



Kummissarju għat-Tfal
Commissioner for Children

ANNUAL REPORT 2023

2 YEARS

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

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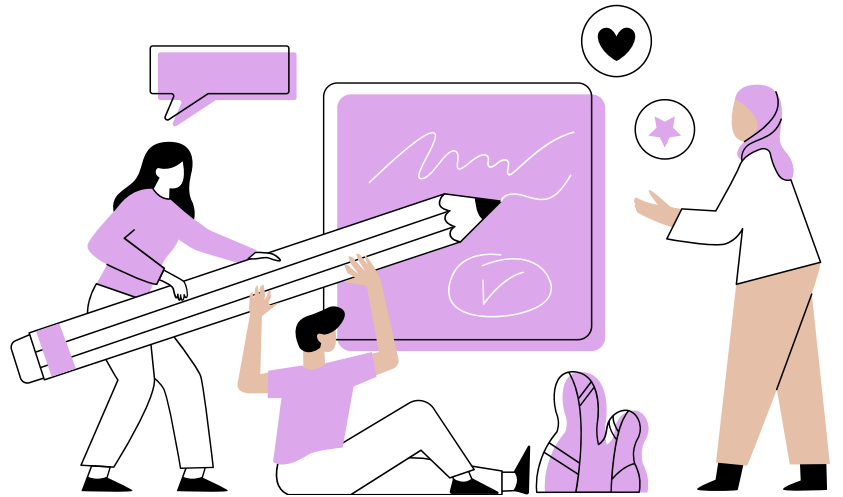
Tel: +356 21 485180

Email: cfc@gov.mt

Websites: www.tfal.org.mt and www.żgħażaġħ.org.mt

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Message from the Commissioner

For any organisation that regularly seeks to renew itself, the end of year is the ideal time not only to assess, as this report does, what it has accomplished over the last year, but also to assess and evaluate the work carried out. In the case of the Office, I have had the privilege to lead for a second consecutive year, we really need to evaluate the actual impact, the implementation of children's rights actually has on their lives.

By introducing children's rights into the nation's public and political discourse, children have been transformed from mere beneficiaries of things like health, education and care, which after all they had access to even before Malta became party to the United Nations Convention on the Rights of the Child, to owners or subjects of all these key aspects of their lives.



The practical significance of this paradigm shift is twofold. Thanks to this rights framework, children are guaranteed the objects of their rights, be this education, leisure, economic security or anything else they have a right to. A less obvious but equally important outcome of children becoming owners of their rights is that these rights cannot be exercised without their agency. This means that all those who work with or for children cannot think of doing anything about children without involving and consulting them. Thus, the right to participation, as enshrined in Article 12 of the Convention, is the first thing stakeholders must guarantee so as to ensure children's access to their rights.

An office like that of the Commissioner for Children, which is not geared to provide services to children but has children's rights as its very backbone, must pursue child participation as its overarching purpose and mission. In the year of its twentieth anniversary, I can confidently say that this is indeed so. Not only are the Office's internal processes permeated by the input of children, but the Office has been a catalyst for enhanced child participation in many groups and organisations that work with and for children.

As much as I look back with pride on the first twenty years of work by this Office, I look ahead to the future with a clear consciousness of the challenges that need to be overcome for child participation to be implemented and practiced effectively by all stakeholders in Malta. Unfortunately, the old idea that children are to be seen but not heard is still prevalent in all levels of society. This needs to be countered from the bottom up and from the top down with initiatives that aim to replace it with a children's rights-based view of the role of children as active participants in their lives and in the communities and societies they are part of.

This is the philosophy and mindset with which the work described in this report was undertaken and which, I hope, will inspire more groups and individuals to engage with children as fully-fledged holders of human rights.

Antoinette Vassallo
Commissioner for Children



Background & Intro

Children's Rights

The rights of children are enshrined in the United Nations Convention on the Rights of the Child (UNCRC), which comprises 40 substantive rights which State Parties are bound to do everything in their power to achieve for all children in their jurisdiction. Malta ratified the Convention in 1990. In 2003, through an act of law, it set up the Office of the Commissioner for Children as an autonomous watchdog and catalyst for a fuller implementation of the Convention.

2023

The year was marked by at least four global phenomena that influenced the lives and needs of children around the world. The events of the year, notably an inconclusive and possibly regressive COP28, provided more evidence of the reluctance of the major players of the world to prioritise sustainable development by promoting the protection of the environment from global warming. Nations have clearly stuck to their old ways also in how they seek to resolve disputes, with the outbreak of conflict in Gaza and the continuation of hostilities in Ukraine.

In parallel to these grim events, the world was taken by storm by the emergence of generative Artificial Intelligence as an everyday reality of extraordinary power and potential. However, the competitive overtones of what was often referred to as the AI race, suggest that not enough caution is being exercised by those developing and regulating this new technology to ensure that its harmful uses and effects are contained.

Rising inflation biting into the living standard and outlook on the future of children has also been a cause for concern.

In conclusion, 2023 has highlighted a number of challenges that children are facing which need to be addressed with urgency.

Annual Report 2023

It is against this backdrop that this report describes the needs and realities of children in Malta and the work conducted by the Office of the Commissioner for Children in 2023. In terms of structure, the report progressively zooms in on the physical or abstract places where the lives and rights of children are played out, namely the general environment, the internet and media, the community, the school and other institutions, the home, and children's rights bodies. Within each chapter, the report explores the Office's work in terms of its thematic content and how it has enabled children and others to practice and be more aware of the 3 Ps of children's rights: **P**articipation, **P**rovision and **P**rotection.

The work highlighted in this report was carried out by 7 members of staff:

Antoinette Vassallo	Commissioner for Children
Dr Lorna Muscat	Head of Office
Suzanne Garcia Imbernon	Manager
Irene Muscat	Senior Officer
Glen Gauci	Project Officer
Nicholas Vella Laurenti	Policy Officer
Anna Maria Debono	Support Officer

The Office operated on an annual budget of €340,000.

CFC 2023 Income and Expenditure Breakdown:

Income

Government Subvention	332,165
EU Funds	4,766
Other Income	4,810

Total Income 341,741

Expenditure

Salaries	270,307
International Memberships	1,350
Utilities	3,553
Projects and Initiatives	2,173
Materials and Supplies	1,525
Repair and Upkeep	4,482
Office services	5,632
Office Car expenses & Transport	3,575
Travel	6,825
Information Services	15,807
Contractual Services	7,047
Hospitality	2,113
Sponsorships/Donations	970
Promotional Items	8,266
Professional Services	1,626

Total Expenditure 335,250

1. General

Celebrating Children's Rights

Participation

To mark its 20th Anniversary, the Office wanted to hear from children what makes them happy and how adults can improve their lives. It chose the creative medium for children to express themselves by setting up a competition whereby all 5- to 16-year-old children were invited to submit a poem, short story or a picture to convey their thoughts on five broad children's rights: the right to be happy and healthy, the right to be cared for, the right to be safe from harm, the right to play, and the right to be heard.

Prizes will be awarded to the top three entries for each of the categories, as well as a certificate of recognition to the top ten entries from each category.



Provision

The Office took to the press to draw the public's attention to the anniversaries of three milestones in the history of the international and national children's rights movements. First off in chronological order was the celebration of World Children' Day on 20th November, which is the day on which back in 1989 the UN Assembly adopted the text of the Convention on the Rights of the Child. In its press statement, the Office went beyond the day's origins in the past and underlined the gains made since the birth of the Convention in securing the rights of the most vulnerable children, and the fact that the day is what its name suggests, a time to celebrate children and childhood. This was the gist of the words spoken through a video call by the Commissioner to Year 6 students at Stella Maris College.



