by this research form part of these exceptions.</p> <p>Children in Out of Home Care:</p> <p>Children in out of home care include a wide spectrum:</p> <ul style="list-style-type: none"> • Children coming from families in difficulty (most common); • Children who have experienced break ups with the family (runaways); • Child Asylum Seekers – Unaccompanied Minors; • Children who have been residents at Mount Carmel Hospital (mental health facility); • Children who were in conflict with the law (mainly drugs and theft); • Emergency situations (short term or long term but both on a temporary basis); <p>The statutory authority responsible for children in out of home care is Appogg. The children are accommodated in alternative care which may be either institutional or family-based care, foster care.</p> <p>As the system currently stands (at the time of this research) it is under review and a Commission to introduce amendments has been established), the placement of children in out of home care may take place through three different procedures:</p> <ul style="list-style-type: none"> • A Care Order to secure the care and protection of a child, which is an administrative order made by the Minister for Family and Social Solidarity subject to confirmation by the Juvenile Court if the parent(s) appeals from the initial order. <p>This may be made only with regard to children under the age of sixteen since the Act provides that under this law a “child or young person” shall be deemed to be a person under the age of sixteen, unless the child to be placed under care and protection is an unaccompanied minor in terms of the Refugees Act in which case the age is eighteen;</p>

Setting 1 : [Care] Vulnerable groups: Children in Out of Home Care & Asylum seeking Children	
	<ul style="list-style-type: none"> • A Court Order to provide for out of family care (this precedes the Care Order system and is usually only used these days to bridge the 16-18 year gap); • A Voluntary Placement - the placing of a child in out of home care at the request of the parent(s) <p>Asylum Seeking Children:</p> <p>A distinction should be made between unaccompanied minors and minors who arrive in Malta together with their family. The care of children who have arrived with their families remains entrusted to their parents. Unaccompanied minors are automatically placed under a care order so their care is vested in the Minister i.e. the State.</p> <p>Currently the existing structures are:</p> <ul style="list-style-type: none"> • The Office of the Refugee Commissioner (ORC); • The Agency for the Welfare of Asylum Seekers (AWAS); • The Emigrants Commission; • A number of NGOs <p>One must remark from the outset that the support provided for children in this sector is very limited, ostensibly owing to limited resources.</p>
<p>Legislation and policy frameworks</p>	<p>The current frameworks:</p> <p>Children in Out of Home Care:</p> <p><i>Legislation:</i></p> <ul style="list-style-type: none"> • The Children and Young Persons (Care Orders) Act (Chapter 285 of the Laws of Malta) • Foster Care Act (Chapter 491 of the Laws of Malta) • Refugees Act (Chapter 420 of the Laws of Malta) • The Processing of Personal Data (Protection of Minors) Regulations (Legal Notice 125 of 2004) • Commissioner for Children Act (Chapter 462 of the Laws of Malta) Policy • National Child Protection Policy – DRAFT <p>2009 standards of care DRAFT – these are guidelines for resources to be used in out of home care, which have recently been drafted into legislation still to be presented to Parliament</p>

Setting 1 : [Care] Vulnerable groups: Children in Out of Home Care & Asylum seeking Children

Asylum Seeking Children:

- [Children and Young Persons](#) (Care Orders) Act;
- [Civil Law](#);
- [Immigration Act](#);
- [Refugees Act](#).

One may note that the [Care Orders Act](#) is common for both groups since this is the main legislation, which regulates alternative care of children forcibly removed from their parents.

Apart from the listed documents there is also the [UNCRC](#) which has been ratified by Malta but is not officially part of the legal system

When asked how these frameworks ensure child participation as per Article 12, interviewees answered that although for both groups of children there is a theoretical possibility to be consulted and their opinion or views be considered this is rarely done in practice⁸.

It is pertinent to note the very latest developments regarding this process: the National Commission for Child Policy and Strategy has just held consultation sessions with children in out of home care, their parents and carers (from the 17th-19th of October 2013). These sessions are aimed at gathering feedback in the pursuit of drafting a Children's Act and amending the current Care Orders law. This consultation includes the direct contribution and participation of children aged between 11 and 18 protected by a Care Order.

