



**underreporting of
discriminatory
incidents in malta -**

a research study

**in-nuqqas ta'
rappurtaġġ ta'
incidenti
diskriminatorji
f'malta -**

studju tar-riċerka



**strengthening equality
beyond legislation**

insaħħu

l-ugwaljanza

lil hinn

mil-legislazzjoni

make equality happen

naħdmu biex l-ugwaljanza

ssir realtà



underreporting of discriminatory incidents in malta - a research study

This publication is supported under the European Community Programme for Employment and Social Solidarity - PROGRESS (2007-2013).

This programme is managed by the Directorate-General for Employment, social affairs and equal opportunities of the European Commission. It was established to financially support the implementation of the objectives of the European Union in the employment and social affairs area, as set out in the Social Agenda, and thereby contribute to the achievement of the Lisbon Strategy goals in these fields.

The seven-year Programme targets all stakeholders who can help shape the development of appropriate and effective employment and social legislation and policies, across the EU-27, EFTA-EEA and EU candidate and pre-candidate countries.

PROGRESS mission is to strengthen the EU contribution in support of Member States' commitment. PROGRESS will be instrumented in:

- providing analysis and policy advice on PROGRESS policy areas;
- monitoring and reporting on the implementation of EU legislation and policies in PROGRESS policy areas;
- promoting policy transfer, learning and support among Member States on EU objectives and priorities; and
- relaying the views of stakeholders and society at large.

For more information see:
http://ec.europa.eu/employment_social/progress/index_en.html

The information contained in this publication does not necessary reflect the position or opinion of the European Commission.

in-nuqqas ta' rappurtagġ ta' inċidenti diskriminatorji f'malta -

studju tar-riċerka

Din il-pubblikazzjoni hija appoġġjata taht il-Programm tal-Komunità Ewropea għall-Impjiegi u s-Solidarjetà Soċjali - PROGRESS (2007-2013).

Dan il-programm huwa mmexxi mid-Direttorat-Ġenerali għall-Impjiegi, l-affarijiet soċjali u l-opportunitajiet indaqs tal-Kummissjoni Ewropea. Dan gie stabbilit biex jappoġġja finanzjarjament l-implimentazzjoni tal-għanijiet tal-Unjoni Ewropea fil-qasam tal-impjiegi u l-affarijiet soċjali, kif stabbilit fl-Aġenda Soċjali, u b'hekk jikkontribwixxi għall-kisba tal-għanijiet ta' Lisbona f'dawn l-oqsma.

Il-Programm ta' seba' snin huwa mmirat lejn l-*stakeholders* kollha li jistghu jgħinu jfasslu l-iżvilupp ta' impjiegi xierqa u effettivi u legiżlazzjoni soċjali u *policies*, madwar l-UE-27, l-EFTA-ŻEE u l-pajjiżi kandidati u pre-kandidati tal-UE.

Il-missjoni ta' PROGRESS huwa li jsaħħah il-kontribuzzjoni tal-UE fl-appoġġ tal-impenn tal-Istati Membri. PROGRESS huwa strument li se:

- jipprovdi analiżi u konsulenza tal-politika fuq oqsma tal-politika ta' PROGRESS;
- jissorvelja u jirrapporta dwar l-implimentazzjoni tal-legiżlazzjoni u l-*policies* tal-UE u *policies* fl-oqsma tal-politika ta' PROGRESS;
- jippromwovi t-trasferiment tal-politika, it-tagħlim u l-appoġġ fost l-Istati Membri dwar l-għanijiet u l-prijoritajiet tal-UE; u
- iwassal il-fehmiet tal-*stakeholders* u s-soċjetà fit-totalità tagħha.

Għal aktar informazzjoni ara:
http://ec.europa.eu/employment_social/main.jsp?catId=327&langId=mt

L-informazzjoni f' din il-pubblikazzjoni mhux neċessarjament tirrifletti l-pożizzjoni jew l-opinjoni tal-Kummissjoni Ewropea.

Published by: National Commission for the Promotion of Equality (NCPE)

Translated by: Global Translation Solutions

Email: equality@gov.mt **Tel:** 25903850

Address: National Commission for the Promotion of Equality (NCPE), Gattard House, National Road, Blata l-Bajda HMR 9010, Malta.

foreword

As part of *Strengthening Equality beyond Legislation VS/2009/0405*, a project designed to reach out to specific target groups to sensitise and stimulate specific action by stakeholders as their contribution towards a *de facto* equal environment, a research study was carried out to analyse the underreporting of discriminatory incidents in Malta. The aim of this research was to analyse the reasons that inhibit people from reporting cases of discrimination that they go through to responsible bodies.