Ms Antoinette Vassallo, Commissioner for Children, having an online chat with year 6 students from Stella Maris College



To give form and substance to this celebration, the Office supported and encouraged almost 60 schools in organising school-based World Children’s Day-themed activities. It also co-produced with a group of adolescents a video celebrating World Children’s Day, which was distributed in all schools and promoted on social media as part of an awareness campaign. To mark this day, the Office distributed a number of publications aimed at raising awareness about children’s rights and the UN Convention to all children in Kinder 2, Years 1 and 4.

In its statement to the press, the Office also highlighted another important anniversary for children’s rights in Malta, namely the twentieth year since the Commissioner for Children was constituted legally and practically in 2003.

Neither World Children’s Day nor the Office’s twentieth anniversary would exist had not human rights been formally recognised as the basis of all human societies more than 50 years earlier. The Office issued another statement on 10th December to emphasise that children’s rights are human rights and to commemorate the diamond jubilee of Human Rights Day, that is 75 years since the United Nations Declaration of Human Rights.



Children's Experiences

Participation

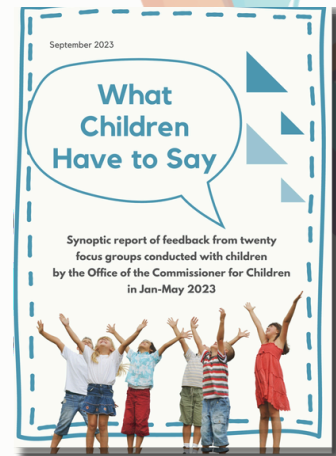
In the first half of the year, the Commissioner, supported by the Manager, visited 20 Government, Church and Independent schools spread out over the whole territory of Malta and Gozo where she conducted focus groups with children from Years 3-10. (See Table 1)

Table 1: Breakdown of Focus Groups with Children conducted in 2023.

School	Class Cohort	School	Class Cohort
<u>Żokrija Secondary, Mosta</u>	Year 9s	<u>Bormla Primary</u>	Year 6s
<u>St. Joseph, Sliema</u>	Year 6s	<u>Kalkara Primary</u>	Year 6s
<u>Rabat Middle School</u>	Student Council	<u>De La Salle College, Birgu</u>	Class Representatives of Senior School
<u>Qawra Primary</u>	Year 6s	<u>Żejtun Middle & Secondary School</u>	Year 8s
<u>Mariam Al-Batool, Paola</u>	Year 6s	<u>Minor Seminary, Victoria</u>	Year 10s
<u>St. Dorothy's Junior, Żebbuġ</u>	Year 6s	<u>Għarb Primary</u>	Year 5s
<u>Marsaxlokk Primary</u>	Year 3s	<u>Laura Vicuna Primary, Għasri</u>	Year 5s
<u>Tarxien Middle School</u>	Year 7s	<u>Qala Primary</u>	Year 6s
<u>St. Catherine's, Pembroke</u>	Year 5s	<u>Blata l-Bajda Middle School</u>	Year 8s
<u>Birgu Primary</u>	Year 5s	<u>Birkirkara Middle School</u>	Student Council

In general, children voiced their fundamental needs to be free and able to be and act like children, to be treated equally, to be different without being judged, to be loved and respected, to have friends, to be helped and supported, to feel and be kept safe from harm, and to be better informed, supported to speak out, to be listened to and taken more seriously. More sector-specific content from 'What Children Said' will be discussed in later chapters of this report.

The feedback gathered from these focus groups was consolidated by the Office in a report entitled 'What Children Said'. The report was distributed amongst a number of policy makers and stakeholders.

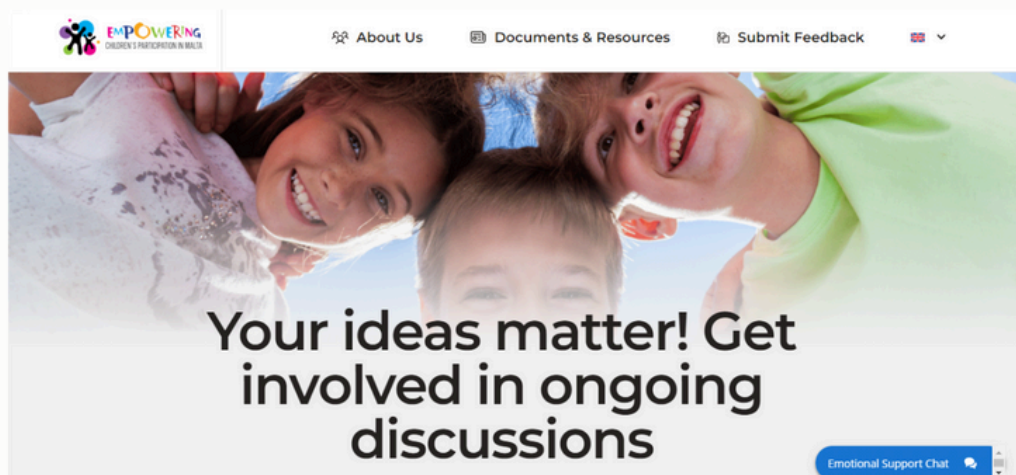


Policymaking

Participation

The idea that hearing children on matters of national scale and importance is good for children and for the country is evident in the fact that child participation is one of the four priorities of the Children's Policy Framework 2024-2030 that was launched in the course of the year. Towards this end, the Office teamed up with the Ministry for Social Policy and Children's Rights (MSPC) and the University College Cork to improve child participation in national policymaking by implementing 'Empowering Children's Participation in Malta', a project co-funded by the EU Program for Citizens, Equality, Rights and Values (CERV).

This project makes policymaking more accessible to children by promoting the creation of child-friendly versions of national policies and strategies and the setting up an online platform, www.empoweringchildren.gov.mt (which will also be made available as an app that will be installed on all school electronic devices), where children can access and give feedback on such content.





The Office started the process for drafting a child-friendly version of the Minor Protection (Alternative Care) Act, and supported the Ministry in drafting and then launching, on World Children’s Day, a child-friendly version of the Children’s Policy Framework 2024-2030. The Office also coordinated and submitted feedback from a discussion within its Children’s Advisory Board on the draft framework, and held a number of outreach focus group with children in schools to empower them to use these new channels to make their voices heard on matters that concern them. The Children’s Advisory Board gave a helping hand in this national effort by applying the training they had received to write the script for a number of Public Service Announcements that were then aired on radio as part of the Empowering Child Participation in Malta Project.

Devoting special attention and resources to the most economically and socially vulnerable children is what the National Action Plan for a Child Guarantee 2022-2030, a child-friendly version of which was launched on the online platform in the presence of the Commissioner, proposes to do.

To enhance the ability of policymakers to make their work more child-friendly, the Office took part in a capacity-building exercise for policymakers that was coordinated by Prof. Laura Lundy, a world authority on child participation, and her team from the University College Cork, which is one of the partners in this project. The Commissioner gave an introductory speech in which she stressed that participation means power and that the best results in child policymaking are achieved when power is shared between children and policymakers within a rapport of continuous dialogue between the two. Later on in the event, the Manager delivered a presentation on the Office’s various child participation structures, and a short video about child participation created and produced by the Children’s Advisory Board was shown.

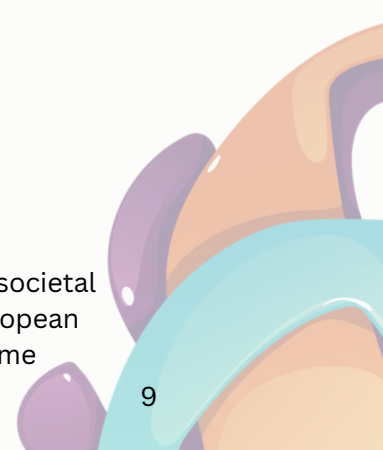
The project will also endow policymakers and other stakeholders who work with children both in Malta and abroad with a toolkit to gauge how effectively they are involving children in their work, thus enabling them to improve the quality of child participation. Work on a Child Participation Evaluation Toolkit is planned to start in 2024.