With regard to the group of asylum seeking children, more specifically unaccompanied minors, the existing remedies consist of a number of administrative procedures. These procedures provide a child (at least on paper) with an opportunity to file an appeal with the Immigration Appeals Board if the child/parent disagrees with the outcome of an order or decision. This is specifically provided for in the [Immigration Act article 25A](#).

⁸ Information collected through consultation with national stakeholder.

Setting 1 : [Care] Vulnerable groups: Children in Out of Home Care & Asylum seeking Children	
	<p>There seems to be a difference between the way in which the Care Orders Advisory Board treats migrant children and Maltese children and in the way the children are consulted and referred to. Asylum seeking and unaccompanied minors enjoy little or no consultation and discussion. The statements of the legal guardian and the social worker are taken as final. (They were however included specifically in the consultation process mentioned above.)</p>
Supporting infrastructure	<p>The Commissioner for Children, is vested with the role of safeguarding and promoting children’s rights for each and every child. The Commissioner is responsible for promoting measures, which would enhance the participation of both children in out of home care and asylum seeking children although it has not been effective in this sector. This office is dependent on government funding and occasionally also receives some additional funds through EU project participation.</p> <p>Other institutions include:</p> <p>Children in Out of Home Care:</p> <ul style="list-style-type: none"> • Youth Workers – who are very strong as they work directly with minors and attend the same environments and residences as the minors. Youth workers may be considered independent but they have common training, government funding; • Youth Centres are either government or church funded. <p>Asylum Seeking Children:</p> <ul style="list-style-type: none"> • AWAS – Governmental Department; • ADITUS – NGO; • Children and Young Persons Advisory Board - Government Appointed Body; • Agenzija Zghazagh – Semi-State Agency; • Office of the Refugee Commissioner – interviewing children and assessment. <p>These are all funded through the National Government Budget, EU funding and private fundraising.</p> <p>There are no children’s organisations and networks in Malta (see section E.b.). Moreover, there is no specific standard and training aimed at increasing children’s participation (see section F.b.). For a brief period in 2009 NGOs with an interest in children were brought together as a platform for children under the auspices of the office of the commissioner for children but this initiative fizzled out after a few months.</p>

Setting 1 : [Care] Vulnerable groups: Children in Out of Home Care & Asylum seeking Children	
	The newly appointed Commission for Child Policy and Strategy is charged with helping to encourage children to set up their own platform and to ensure that all work is done following due consultation with children.
Developing participation in practice	<p>Children in Out of Home Care:</p> <p>Children are not given any choice in the allocation of their placement in out of home care and do not participate in the decision to enter into care. Sometimes parents, social workers or mediators may act as a mouthpiece for children voicing the child's opinion; this may be regarded as indirect participation. Sometimes children themselves speak up and express their opinion although it has been suggested that some children may be intimidated or coerced, which ought not to be considered as real participation. Although the current system does not provide children in out of home care with an opportunity to shape their own agenda, there is currently a process of consultation being held with this group of children and their families (see section on policy framework). This process is aimed at amending the present law so as to adequately safeguard the child in out of home care and provide such child with further empowerment and participation rights.</p> <p>With regard to feedback, there are various layers of organisation and although there is feedback available to children and their families, because of bureaucracy there are some blockages hindering feedback from reaching children. A concrete example of such a hindrance in the delivery of information may be noted in court proceedings where sometimes a child or his family may not have been informed that a particular decision was taken, resulting in the child or his family not enjoying the remedies resulting therefrom. Case reviews carried out by social and care workers would generally be a feedback session. However, one must comment on the manner meetings are held and how the child is allowed to speak up. The current practice is that of stating that all the participants in the case review - children, parents and social/care workers are equal, however, during certain situations children are left outside waiting for the adults to finish their conversations. This would already instil within the child's mind a sense of inequality and insecurity possibly resulting in the child failing to disclose all necessary details or issues of concern.</p> <p>Therefore, the ability of children themselves to shape the agenda is very limited, although there has been some progress. In practice it would seem that adults who are committed to child related issues or who work with children make it a point to voice children's wishes. This is done through constant lobbying for better observance of children's rights and for the necessary amendments to be implemented. It is through such indirect participation that children shape the agenda.</p>