Indeed, one of the expected long-term outcomes of the project is good practices in anti-discrimination and diversity in different sectors. To this end, the research sought to determine various factors, including which are the responsible bodies that investigate cases of discriminatory treatment; identify possible trends / patterns with regards to underreporting; determine whether people who experience discrimination are aware of discrimination in itself as well as where and how to report; and finally to propose recommendations as to how to better the situation in this regard.

There is much need for increased awareness of anti-discrimination legislation and the need for increased knowledge about complaints channels and Equality Bodies in Malta, as well as the need to make complaints channels more accessible to the public. With this in mind, NCPE has carried out the research presented in this report with the aim of shedding a light on such a core issue central to NCPE's work.

A special thanks goes to the key expert and the researchers involved in this research, as well as the NCPE staff who worked on this project.

Dr Romina Bartolo LL.D., MJuris (EU Law)
Executive Director, NCPE
December 2010

kelmtejn ta' qabel

Bhala parti mill-proġett *Insahhu l-Ugwaljanza lil hinn mil-Legislazzjoni VS/2009/0405*, proġett mahsub biex jilhaq gruppi speċifiċi sabiex johloq kuxjenza u jistimula azzjoni speċifika mill-*istakeholders* bhala l-kontribut tagħhom lejn ambjent ugwali *de facto*, twettaq studju ta' ricerka sabiex janalizza n-nuqqas ta' rappurtagġ ta' incidenti diskriminatorji f'Malta. L-ghan ta' din ir-ricerka kien li tanalizza r-raġunijiet li jzommu lura lin-nies milli jirrapportaw każijiet ta' diskriminazzjoni li jghaddu minnhom lill-korpi responsabbli.

Fil-fatt, wiehed mir-riżultati mistennija fit-tul tal-proġett huwa l-prattici tajba kontra d-diskriminazzjoni u d-diversità fis-sekturi differenti. Għal dan il-ghan, ir-ricerka fittxet li tistabbilixxi diversi fatturi, inkluż liema huma l-korpi responsabbli li jinvestigaw każijiet ta' trattament diskriminatorju; tidentifika tendenzi / xejriet possibbli f'dak li jirrigwarda n-nuqqas tar-rappurtagġ; tiddetermina jekk in-nies li jesperjenzaw id-diskriminazzjoni humiex konxji tad-diskriminazzjoni fiha nnfisha kif ukoll fejn u kif għandhom jirrapportaw; u finalment tipproponi rakkomandazzjonijiet dwar kif is-sitwazzjoni tista' tiġi mtejba f'dan ir-rigward.

Hemm bżonn kbir għal għarfien akbar dwar il-legislazzjoni kontra d-diskriminazzjoni u l-htieġa għall-għarfien akbar dwar il-mezzi għall-preżentazzjoni tal-ilmenti u Korpi ta' Ugwaljanza f'Malta, kif ukoll il-htieġa li l-mezzi għall-preżentazzjoni tal-ilmenti jsiru aktar aċċessibbli għall-pubbliku. Fid-dawl ta' dan, l-NCPE wettqet ir-ricerka pprezentata f'dan ir-rapport bl-ghan li tixhet dawl fuq din il-kwistjoni tant ċentrali għall-ħidma tal-NCPE.

Ringrazzjament speċjali jmur għall-esperta ewlenija u għar-ricerkaturi involuti f'din ir-ricerka, kif ukoll għall-persunal tal-NCPE li hadem fuq dan il-proġett.

Dr Romina Bartolo LL.D., MJuris (EU Law)
Direttur Eżekuttiv, NCPE
Diċembru 2010

Preface

The research was carried out under the direction of Dr Therese Comodini Cachia¹ on behalf of the Organisation for the Promotion of Human Rights². The Equality Research Consortium is made up of the People for Change Foundation and the Promotion of Human Rights, representatives of which played key roles in implementing this study.

Dr Comodini Cachia who was appointed key expert for this research was assisted by Dr Nathania Tabone, Ms Jeannine Vassallo and Ms Lucy Pace Gouder.

This report presents the findings of research carried out through qualitative interviews and quantitative surveys with victims and witnesses of discrimination. It does not indicate the opinion of the researchers, of the NCPE or the European Commission.