Members of staff from the Office of the Commissioner for Children with representatives from the University Cork College

Provision

The interdependence between social and economic wellbeing, both on individual and societal levels, was at the heart of a Conference on the Transition of Jobs organised by the European Committee for Social Cohesion of the Council of Europe and the 3rd meeting of the same committee, both of which were attended by the Head of Office.



Discrimination

Participation

The Office met with Government representatives working on a renewed Anti-Racism Strategy for Malta and pledged to plan and realise a number of child participation activities towards the implementation of this strategy. The first such activity consisted in the organisation of a workshop dedicated to the theme of fighting racism as part of the Rights4u live-in for a group of 13 to 15-year-olds that was held in summer. The second activity, planned for 2024, will see the Children's Advisory Board discussing the topic and coming up with recommendations on how Malta can combat the scourge of racism more effectively.



The Office participated in the planning of a new LGBTIQ+ Strategy for Malta by calling for closer engagement with LGBTIQ+ children and their families.

Protection

Protecting children from racism requires that those who work with and for them are aware of the various often subtle ways in which racism manifests itself. To this end, the Support Officer underwent training in the public authorities' response to anti-racism, which training was run by KOPIN as part of the EU co-funded project END-RACISM-MT and towards the implementation of an Anti-Racism Strategy for Malta.

The Office participated in the consultation process leading to the launch of Malta's LGBTI+ Action Plan 2023 – 2027 by attending the LGBTIQ+ Human Rights Conference¹, where the Office was represented by the Support Officer, and advocating for stronger efforts to raise awareness among children on LGBTIQ+ issues.

¹ [LGBTIQ+ Human Rights Conference \(euopride2023.mt\)](https://euopride2023.mt)

Child Trafficking

Protection

The Office was one of many stakeholders involved in a round-table discussion with the Group of Experts on Action against Trafficking in Human Beings (GRETA) on the group's 3rd evaluation report and the Committee of the Parties' recommendation concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Malta.

The Commissioner and the Head of Office, who represented the Office in this discussion, heard about ambiguities in the legal definition of a minor with respect to child trafficking, which have been ironed out through newly amended provisions in the Criminal Code. They also participated in discussions on the challenges posed by the need for different Government and non-Government entities to collaborate to deliver a seamless service for the sake of these highly vulnerable children, and how these challenges can be overcome best through a National Referral Mechanism that is being developed to promptly and accurately identify and refer child victims of human trafficking in Malta to the appropriate legal and therapeutic services. Finally, progress was reported to have been registered to harshen penalties for those who perpetrate this heinous crime against children.

In addition to monitoring what Malta is doing to combat child trafficking, GRETA also supported the Government in formulating an effective anti-human trafficking strategy. To this end, the group met with the Commissioner to discuss what the Office can bring to this process. There was convergence on the opportunity for the Office to share its expertise on the role of the online environment in grooming victims of child trafficking and raising awareness about this and other online risks with regards to child trafficking.

Child Abuse

Participation

The Office's statement highlighted the theme of the year's European Day, which is the need to 'learn from victims/survivors of childhood sexual violence to inspire policy change'. As much as it is difficult for children who suffered sexual abuse, most often at the hands of those closest to them, to open up on their ordeal, the Office stressed the necessity of engaging with them to get them to report the abuse so that they can receive the support they need as early as possible.





Provision

The abuse of any child is everybody's responsibility. The Office, in a public statement, appealed to whoever knows of any case or instance of child abuse to report it to the child protection authorities through the available lines of communication.

To prevent child sexual abuse, the statement emphasised the importance of quality education and awareness raising, particularly with children, who should learn from an early age what abuse is and what can lead to it. To this end, the Office distributed 'Kiko and the Hand', a child-friendly story book developed by the Council of Europe, printed and translated into Maltese by the Office, for parents and educators to explain to children the redlines of physical contact, to all children in Kinder 2.

Protection

On the 18th of November, which is the European Day on the Protection of Children against Sexual Exploitation and Sexual Abuse as well as the World Day for the Prevention of and Healing from Child Sexual Exploitation, Abuse and Violence, the spotlight was cast on the plight of children who suffer one of the worst possible violations of their rights.

The Office shone the light provided by these days on the dark reality of sexual abuse against children by issuing a press statement where it championed the right of all children to be free from this kind of abuse and from its durable and terrible impact on them. The Office also called on all those who work with and for children to double their efforts to put an end to this phenomenon, be it in its offline or online manifestations. Attending a meeting of the EU Network for Children's Rights, the Manager was able to follow a presentation on a key measure of the EU Strategy on the Rights of the Child to set up Integrated Child Protection Systems to complement and reinforce national efforts to combat child abuse and address cross-border cases or issues of child abuse more effectively.

In its statement, the Office mentioned the Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse as one of the chief instruments of protection of children from this form of abuse, and its role in the Lanzarote Committee, which oversees the implementation of the Convention. The Head of Office was a member of the Bureau of the Committee in which capacity she was involved in the Committee's quarterly meetings.

Enabling the Enablers

Promotion

The Manager gave a lecture at the Institute of Education, to parents and educators, on the importance of responding to children's changing needs as a means of respecting children's rights and enabling them to realise all their potential. In another lecture within the same institute, the Manager spoke to parents/guardians and professionals on how they can build and maintain healthy relationships with children that are conducive to their positive upbringing.

The Manager also delivered two lectures on children's rights to students of the Mediterranean Academy of Diplomatic Studies (MEDAC), thus helping instill in the forthcoming generation of diplomats a strong sense of the universality and cross-border nature of children's rights. A training session on children's rights and the role of the Office in their promotion was delivered by the Office to a team from the social work agency Sedqa.

Mental Health

Participation

Engaging with children is doubly important with regards to mental health since this key dimension of overall health is determined not so much by external circumstances as by how a person filters and regulates these through his or her thoughts and emotions.

In order to sensitise children to the importance of mental health and help them develop mental health literacy, the Office embarked on a two-week awareness campaign whereby it developed two toolkits, one for primary school children and one for secondary school children, each consisting of a lesson plan and a video. These resources were shared with all schools ahead of World Mental Health Day on 10th October so that they could make use of them to mark this increasingly relevant occasion.

The dissemination of the videos was boosted on social media where they registered thousands of viewings.





Protection

A second line of defense for children from mental health challenges is provided by those who are closest to them, notably parents. In order to raise better awareness among parents of the often unseen and unsuspected risks to the mental health of their children, the Office produced and disseminated a video online that encouraged parents and adults in general to look out for signs of mental unease in their children and seek professional help through the 179 helpline.

These resources were highlighted in an article penned by the Manager for Familja, a bi-monthly magazine issued by the Ministry for Social Policy and Children's Rights. The article also underlined the importance, for the mental health of children, of factors that are usually associated with their physical health, namely a balanced diet, adequate physical exercise and sufficient good-quality sleep.

Physical Health

Provision

Speaking in the focus groups, children called for eating healthy food and drinking clean water to be better promoted and more available, such as by means of drinking water fountains and the provision of healthy food to all children.

Protection

Children also highlighted the need to reduce the incidence of factors that damage health, such as dirt and germs, smoking in public places, and the increasingly widespread practice of vaping. They called on health authorities to do more to raise awareness and regulate against these public and individual health hazards.