Setting 1 : [Care] Vulnerable groups: Children in Out of Home Care & Asylum seeking Children	
	<p>Asylum Seeking Children</p> <p>Participation for Asylum Seeking Children, especially unaccompanied minors, is limited at the level of a relationship with a legal guardian and social worker who is appointed by the advisory board for the purpose of assessing the best interests of the child. A dialogue is engaged with the child only where the social worker deems it fit to do so.</p> <p>Generally, the only form of child participation is consultation in formulating the care plan or just an interview. Sometimes, the children don't even get feedback as to know the results of proceedings, which concern them.</p> <p>With regard to children within a family context there is no consultation and child participation depends on the relationship of the child with the family. However, these parents/ families have limited access to information and if parents are not given the information necessary to take an informed decision the child may suffer the consequences. Once the application is filed – AWAS takes a decision, the child is not even informed of the final decision let alone of the process and the ability to appeal.</p> <p>Moreover, children were not included in the discussions about the administration of child detention centres. Participation is close to zero for all asylum seekers so for children in practice, it is even less. One may conclude that in the absence of child participation, children have not been able to shape the agenda in their own terms.</p>
Effectiveness	<p>There is anecdotal evidence that provides that the effectiveness in the field of participation with regard to children in out of home care is very limited. However, there is no specific report by an inspector to evaluate the effective participation of children in out of home care. Specific reference to the Irish Context was made⁹, where the stakeholder remarked that if we had to make comparisons between our system and the Irish system (or other systems) we would be able to better identify what mechanisms are effective and what mechanisms are not. It is difficult to ascertain what the accepted measures of quality and effectiveness are.</p> <p>With regard to both children in out of home care and asylum seeking children, the most effective form of participation is where children were given a say in a way that they were valued and treated with respect.</p>

⁹ Information collected through consultation with national stakeholder.

Setting 1 : [Care] Vulnerable groups: Children in Out of Home Care & Asylum seeking Children

This is when the listener shows the child that s/he is there to get in touch with what they want and need and not for anything else. Basically the most effective form of participation is when the child is treated with dignity.

On the other hand, the absence of participation of children has opportunity costs, as this reduces the effectiveness that children's participation may have.

Children in Out of Home Care:

Certain good practices which exist are:

- The allocation of adequate time to children and their families.
- When the care services are tailor made to the child's needs. Patience is key in such situations where sometimes it could take months for a child to open up about personal circumstances and express an opinion.

A number of bad practices were outlined. These include:

- Stopping the 'Head Start' Programme, which was a project intended for the education of this group of children and for preparing towards an independent adulthood. As explained by one interviewee: "These projects should not be made for a period of time". It was a "good project yielding satisfactory results"¹⁰.
- The lack of an independent inspectorate monitoring the situation of children in out of home care and the different institutions taking care of such children.
- The action of keeping children in the care system longer.
- Places for emergency placements are full up.
- There are no formal procedures catering for emergency placements resulting in a mixed environment for children.
- Services are insufficiently differentiated.
- Some temporary placements would reject the child after a period of time (not adapted).

¹⁰ Information collected through consultation with national stakeholder.

Setting 1 : [Care] Vulnerable groups: Children in Out of Home Care & Asylum seeking Children	
	<p>Asylum Seeking Children</p> <p>There are no real avenues for children to shape their own agenda, including their care. A good form of participation practice is found in the initiative of one or two NGOs visiting unaccompanied minors to educate them about their rights and obligations. However, this is mere provision of information and not participation per se. On the other hand, the least effective form of participation is felt to be found where the care order and care plan is adopted, formulated, implemented and reviewed as this does not include any participation by children. AWAS represents the child and the Children and Young Persons Advisory Board is charged to assess and recommend on issues relating to each individual child. However, even within these institutions, children do not have much voice (see also next section – Impact).</p>
Impact	<p>With regard to both groups interviewees commented that the main challenge faced by our system in the further development of children’s rights is the perception relating to children and their rights. Policies concerning children should be based on Children’s Rights under UNCRC. Children should be regarded as active citizens who are holders of rights now and who make decisions now. Children should not continue to be regarded as mini human beings with mini human rights¹¹.</p> <p>Children in Out of Home Care:</p> <p>Decisions on a macro level are influenced by children through the mediation of adults –and also through the workings of the Commissioner for Children. However, there are certain practicalities that are necessary and important for children that are not being catered for. When such situations occur one would be only paying lip service to children as adults take the decisions with regard to the most essential issues. This is done independently from the will of children. Interviewees hoped that the system would become more in touch with children’s needs and provide children themselves or their direct representatives with the power to do something¹².</p> <p>Local research on the benefits of participation for both children and adults has shown that foster care is beneficial for the children and preferential to residential care. It was suggested that emphasis should be placed on foster care if the family based care is a good one offering adequate stability to the child and it should be opted for when placing children in out of home care.</p>

¹¹ Ibid.

¹² Ibid.

Setting 1 : [Care] Vulnerable groups: Children in Out of Home Care & Asylum seeking Children

Furthermore, so as to improve children's participation the following developments are required:

- The current standards should be given the force of law so that they may be enforced
- The law ought to be further respected when it refers to standards
- The state should have a branch or department having the obligation to identify vulnerable children and families and work so as to prevent families and their children from suffering unnecessary intervention. It was suggested that a system similar to the Children's House in Ireland should be adopted.
- Issues with regard to runaways and other missing children reported currently go through the police, which is the designated national authority in charge of such situations. Ideally an NGO directly involved with children in out of home care would be better suited to take care of such situations.
- A directive specifically on Children in Out of Home Care should be considered at EU level

Asylum seeking Children:

The main challenges and barriers indicated by the interviewees were¹³:

- The very fact that they are asylum seekers and refugees is a challenge and barrier. The presumption is that they need to be managed and they cannot manage themselves.
- The fact that public entities are not familiar with the procedure to conduct a best interest of the child (BIC) assessment may be regarded as another challenge for the promotion of children's participation. Currently, the BIC assessment is carried out by talking with a child for an hour and then a decision is taken. However, there is no formal structured procedure.
- The lack of human resources has also been a challenge where one social worker is responsible for 15 or more children. Moreover there is a limited understanding of the role of a legal guardian. A legal guardian should be independent of government so as to take appropriate decisions.
- A further challenge is the authorities' mentality that an asylum seeking or refugee child doesn't need independent legal advice and hence the government can decide without the need to consult the child. Furthermore the child has no possibility to change the social worker.

¹³ Ibid.

Setting 1 : [Care] Vulnerable groups: Children in Out of Home Care & Asylum seeking Children

Finally the challenges, policies and cultural changes needed are:

At a National Level:

- Specific legislation such as Legal Notice (L.N) to the Care Orders Act [Doc. 3] that would specifically deal with the particular needs of asylum seekers in a care order;
- Legal provisions that clarify the procedure, criteria and review of age assessment; Currently this is still a policy and there are no criteria of how to assess age;
- It should be specifically stated that minors **should not be detained, as this is directly not conducive to participation;**
- All of the public agencies dealing with refugee children should have staff who are specifically trained in the asylum and child migrants policy issues.

At a European Level:

- Strengthening the legal framework through directives;
- Ensure that the annual plans formulated by Member States on how they will disburse their EU funding and insist that they prioritise projects that have a particular impact on children.