Recommendations

Promote the well-being of children by:

- Giving more prominence and visibility to World Children’s Day and Human Rights Day;
- Creating more and better structures and mechanisms for child participation;
- Nurturing the ability of all those who work with and for children to elicit, understand, evaluate and act on the views and concerns of children;
- Involving children in the monitoring and evaluation of the Children’ Policy Framework 2024-2030;
- Fostering a culture of social inclusivity and diversity among children and organisations that work with children;
- Publishing an updated anti-trafficking action plan with a sharp focus on child victims and at risk children;
- Making reporting of child abuse mandatory for everyone and not just professionals;
- Mainstreaming children’s rights across all educational courses forming professionals who work with or for children;
- Strengthening resilience and mental health literacy in children and their significant others as part of A Malta Health Strategy for Malta 2020-2030.

“There is no trust more sacred than the one the world holds with children. There is no duty more important than ensuring that their rights are respected, that their welfare is protected, that their lives are free from fear and want and that they can grow up in peace.”

Kofi Anan



2. Media & Online Environment

Internet Safety

Participation

Since the internet is to a large extent nothing more than a tool, albeit a very powerful one at that, whose benefits or otherwise thus depend on how smartly it is used, child participation is particularly important in protecting children from the dangers associated with the internet. This was reflected in the Safer Internet Forum², in which Jeremy Bonello, a youth advisor to the Office, actively participated with the technical and logistical support of the Manager provided both before and during the forum.

The event featured a presentation by Prof. Amanda Third on the findings of research into children's ideas about the skills that keep them safe online. It emerged there are fundamental differences between children and adults in their perceptions of internet safety, with children identifying the teaching of practical skills specific to the online environment as the main priority of an enhanced internet safety education.



Jeremy Bonello & Suzanne Garcia Imbernon during the Safer Internet Forum

The forum saw the launch of an easy read version of the EU's Digital Services Act, which had been recently adopted by the European Parliament to protect the mental health and wellbeing of children online much more effectively. The latter was also the subject of a discussion among the youth participants in the forum that was moderated by the Manager.

Another avenue for child participation in the quest for a safer internet was provided by Rights4u, where 51 young people between the ages of 13 and 15 came and lived together for a weekend in Gozo to give and receive insights into issues like online privacy, cyber-bullying, hate speech and creating an online/offline balance. To facilitate active engagement by the participants, staff members of the Office underwent training in the use of Our Journey cards, which are a tool developed by the Relationships Are Forever Foundation to help young people take stock of skills and values that give meaning to their lives.

In the event, which was organised by the Office under the aegis of BeSmartOnline!³ after a three-year hiatus caused by the pandemic, the Commissioner urged the participants to share their ideas and experiences so as to inform her Office's work in this increasingly challenging and important field of children's rights advocacy.

The Office leveraged the significance of Safer Internet Day (SID), celebrated worldwide on 10th February, to encourage more than 60 schools to organise an event to mark this day. SID was also inspirational for a group of children to compose and produce a song on the day's theme with the support of the Education Officers for Music. This creative, participatory activity was part of a drive by the BeSmartOnline! initiative to get children to produce positive content to be disseminated online. In addition, the Office's Children's Advisory Board discussed the phenomenon of cyberbullying, to raise awareness on which the members also produced and disseminated a video.⁴

² This is a key annual international conference where key actors come together to discuss the latest trends, opportunities, risks and solutions related to child online safety and making the internet a better place.

³ The BeSmartOnline! Initiative brings together the Foundation for Social Welfare services, the Office of the Commissioner for Children, the Ministry for Education and Employment and the Malta Police Force. This initiative has been ongoing since 2010 and is cofunded by the European Commission. For more information visit www.besmartonline.org.mt.

⁴ https://youtu.be/fdggqUrOTuuo?si=imkc41XLQ5Am2_M



Provision


Safer Internet Day was an ideal occasion also to provide children with education about how they can use the internet beneficially without causing or incurring harm, or, as the Office’s press release put it, for children to use this amazing tool “responsibly, respectfully, critically and creatively”.

The BeSmartOnline! team, of which the Office is part, helped several schools organise educational activities for their students through the use of the toolkit⁵ developed by BeSmartOnline!, which comprises lesson plans and other resources covering different topics of online safety for children of all ages.

Children were further encouraged and supported to learn more about internet safety through three different resources that were distributed to them. These were Kiko and the Manymes, a Council of Europe Publication produced by the Office in Maltese for children in Year 3; a leaflet promoting the balanced use of technology for children in Year 6; and a resource for PSCD teachers to discuss the risks of sexting with students in Year 9.



⁵ <http://besmartonline.org.mt/sid-toolkit>



Safer Internet Day was equally timely for promoting the idea of Together for a Better Internet, the theme of this year's celebrations across the world, among all stakeholders whose joint action can really make the internet better and safer for children and young people. As part of BeSmartOnline!, the Office made this call in the aforementioned press release and by means of an information stand that was up for a whole morning in Triton Square, Valletta, where scores of families with children were able to obtain information and take part in activities about the wise use of digital technology.

Summer is another opportune time for imparting practical knowledge of the challenges and opportunities of the web. The Manager delivered a number of educational sessions on internet safety for children attending Skolasajf.

The Manager delivered a lecture on internet safety for children to students at the Institute for Education. The Office took part in a programme on television where the safety of children online was discussed. In another programme, the Office promoted the needs and risks faced by children who purchase goods and services on the web.

Research presented at a training meeting of Insafe, a network of safer internet centres in Europe, that was attended by the Manager, shows that while vulnerable young people, such as refugee children and adolescents, tend to have poorer communication skills as a result of lower levels of family support, they report higher use of digital media and technology, which they need to maintain contact with their families or to learn the language of their country of residence. This combination of lower digital skills and higher digital use makes them more vulnerable to online risks.

The Manager shared and expanded her and the Office's knowledge of the online environment through her participation in a Taskforce set up by Eurochild to promote the sharing of good practices in this domain.

Protection

On the strength of its standing and experience in the defence of children's rights online, the Office reached an agreement with the Malta Communications Authority (MCA) to act as a consultant to the Authority on all matters relating to the protection of children online. This agreement, formalised through a Memorandum of Understanding, will ensure that such matters are dealt with uniformly within a children's rights framework.

This agreement will be exercised in the context of the Digital Services Act, whose implementation in Malta is being coordinated by MCA. The Act contains a number of generic and specific provisions to ensure online sites and services are responsive to the needs and vulnerabilities of children and that those that do not have appropriate and effective age-verification mechanisms in place are inaccessible to children. This Europe-wide law should do much to respond to the call made by children participating in the focus groups for a more positive, age-appropriate and healthy digital environment.

The inbuilt safety features of Snapchat, the instant messaging app that is highly popular amongst children and young people, were discussed by the Manager and her European counterparts at the Insafe meeting. These features include a safety advisory aboard, and a family centre whereby children can choose to let their parents see who they are chatting with while keeping the content of their chats private. The fact that digital technologies are becoming not only more widespread but also more powerful, notably as a result of the emergence of generative AI, which was also on the agenda of the Insafe meeting, makes the protection of children in the online environment ever more urgent.

‘Stop being mean on the screen’ was the catchy title given to educational sessions on cyberbullying and other risks faced by children online which the Office delivered to children and parents in Gozo within the framework of the BeSmartOnline! initiative.

Media Literacy

Participation

The Office received a visit from the Chief Executive Officer of the Broadcasting Authority with whom it discussed challenges and opportunities with regard to improving media literacy in children. The two sides concurred on the need to give more importance to this aspect of children’s education in the education system.

Provision

The Support Officer was a member of the Malta Film Classification Board, the remit of which is to issue guidelines regarding the age-appropriateness of films screened in cinemas in Malta. As a member of the Board, she helped review and age-rate 17 films of various genres, such as cartoon animations to thrillers, many of them featuring super heroes that are popular with children and teenagers.