Setting 2 : [Education] Children in out of Home Care & Migrant Children	
Overview of the country context	<p>Education for Children in Malta is compulsory for all children up to the age of sixteen. Hence all children, including, children in out of home care and asylum seeking children not only have a right to education but also must attend school. State education is free for all Maltese children. It was, however, remarked that with regard to asylum seeking children special attention should be given to their different culture, background and language for them to be able to fully participate in the educational system¹⁴.</p> <p>It was also remarked that on various occasions, school authorities and administration would have a special fund through which they would aid children in need, which include children in out of home care and asylum seeking children. Through such aid, the children are provided with school uniforms, supplies and may also attend school outings and activities outside the classroom.</p>
Legislation and policy frameworks	<p>There is no specific legislation per se which addresses children's participation in education. However, most interviewees have defined education as a driver for participation in itself. This because through school activities and organisations within schools, children are provided with the information, skills and sometimes opportunities to voice their opinion. The most notable frameworks, which support such participation, are the school student councils. (see also section B.5)</p> <p>Furthermore, it was remarked that the Commissioner for Children makes various school visits, and therefore enters into direct contact with most children through the educational system¹⁵. It is through such system that children apply for the Rights 4 U Seminars, which include children from different backgrounds, including children in out of home care and child asylum seekers. However, one must remark that children do not have a say in their own education i.e. national minimum curriculum (see section B.5).</p>
Supporting infrastructure	<p>Education in Malta is provided by the State, the Church (the Catholic Church) and the Private sector. However, it is the State, which sets the syllabi and Curriculum. The Church and Private Sector have their own funding system although the State assists Church institutions via subsidies.</p> <p>No children's networks or standards and training exist to support children's participation in the context of education. However, in most schools there is a School Student Council through which children may voice their opinion regarding various aspects within their own schools. Nonetheless, it has been commented that the issues entrusted to such Student Councils are still relegated to petty things and not to more important aspects having a direct impact on children¹⁶. Moreover, there is also the Council for Children which has a</p>

¹⁴ Information collected through consultation with national stakeholder.

¹⁵ Ibid.

¹⁶ Ibid.

Setting 2 : [Education] Children in out of Home Care & Migrant Children	
	<p>small number of children sitting on the Council and taking decisions. These children are chosen by children themselves from the children who would have attended the Rights4U Live-in courses.¹⁷ These children would have had the opportunity to attend these courses by applying through their schools and they include both children in out of home care and asylum seeking children. However, again the remit for the decisions that may be taken by these children is very limited.</p>
Developing participation in practice	<p>As previously mentioned, in most schools there is today the School Student Council which is that context through which children may exercise their participation rights at best. However, children do not participate directly in the decision making process. This with the exception of the children sitting on the Council for Children (5-7) where it seems that the children on the Council are in a better position to influence decisions related to the children's rights agenda. However, their decisions are still presented to the relevant authorities through the form of proposals and hence it is up to the Minister's and the administration's discretion as to whether to implement these proposals or not.</p>
Effectiveness	<p>There are no standards for quality and effectiveness. The most effective form of participation outlined by interviewees is that of educating children directly about their own rights. The least effective has been that of limiting the areas where children are consulted and that when children were consulted their opinions were not always valued or followed by the administrative authorities.</p> <p>School Student Councils and the Council for Children have been regarded as forms of good practice; however, stakeholders feel their lack of direct involvement in more substantial issues that affect children directly has been regarded as form of bad practice. This tokenism has been identified as a source of frustration by children.</p> <p>Furthermore, it was noted that on various occasions children in out of home care and child asylum seekers do not participate in such activities and when they do, it is as a result of pressure and persuasion from adults. This is especially relevant for teenagers and adolescents in Out of Home Care who feel that other children not in their own situation are different and cannot understand them. Even worse, they feel judged and looked down upon by the 'other children' and hence do not seek to integrate with them as they feel that such participation is useless¹⁸.</p>
Impact	<p>See Part 2 section 1 for benefits, barriers and challenges.</p>

¹⁷ [These are Seminars for children organized by the Commissioner for Children throughout the summer months. During these seminars children are taught about their rights and finally they vote for their representatives on the Council for Children.](#)

¹⁸ Ibid.