Recommendations

Enhance the safety of children in the media and online environment by:

- Working with companies developing the latest cutting-edge digital technologies, especially those that are AI-driven, to ensure that the safety of children is incorporated in the design of these technologies and in their internal working processes;
- Updating the Malta Cyber Security Strategy (2016) with a sharper focus on the needs and vulnerabilities of children within the framework of the EU's BIK+ strategy and the Digital Services Act;
- Setting up a national advisory platform for children dedicated to children's rights and experiences in the digital world;
- Dedicating more time and space to raising public awareness on internet safety;
- Increasing the quantity and quality of children's education around media literacy;
- Offering courses for parents to update their digital skills to the latest technologies used by their children.

The illustration features a group of ten diverse children of various ethnicities and ages. They are arranged around a large white rectangular box that contains the title. Some children are holding cameras, while others are holding photo prints. The background is white with several large, colorful circles in shades of blue, orange, purple, and green. The children are depicted in a simple, cartoonish style with large eyes and friendly expressions. The text is written in a purple, sans-serif font, centered within the white box.

PROTECTING
CHILDREN'S
RIGHTS IN THE
DIGITAL
ENVIRONMENT

3. The Community Environment

Making localities where children live more child-friendly

The Intersectoral Committee⁶ in consultation with the Children’s Advisory Board identified eight criteria as part of a tool being developed to gauge and eventually certify how child-friendly a locality is. Each criterion was translated into a number of indicators to allow the child-friendly quotient of a Local Council applying for the child-friendliness quality mark to be measured and scored. In 2024, the Committee will be formulating a tool for the evaluation of an application against the indicators.

Participation

Child participation, understood as the right of children to form, express, and have their views considered, was one of the criteria. It was translated into five progressive indicators to allow child participation to be measured and scored. These range from an official nominal stance by local governments in favour of child participation to the creation of concrete and structured opportunities for young local citizens to participate in the governance of the local community.

The need for local governments to be more mindful of children’s views and concerns was highlighted by children themselves who, in the focus groups, called for more involvement and consultation with them, particularly in the design of public facilities for them, notably playgrounds. The Children’s Advisory Board not only gave its take on the draft criteria but also submitted its pictorial designs of what a child-friendly locality should look like.

The Office also held a meeting with the local child-led voluntary organisation Vucijiet Beltin, which enabled it to deepen its understanding of the needs and aspirations of children in the community and thus guide local administrators to make their localities more child-friendly.



Children from Valletta Primary during a visit to the Office of the Commissioner for Children

⁶ This body was set up following the publication of the research study commissioned by the Office of the Commissioner for Children ‘Healthy Spaces – Co-creating Child-Friendly Towns and Villages’ to implement some of the recommendations made in the study, notably the establishment of a quality mark for child-friendly towns and villages.

Child participation was also one of the main pillars of the Cooperative Agreement the Office signed with the Local Government Division to provide training and guidance to local councils on how to mainstream children in the process and content of their work. During the signing event, the Commissioner said that “children make major contributions to the communities in which they live”, underlining that “their energies, skills, aspirations, creativity and passion can provide great insights which will have a positive impact on the community as a whole.”.



The Office collaborated closely with the Malta Foundation for the Wellbeing of Society in the implementation of the project Regional Interactive Guiding Hub & Training Society (RIGHTS) spearheaded by the Foundation, the aim of which is to develop children’s regional local councils. The Commissioner and Manager were respectively the chairperson and secretary to the project’s Advisory Board.

In comments⁷ to the press, the Commissioner voiced her support for the legal amendments that were being discussed in Parliament to make it possible for 16 or 17-year olds to be appointed mayors should they receive the highest number of votes. To strike a balance between their right to participation and their best interest, Ms Vassallo recommended providing for minors who serve as mayors to be guided in the discharge of their duties by a mentor until they attain majority.

Provision

The provision by Local Councils of the kinds of spaces and resources children need to thrive in the community was encouraged by six of the eight criteria identified by the Intersectoral Committee in consultation with the Children’s Advisory Board as part of a tool being developed to gauge and eventually certify how child-friendly a locality is.

A child-friendly locality is one that offers children spaces and resources that promote their physical and mental health (Health Promotion); that foster their contact with nature in its vegetal and aquatic forms (Greening); that are inclusive of all physical, social and cultural differences between children (Inclusion); that are responsive to their different ages and needs (Across ages and needs appropriateness); that are useable by them whenever and however they choose (Availability and Flexibility of Use); and that are regularly and adequately managed and maintained (Management and Maintenance).

Five indicators were developed for each of the above criteria to test whether the criteria have been satisfied by a Local Council applying for the child-friendliness quality mark.

Children in the focus groups called for freer access to and better protection of the natural environment, as well as better and more accessible public outdoor facilities and amenities, such as public toilets and outdoor playgrounds.

⁷ <https://www.independent.com.mt/articles/2023-10-29/local-news/Commissioner-for-Children-proposing-mentor-for-minor-mayors-until-they-turn-18-6736255990>



Protection

The safety of children from accidental or voluntary harm emerged as one of the eight criteria identified by the Intersectoral Committee in consultation with the Children’s Advisory Board as part of a tool being developed to gauge and eventually certify how child-friendly a locality is. The indicators under this criterion are aimed at identifying and containing any risks to the safety of children across the community.

Transport emerged as children’s biggest safety concern in the community. Children speaking in the focus groups called for better design, upkeep and vigilance in roads.

Making recreation hubs safer for children

Protection

In recent years, Valletta has emerged as a nightlife social mecca for teenagers and youths from across Malta. Unfortunately, this trend has been accompanied by a rise in the incidence of episodes of bullying and violence between or against teenagers. The Office issued statements on two such incidents that occurred in 2023.

In the first statement, which concerned a vicious seemingly unprovoked attack on four minors, one of whom was grievously injured by a group of older youths, the Office called for more surveillance so as to make recreational areas safer for children and youths and defend their right to leisure.

In the second statement, about footage on social media of a girl being physically abused by a group of girls, the Office urged the authorities to provide support to the victim and to take appropriate action in respect of the perpetrators of this reprehensible act of violence. This incident, the Office said, highlights the need to redouble efforts to raise children to become more empathic so that they do not engage in such acts nor stand idly by as witnesses. In comments⁸ to the press, the Commissioner called on the authorities to address the situation with urgency and appealed to parents to impart to their children the skills and values they need to protect their own safety.

The Office also voiced its concern about the possible retraumatisation of the victim of this incident as a result of the online dissemination of the footage and its possible impact on all those who viewed it, who may have felt troubled or desensitised to the violence shown in the video.

Through these statements, the Office was relaying to the public the concerns expressed by children in the focus groups viz-a-vis safety on the streets.

⁸ https://newsbook.com.mt/en/parents-safety-concerns-justified-commissioner-for-children/?utm_source=Newsbook+Front+Page&utm_medium=Social&utm_campaign=Twitter

Recommendations

Enhance the community environment in which children live and socialise by:

- Setting up specific funding streams for Local Councils to make their localities more child-friendly;
- Including a provision in the Local Government Act for all Local Councils to have an advisory shadow child-led children's council made of children residing in the locality;
- Increasing surveillance in Valletta and other entertainment hubs frequented by children and young people.
- Allocating appropriate safe spaces for teenagers to meet up and socialise

4. Institutional Environments

Schools

Participation

In terms of participation in schools, there was a strong call for more independence by many of the children who shared their views in the focus groups. This call for more autonomy was twofold.

On the one hand, children asked to be granted greater freedom to express themselves at school, such as by having more free time to indulge in extra-curricular activities, to have these activities officially recognized as part of their educational formation, to participate more actively in the pedagogical process, and to be heard by the school administration before decisions are made. The latter call was also made in the feedback on the draft National Children's Policy Framework 2024-2030 by the Children's Advisory Board, which recommended strengthening existing child participation structures in schools, notably the Students Councils, and getting school structures to listen more actively to what children say by granting children the right and power to vote on changes to school rules. The Board also suggested more breaktime in schools for children to unwind and recreate themselves from academic work.

On the other hand, children aspire to an education that gives them practical skills, that is basic financial, technical, social and logistical know-how that makes them more independent and able to navigate the complexities of the world on their own. Children also said they expect schools to focus more on their character formation by instilling the most important values to live happily and in harmony with others.

This call for more freedom was counterbalanced by a call for school discipline that is more clearly articulated and enforced.

Truth be told, the education system has not been deaf to students' calls for greater involvement and participation. The Office supported the Institute for Education in running the Be Well Campaign, which gives voice to students, the main stakeholders in the education system. A seminar for children was held as part of this campaign which was attended by the Commissioner and the Manager.

Provision

In a press release, the Office lamented the consequences of the ongoing industrial action in State and Church Schools on children, who were being deprived of their right to quality education. The Office called on the stakeholders to prioritise the best interests of children in the process of resolving the industrial dispute. Children speaking in the focus groups lamented and demanded stronger action against the problem of student absenteeism.

The Commissioner paid a courtesy visit to the Helen Keller resource centre, where she met and heard the school staff and the students, whose right to education was being guaranteed by this educational centre that is dedicated to the needs of children with disability and is aptly named after the famous American disability rights advocate. Children from ethnic or geographical minority groups who took part in the focus groups were particularly vocal about the importance of guaranteeing access to education in spite and in respect of cultural and regional specificities.

Regarding the content of education, children in the focus groups said they wanted more time dedicated to physical education and vocational training, whilst the Children's Advisory Board recommended enhancing cleanliness, amenities and aesthetics in schools.

Protection

In the focus groups, school children complained about psychological stress caused by educational overload, including exam pressures, and bullying, as well as physical stress caused by heavy schoolbags and restricted use of sanitary facilities during lessons.

The Office issued a press release to voice its concern about the risk of hunting exhibitions hosted in schools conditioning children to use or want to use firearms. The Office called for safe and age-appropriate ways to be found to expose children to hunting, which, as a traditional hobby, the Office stressed, was beyond its remit.

The Commissioner and Head of Office participated in a stakeholders meeting with the Group of Experts on Action against Trafficking in Human Beings (GRETA) where it was highlighted that there is a significant number of children working illegally, despite the maximum fine of €5,000 that can be slapped on anyone found to be employing minors. It was also said that there is more awareness being raised about imported products manufactured through forced and child labour.

Theaters

Protection

The Office referred a complaint by the political party ADPD regarding a potential criminal offence against children and parents attending the theatrical production *Gender Boss*⁹, who were allegedly intimidated by members of the political party ABBA. In a press release on the subject, the Office defended every person's right, including children's, to freedom of thought and opinion against psychological aggression in the form of intimidation by anyone who disagrees with a person's views.

About the content of the play, which explores gender diversity and fluidity in a child-friendly way, the Office said in its press release that several parents had contacted it expressing concern over the play and its possible impact on children but that none of these parents had actually watched the show.

Hospitals

Provision

Children participating in the focus groups called for more accessible and child-friendly healthcare facilities. It was around Christmas that children receiving treatment at Mater Dei Hospital received a visit by the Commissioner for Children, who brought them presents and, more importantly, a word and gesture of support in such trying times.

⁹ <https://ziguzajg.org/gender-boss/>



Commissioner for Children and Staff from Mater Dei during visit to Pediatric wards

Places of Detention

Protection

The Commissioner visited the detention centre in Hal-Safi twice in the course of the year. This was in stark contrast to some NGOs whose representatives at a stakeholders meeting with the Group of Experts on Action against Trafficking in Human Beings (GRETA) complained of denied access to the centres.

Ms Vassallo highlighted the challenges of the age-verification process, which are compounded by false age claims by a number of migrants, and the language barrier that makes communication difficult. Following her visit to the detention centre, the Commissioner presented her recommendations to the Hon. Minister for Home affairs and the members of staff at the detention centre.

As part of its monitoring visit to Malta's places of detention, the UN Committee for the Prevention of Torture (CPT) met with the Office and discussed the conditions of Unaccompanied Minors awaiting the result of their claim to being minors. The meeting touched both on the detention regime to which these minors are subjected and on the physical and social environment of their detention.

Children speaking in the focus groups voiced their concern about children with challenging behaviour and the legal and judicial consequences of their actions once they cross the age threshold of criminal responsibility, i.e. 14 years. They called for better availability and use of help services for children with challenging behaviour.

Football Nurseries

Participation

Children can suffer a more subtle form of detention that goes against their best interest when they are bound exclusively to a particular institution and are not free to easily deregister from it to join another.

Towards the end of the year, the Office received a complaint from the Malta Football Players Association (MFPA). The complaint was made on behalf of a number of parents regarding the prohibitive conditions imposed by football clubs under the regulations of the Malta Football Association (MFA) on the families of children aged 14 or over who want to obtain a release from their club. Children stuck in this situation are faced with a Hobson's choice between paying a fee as deemed fit by the parent club (a measure which, according to MFA regulations, can only take place between two clubs) or waiting until they attain majority to secure a free release.

The Office concurred with MFPA that such practices were in breach of children's rights and fell foul of FIFA regulations for which Clubs have rights only over players who are under contract with them, which most children who are members of football nurseries in Malta are not. The Office pledged to follow up the matter with the competent authorities in the following year.

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Recommendations

Enhance the rights and well-being of children in the school environment by:

- Improving dialogue between schools and teachers' unions to quickly resolve industrial issues;
- Implementing the initiatives proposed in the National Education Strategy 2024-2030 to develop a Curriculum Framework and a Learning Outcomes Framework for resource centres;
- Ensuring that school premises are not used for purposes that are not consistent with a school's educational ethos;
- Strengthening enforcement in respect of the illegal employment of minors;
- Promoting knowledge of and adherence to the Guidelines on the Classification of Dramatic and other Stage Productions according to Age;¹⁰
- Implementing the strategic shifts proposed in A National Health Systems Strategy for Malta 2023 - 2030¹¹ to adopt a National Preventive Framework for NCDs and Obesity, with an increasing focus on the health of children, adolescents and young adults, and to improve and develop integrated palliative care services for children and adults;
- Granting access to detention centres to all registered voluntary organisation that work with child migrants and unaccompanied minors;
- Updating the 2015 Strategy for the Reception of Asylum Seekers and Irregular Migrants with a clear commitment to not detaining minors or would-be minors under any circumstance and guaranteeing decent child-friendly living conditions in closed and open centres housing minors;
- Bringing regulations of the Malta Football Association regarding the release of underage players in line with the Convention and the relevant FIFA regulations.

¹⁰ https://artscouncilmalta.gov.mt/files/uploads/misc/1591014598713_ACM_ClassificationGuidelines-EN.pdf

¹¹ https://health.gov.mt/wp-content/uploads/2023/04/A_National_Health_Systems_Strategy_for_Malta_2023_-_2030_Investing_Successfully_for_a_Healthy_Future_EN.pdf

5. The Home Environment

Positive Parenting

Provision

The idea of positive parenting has been around for over forty years but still needs plenty of work to be fully understood and embraced by all those who have parenting responsibilities towards children. In the focus groups the Office conducted with children in schools, children said they yearned for more practical direction and guidance, a more listening ear as well as positive discipline from their parents. They also expressed their desire to spend more and better quality time with both parents, even when they are no longer together or are living abroad. The quantity and quality of time children and parents spend together was suggested by the Commissioner to the Council for Children as a possible area of research by the Office.