Setting 3: [Health Care] Children in out of Home Care & Migrant Children	
Overview of the country context	All citizens enjoy the right to health and to free medical care: this includes all children independently of their status. Families may receive special assistance by the government, including financial aid, so as to be able to adequately provide for their children's health.
Legislation and policy frameworks	<p>There is no law providing for the participation of children in health services and institutions. Decisions regarding children's health are subject to a child's parent/s according to law (see section B.6).</p> <p>For both Children in Out of Home Care and Asylum Seeking Children In these contexts it is more a matter of co-action between children and the institutions taking care of them. One must refer to the 'Head Start' project which was shut down in 2009 due to lack of funding. During this project, participants - mostly children in Out of Home Care, were provided with the necessary support to prepare for their future for 3 or 4 years. Part of this support was health and sexual education. This education used to provide empowerment to children to enable them to make more informed decisions.</p>
Supporting infrastructure	There is no specific infrastructure aimed at children's participation in health care.
Developing participation in practice	The most prevalent form of participation is education campaigns (see section B.5). One must, however, remark that especially with regard to sexual education, there is no serious discussion, which mirrors reality. Furthermore, discussions about gender and sexuality issues i.e. homosexuality are practically non-existent.
Effectiveness	There is no formal definition of quality and effectiveness. The very fact that children, even of a more mature age, are subjected to their parent's authority and aren't free to decide on their own health (by law) is in itself a bad practice.
Impact	Children's participation is limited across the entire local scenario and it is not possible to determine the success of such participation. Therefore, a holistic review of child related legislation and policy is required. The National Commission is currently addressing this for Child Policy and Strategy.

Part 3: Nominated good practice example(s)

Good practice examples	
	Festa Tfal
Type of organisation and level of operation	Annual consultation/discussion event organised by Children's Commissioner
Description of sector/setting and profile of children involved	Some 200 children aged 11-14 were involved in 2013 drawn from across Malta
Description of example/type of participation	<p>This annual event, held to celebrate World Children's Day, provides an opportunity for children to have direct contact with policy makers to discuss and express their opinions on a range of subjects related to their rights and everyday lives.</p> <p>At the 2013 event, children were split into smaller groups to participate in workshop sessions facilitated by staff from the Children's Commissioner's Office. This covered topics such as internet safety and children's rights. The President of the Malta and chairperson of the Parliamentary Social Affairs Committee attended for part of the day and joined several of the discussion groups.</p>
Outcomes	<p>The opinions expressed in the workshops are recorded by staff from the Children's Commissioner, with issues taken forward where appropriate. An overview of the events is recorded in the annual report of the Children's Commissioner.</p> <p>No direct evidence is available on the outcomes for the children who are involved but adult stakeholders report that children's self confidence is enhanced by participating [Interviews].</p>
Contact details/resource for more information	Office of the Commissioner for Children - Contact Person: Ms. Suzanne Gili - suzanne.gili@gov.mt

Evaluation of legislation, policy and practice on child participation in the European Union (EU)
Country Mapping Fiche for Malta

Good practice examples	
	Council for Children – Child Membership
Type of organisation and level of operation	Consultative structure to oversee and advise the promotion of children’s rights at a national level.
Description of sector/setting and profile of children involved	Up to 7 children are able to sit on the Council. In 2013, membership elections were held as part of the Rights4U residential course, attended by 140 children aged 13-18.
Description of example/type of participation	The Commissioner for Children Act of 2003 outlined a requirement for a Council for Children to be established. While the core membership was specified to be representatives of key ministries, the terms of reference also suggested that the Council shall have the right to co-opt up to seven other persons who, in the opinion of the Council, best represent children and the rights of children. It was strongly suggested that these persons shall, as far as possible, be children and people involved in the promotion of children's rights.
Outcomes	The specific contribution and achievements of the Council are not strongly evidenced. Nonetheless, the structure is reported in the Children’s Commissioners annual reports as a support mechanism to advise the Commissioner.
Contact details/resource for more information	Office of the Commissioner for Children – Contact Person: Ms. Suzanne Gili – suzanne.gili@gov.mt