It was also the subject of an article written by the Manager for Familja Magazine, where the Office appealed to parents to make time for their children in joint activities that strengthen their bond and provide much needed guidance to children.

To promote the concept and practice of positive parenting, the Office teamed up with Positive Parenting Malta to organize two educational events for children and parents. The first event addressed the challenges of positive parenting in the digital age, whereas the second event explored how children and parents, both individually and interpersonally, can manage peer pressure.



Commissioner for Children and staff with members of the Positive Parenting Task Force during the event of peer pressure

The quality of the relationships children have with their parents, siblings, friends or anyone they are in regular contact with is key to their wellbeing. It is important that children are able from a young age to gauge how healthy their relationships are and to read the signs of an unhealthy relationship that can turn abusive.

On this subject, the Manager, in collaboration with Positive Parenting Malta, coordinated a number of interactive workshops with Year 8 students attending different schools. The children, who were of an age when they typically start to form closer, deeper and more lasting bonds with others outside their immediate family circle, were stimulated to reflect on what constitutes a healthy relationship and to recognize unhealthy relationships that limit their individual freedoms and rights.

Protection

Apart from being part of the Positive Parenting Taskforce, the Commissioner is also a member of the Technical Committee on Parental Alienation which aims to create awareness and address the complex issue.



Domestic Violence

Provision

Unhealthy relationships can degenerate into violence, which in the closure and privacy of a domestic setting, can easily go unreported and unchecked. In the focus groups, children stressed the need for them to feel safe at home.

The national drive against domestic violence was renewed by the launch of Malta's third National Strategy on Gender-Based Violence and Domestic Violence (2023-2028). To raise awareness on the phenomenon of domestic or gender-based violence, the Office teamed up with the National Commission for the Promotion of Equality and the Commission on Gender-Based Violence and Domestic Violence to launch '16 days of activism', a social media campaign against gender-based violence that aimed to nip domestic violence in the bud by conveying the message that it is the duty and right of all parties in a relationship to show and be shown respect.



The Office brought the needs and rights of children, who suffer the indirect but painful and traumatic consequences of gender-based violence at home, to the forefront of the campaign.

¹² <https://www.stopviolence.gov.mt/publications/>



Effective residential out-of-home care

Provision

Children for whom residential out-of-home care is the best option need to receive the kind of care that empowers them to bounce back from the psychological traumas they have suffered. While the positive changes made over the last few decades in the supply of residential out-of-home care structures have focused on making the setting for this kind of care much less institutional and much more residential and homelike, attention has more recently shifted to the content and quality of the care provided to children within these settings.

This evident in the Minor Protection (Alternative Care) Act that was passed into law a few years ago. The Office held a meeting with the Chairperson of the Review Board set up under this Act to follow and optimize the care plans of children in out-of-home care.

Over the last two years, the Technical Committee on the Professionalisation of Residential Out-of-Home-Care has been shifting the focus onto the professional skills of residential out-of-home care workers who work directly with children. In 2024, the Committee, which was chaired by the Commissioner and supported by the Manager as its Secretary, carried out research into the skills profiles of the workers employed in these residences and liaised with the relevant educational institutions, notably the University of Malta, to set up specific training programmes through which current and prospective residential out-of-home care staff can specialize in the provision of trauma-based care for children. The Technical Committee presented its findings and recommendations to the Minister for Children's Rights, Hon. Dr Michael Falzon.

In the focus groups, children voiced their belief that all children should grow in a physical and social environment that protects them, enables them and listens to them, calling for more and better fostering services.

Child Poverty

Protection

Back in 2014, Malta launched its first ever strategic policy to combat poverty and promote social inclusion. In 2023, Government prepared to renew its anti-poverty drive and plan, thus responding to the appeal made by children in the focus groups for stronger efforts to reduce child poverty and help children in need. The first step in this renewal was the gathering of valuable information and intelligence from stakeholders working with the most vulnerable at-risk groups. The Office was one such stakeholder that shared its knowledge of the present-day needs of children and the challenges and risks they face from a rampant inflation and consequent loss of financial security.

The need to provide financial support for families with children is a priority of the new National Children's Policy Framework. This is also thanks to the feedback on the then draft policy framework by the Children's Advisory Board, which was very sensitive to the financial constraints faced by many families with children.

Child Marriages

Protection

For the second year in a row, the Office got wind of cases of children from certain ethnic communities being promised for marriage by their parents. These reports came from the Office's busy casework, notably from a parent formerly married to a man from an ethnic minority.

Recommendations

Enhance the rights and wellbeing of children in their home environment by:

- Amending the Civil Code to give equal importance and weight to parental authority and parental responsibility, both of which should be defined within the framework of positive parenting;
- Enhancing resources and procedures related to the hearing of cases of domestic violence at the Family Court;
- Enhancing domestic violence risk assessment methods in order to better flag and take precautionary measures against high-risk cases;
- Formulating mandatory occupational standards for frontline workers working in residential out-of-home care for children;
- Enhancing the ability of the alternative care system to work with the parents of children in alternative care so that they are more engaged in and aware of the therapeutic process that can lead to the children returning to their care;
- Ensuring the National Strategic Plan for Poverty Reduction and Social Inclusion 2014-2024 is reviewed in light of emerging realities that impinge on the economic security of children and is framed within a children's rights perspective;
- Amending the Marriage Act to raise the age threshold for marriage to 18 years;
- Targeting families where children are at risk of child marriage to create awareness and support families to protect their children.

6. The Environment of Children's Rights Advocacy

While the preceding chapters might suggest that there is no place, not even home, that is always safe and enabling for children, there is actually one figurative place where children can rest assured that they will be heard and respected. This place is within children's rights bodies, that is entities like the Office that are entrusted with monitoring and promoting the respect of children's rights as laid out in the Convention.

Independent Children's Rights Institutions (ICRIs)

Participation

Through the Office, in the person of the Manager, Malta was the General Coordinator for discussions about strengthening ICRIs by scores of young people from 18 countries or regions in Europe¹³ that are part of the European Network of Young Advisors (ENYA) to the European Network of Ombudspersons for Children (ENOC).

This entailed the Office organising and running the ENYA Forum, which, as illustrated by the Manager in an update on the work of ENYA she provided to ENOC members at the network's Spring Seminar, brought small groups of young advisors from each participating country together in Malta to consolidate the work produced within the national or regional ENYA fora into one set of recommendations on how to make ICRIs more visible, more powerful, more accessible, and more engaging with children and young people.



¹³ Andalusia/Spain, Armenia, Basque country/Spain, Belgium/Flanders, Catalonia/Spain, Croatia, Cyprus, Estonia, Greece, Iceland, Jersey/UK, Italy, Luxembourg, Malta, Northern Ireland/UK, Poland, Slovakia, and Scotland/UK

To ensure that all 35 of the young advisors aged 12-18 who participated in the forum had an equal say in the final selection of 8 recommendations that would be incorporated in ENOC's General Statement from the network's Annual Conference, each young advisor was able to vote for the five recommendations s/he/they thought to be more urgent and important. The outcome of this democratic process was that the vast majority of young advisors called for inter alia: more and better digital and physical channels of communication to make ICRI's more accessible to children and young people; more school curricular content about ICRI's to make them more visible; the adoption of a child's perspective by ICRI's so that they can engage more meaningfully with children and young people; more effective mechanisms to ensure that ICRI's are impartial, apolitical, non-partisan and independent.

The event saw the presence and intervention of the Minister for Children's Rights, Hon. Dr Michael Falzon, and the Commissioner for Children, Ms Antoinette Vassallo. The process culminating in this event was also outlined in an article which the Manager wrote for Familja



The 35 young advisors used the medium of music to literally merge their voices into one by cowriting the lyrics of the song 'Change' and convey their hopes and aspirations for a world that is more attentive to and respectful of children's rights.