Part 4: Appendix / details of interviews completed and documents reviewed

Interviews completed	Name, title, organisation and date
Int. 1	Office of the Commissioner for Children 27/3/2013
Int. 2	Fondazzjoni Suriet il-Bniedem, 17/4/2013
Int. 3	St. Aloysius College, 22/4/2013
Int. 4	Foundation of Social Welfare Services & Appoġġ, 16/5/2013
Int. 5	Child Advocate, 18/6/2013
Int. 6	Dar Osanna Pia, 24/7/2013
Int. 7	Emigrants Commission, 5/8/2013
Int. 8	ADITUS Foundation, 7/8/2013

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Documents reviewed	Source details
Doc. 1	Civil Code 11th February, 1870; 22nd January, 1874 http://www.justiceservices.gov.mt/DownloadDocument.aspx?app=lom&itemid=8580
Doc. 2	Commissioner for Children Act, 5th December, 2003, http://justiceservices.gov.mt/DownloadDocument.aspx?app=lom&itemid=8928&l=1
Doc. 3	Children and Young Persons Care Orders Act 8th August, 1980; http://justiceservices.gov.mt/DownloadDocument.aspx?app=lom&itemid=8773
Doc. 4	Juvenile Court Act 25th July, 1980 http://justiceservices.gov.mt/DownloadDocument.aspx?app=lom&itemid=8774
Doc. 5	Refugees Act 1st October, 2001 http://justiceservices.gov.mt/DownloadDocument.aspx?app=lom&itemid=8886
Doc. 6	Immigration Act 21st September, 1970 http://justiceservices.gov.mt/DownloadDocument.aspx?app=lom&itemid=8722
Doc. 7	Convention on the Rights of the Child Adopted and opened for signature, ratification and accession by General Assembly resolution 44/25 of 20 November 1989 http://www.ohchr.org/en/professionalinterest/pages/crc.aspx
Doc. 8	Ministry of Education, Employment and the Family (2011) Draft National Children's Policy. Malta: available at http://cdn02.abakushost.com/agenzijazghazagh/downloads/children_policy.pdf
Doc. 9	Constitution of Malta. http://justiceservices.gov.mt/DownloadDocument.aspx?app=lom&itemid=8566
Doc. 10	Office for the Commissioner for Children (2006) Children can't wait. Annual Report of 2005. Malta : http://www.crin.org/docs/Eng_Annual%20Report%202005.pdf
Doc. 11	European Convention of Human Rights (1950). Council of Europe, Strasbourg : http://www.echr.coe.int/Documents/Convention_ENG.pdf
Doc. 12	Commissioner for Children. Rights 4 U 2012 [online] http://www.tfal.org.mt/newsitem.aspx?age=5&lid=1&nid=141
Doc. 13	Office of the Commissioner for Children and Aġenzija Żgħażaġh (2013) Leisure Trends among Young People in Malta. Malta : http://www.tfal.org.mt/MediaCenter/PDFs/1_Leisure%20research%20-%20final%20version.pdf
Doc. 14	A National Curriculum Framework for All [online] http://curriculum.gov.mt/en/Resources/The-NCF/Pages/default.aspx#
Doc. 15	Analysis of Feedback to the Consultation Process on the Draft National Curriculum Framework. Report. 6th August 2012. http://curriculum.gov.mt/en/Resources/The-NCF/Documents/Consult_Docs/Full%20Report.pdf
Doc. 16	Criminal Code, Article 35 http://www.justiceservices.gov.mt/DownloadDocument.aspx?app=lom&itemid=8574
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Doc. 18	EU funded project [online] http://www.agenzijazghazagh.gov.mt/Categories/910/EU_Funded_Projects/
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Doc. 22	Foster Care Act, 2007 http://www.justiceservices.gov.mt/DownloadDocument.aspx?app=lp&itemid=18441&l=1
Doc. 23	The Processing of Personal Data (Protection of Minors) Regulations (Legal Notice 125 of 2004) http://www.justiceservices.gov.mt/DownloadDocument.aspx?app=lom&itemid=11055&l=1

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