The process and content of ENYA's recommendations¹⁴ were presented to ENOC during the network's Annual Conference by a group of 18 Young Advisors, whose participation throughout the entire duration of the event was coordinated and supported by the Manager.



Suzanne Garcia Imbernon, ENYA general co-ordinator, together with the 18 young advisors

¹⁴ <https://enoc.eu/wp-content/uploads/ENYA-2023-report.pdf>

Provision

The Office participated in a research study commissioned by ENOC into the factors that make an ICRI more or less impactful in promoting and protecting children's rights. During the Spring Seminar and Annual Conference of the network, the Commissioner and Manager were able to follow a presentation of the findings from this study, entitled 'Institutions for Children's Rights: A study of Good Practices for Protecting and Promoting Children's Rights'.

The study laid bare the striking diversity in the European landscape of ICRI in terms of these institutions' powers, structure, remit and resources, as well as how similar the challenges and frustrations they experience are. The research identified the need for ICRI to protect and seek to increase their financial and functional autonomy; to mainstream the views of children in their internal structures and processes; and to evaluate the impact of their work so as to finetune their strategic processes.

The Manager was chosen by ENYA to represent the network on the Advisory Board of the nascent EU Children's Participation Platform. In a meeting of the board, the Manager was given an update on ongoing efforts towards setting up a platform with a diverse composition and a work programme that responds to the needs and aspirations of children in Europe.

The Manager also accepted an invitation from DG Justice to present ENOC's Child Participation initiatives to the EU Network for Children's Rights, a network that seeks to reinforce the dialogue and mutual learning between the EU and Member States on children's rights in the context of the EU Strategy on the Rights of the Child,¹⁵ during a meeting of the same network.



Suzanne Garcia Imbernon delivering her presentation during the EU network for Children's Rights

The Policy Officer participated in the General Assembly of Eurochild, a vast network of organisations that work with and for children in Europe, of which the Office is a member.

¹⁵ https://commission.europa.eu/document/download/3f5b8720-5e4e-49a6-9660-795eff97842_en

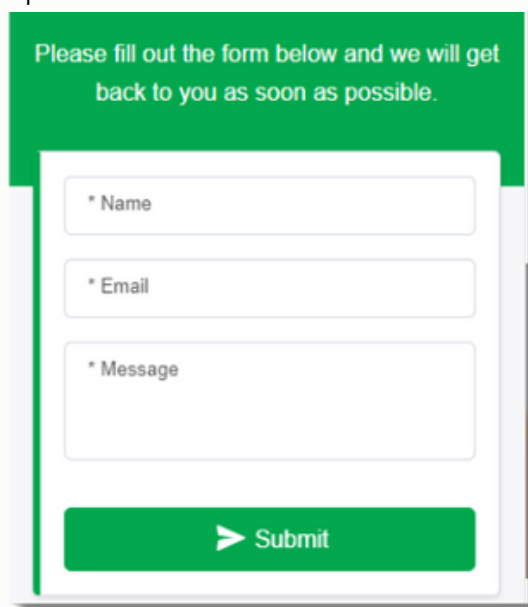
Office of the Commissioner for Children

Participation

The year saw the commencement of activity of the Children’s Advisory Board (CAB), a child-led, child-only child participation advisory structure to the Office that was set up at the end of 2022. The Board, that was made up of 12 young people from a wide variety of backgrounds, held a total of eight meetings in the course of the year in which it gave its input on the work being conducted by the Office. The content of these meetings is described in the preceding chapters of the report.

Composed of three young people and a number of persons appointed by various Ministries¹⁶, the Council for Children, which is a consultative body to the Commissioner set up under Article 12 of the Commissioner for Children Act, met four times in the course of the year.

Work on the creation of a chatbox incorporated in the Office website www.tfal.org.mt was finalized so that this novel child-friendly and child-preferred channel of communication between the Office and children is now up and running.



The image shows a screenshot of a web form. At the top, a green banner contains the text: "Please fill out the form below and we will get back to you as soon as possible." Below the banner are three input fields: "* Name", "* Email", and "* Message". At the bottom of the form is a green button with a white right-pointing arrow and the text "Submit".

Provision

The Office processed numerous complaints and requests for support and advice on children-related personal matters. The casework was varied in terms of its complexity, with some cases requiring extensive work to be at least partially resolved, and thematic content, with the majority of cases relating to the care and custody of children.

After the Office gave itself an independent administrative structure, as reported in the Annual Report 2022, more work was carried out to strengthen this structure thus enhancing the work conditions of Office staff. The Office benefited from the opportunity to conduct more in-depth networking with the Polish Children’s Ombudsman, who visited the Office premises, and discussed some of the thorniest challenges faced by children and children’s rights institutions in both countries.

The Commissioner, Ms Antoinette Vassallo, who was in the second year of her term of Office, presented her Office’s Annual Report 2022 to the Social Affairs Parliamentary Committee, during which she described and answered questions about the content and challenges of the Office’s work in 2022 and beyond.

¹⁶<https://www.gov.mt/en/Government/DOI/Government%20Gazette/Government%20Notices/Pages/2023/07/GovNotices0407.aspx>



Recommendations

Further strengthen Malta's children's rights structures by:

- Setting up a Department for Children's Rights within the Ministry for Children's Rights that is adequately resourced to monitor and steer the implementation of the Children's Policy Framework 2024-2030;
- Amending the Commissioner for Children Act to:
 - include, in line with the Paris Principles, a guarantee of adequate funding for the Office to carry out its functions effectively;
 - give the Commissioner the power to enter institutions where children are housed without prior notification or consent;
 - give legal personality to the Commissioner's Office;
 - give legal standing to the Children's Advisory Board.
- Enacting a law that incorporates the UN Convention on the Rights of the Child in full into Maltese legislation;
- Ratifying the 3rd Optional Protocol to the Convention on the Rights of the Child on a Communications Procedure (OP3) and setting up the necessary structures for its implementation.

Conclusion

***We want you to listen to our voice
Because it's our right
to make some noise.
To live in peace is our choice
To make the kids of Europe rejoice!***

So sang a makeshift choir of 35 Young Advisors at the ENYA Forum, echoing the thoughts and feelings of all their peers across Europe and beyond. So too said the children who made their voices heard in the focus groups, calling for peace and dialogue to replace war and conflict in the world.

The word that recurs more often and resonates more loudly than any other against the ongoing bedlam of war and conflict is peace. The peace, that was so painfully and laboriously built over several decades on the ravages of a world war and on which at least two generations of children built their lives of happiness, rights and prosperity, is now at risk from the existential threats of conflict and climate change.

What is at stake for children is their most basic right, the right to life, as enshrined in Article 6 of the Convention. Those children who are 'lucky' enough to survive the chaos and destruction of these threats, should these materialise in their worst possible forms, would face the daunting and unenviable prospect of sacrificing their individual happiness and self-fulfilment to rebuild a just, fair and rights-based world.

We are still in time to reverse the course. But only if, on a national and international level, we place children's rights at the very top of our concerns and let the best interest of children guide all our actions by creating a new world moral order that is based on the basic right of the youngest members of society to live their lives fully and freely. For this to happen, children's voices need to be heard much more loudly and militantly, and independent children's rights institutions must make it their principal mission to empower them do this.



Kummissarju għat-Tfal
Commissioner for Children

OFFICE OF THE COMMISSIONER FOR CHILDREN
16/18, TOWER PROMENADE
ST. LUCIJA, SLC1019



21 485 180



CFC@GOV.MT



TFAL.ORG.MT