¹ www.comodinicachia.eu

² www.ophrmalta.eu

Table of Abbreviations

DIER	-	Department of Industrial and Employment Relations
ETC	-	Employment and Training Corporation
EU	-	European Union
FRA	-	Fundamental Rights Agency
Govt	-	Government
KNPD	-	Kummissjoni Nazzjonali Persuni b'Dizabilita
LGB	-	Lesbian Gay Bisexual
LGBT	-	Lesbian Gay Bisexual Transsexual
MGRM	-	Malta Gay Rights Movement
NCPE	-	National Commission for the Promotion of Equality
NGO	-	Nongovernmental organisation

Table of Contents

1.	Introduction.....	pg.5
	1.1 Methodology.....	pg. 5
	1.2 Literature Review.....	pg. 14
2.	Outcome of the Qualitative Interviews.....	pg. 22
	2.2 Discrimination on the ground of Sexual Orientation	pg. 22
	2.3 Discrimination on the ground of Age.....	pg. 26
	2.4 Discrimination on the ground of Religion.....	pg. 28
	2.5 Discrimination on the ground of Disability.....	pg. 31
	2.6 Discrimination on the ground of Race and ethnic origin.....	pg. 33
	2.7 Discrimination on the ground of Gender	pg. 36
3.	Underreporting of Discrimination Incidents	pg. 41
	3.1 Ground of Disability.....	pg. 41
	3.2 Ground of Gender.....	pg. 50
	3.3 Ground of Religion.....	pg. 60
	3.4 Ground of Race and Ethnic Origin.....	pg. 68
	3.5 Ground of Sexual Orientation.....	pg. 79
	3.6 Ground of Age.....	pg. 88
	3.7 Multiple Discrimination.....	pg. 98
4.	Gender Perspective of Underreporting of Discrimination Incidents on the grounds of disability, age, sex, sexual orientation, race and ethnic origin, religion and for multiple grounds.....	pg. 108
5.	Recommendations.....	pg. 119

1 Introduction

1.1 Methodology

This section describes the data collection methods chosen for use in a gathering data for the research project regarding underreporting of discriminatory incidents. The study encompasses people who have been discriminated on the basis of age, gender, religion, race/ethnic origin, disability and/or sexual orientation and also considers the experience of those who faced multiple discrimination.

Research question

What factors inhibit people from reporting experiences and cases of discrimination to responsible bodies?

This research question intends to assess the extent of underreporting of discrimination in Malta. Additionally, it involves exploring knowledge of what constitutes discrimination, awareness of rights and feelings of empowerment. It seeks to gauge trust in official anti-discrimination bodies³ and whether there is preference for reporting discrimination issues to outlets other than official bodies.

Individual priorities are by no means universally shared by those who experience discrimination. Thus, this research focuses on the priorities that shape individuals' decision-making processes regarding reporting discrimination and their own interpretations of the matter.

Research design

The issue of discrimination affects the entire population, and thus a study of reporting discrimination lends itself quite naturally to a representative quantitative study. Understanding the value of valid and reliable data, it is appropriate that quantitative methods be incorporated into the research as a whole. However, as the research question demands that individuals' personal thoughts, beliefs and decision-making processes are also explored, an element of deep qualitative research is also necessary for a detailed understanding. Given this, the research question employs a combination of qualitative, semi-structured interviews and a quantitative survey.

The in-depth interviews were conducted prior to the survey. There is a risk in preparing a survey that the questions and possible answers presented to the respondents will fail to give ample opportunity for the

³ DIER, NCPE, and KNPD

full range of attitudes to be represented. Whether informed by existing research, political debate or the researchers' own guesses, there is a danger of the survey simply replicating and reproducing established mainstream thoughts on the issue, without allowing for novel themes to arise. By choosing to hold qualitative interviews before the quantitative survey is written, there is greater potential for novel themes to feature. These themes can then be investigated by the survey, with a view to determining whether they represent significant concerns within the target population, and as such deserve further scrutiny. Davies⁴ (2007) asserts that questionnaires are always driven by the researcher's agenda, and while it may be impossible to eliminate this phenomenon, allowing interview data to inform the creation of a questionnaire is a procedure incurred to minimise it.

Qualitative, semi-structured Interviews

The qualitative part of the research preceded the survey and, to a large extent, dictated the form to be taken by the survey. The interviews were conducted with people who feel that they have been victims of discrimination.

In the interview stage of the research, reliability and external validity were not significant concerns. As such, the sampling process was not concerned with assembling a sample representative of any population. Purposive sampling was employed in order to seek individuals who feel that they have been discriminated against on the basis of one or more of the above-mentioned grounds. The sample included both people who have reported their experience and those who have chosen not to.

Interviewees were recruited by approaching personal contacts and key members within civil society organisations who work in the field of equality and non-discrimination.

A total of eighteen in-depth interviews were carried out. This included three people from each ground of discrimination. This number was sufficient enough to allow for several themes to arise and set the agenda for the quantitative survey.

Scheduling the interviews was a process of negotiation whereby interviewees were encouraged to be actively involved in choosing an interview location, day and time. This was thought as a means to empower interviewees and ensure that they are within settings in which they feel comfortable to speak about such personal matters. It also ensured that the interview was held at the interviewee's convenience.

The length of the interview was not rigidly set. Although it was envisaged that interviews will last an hour so that in-depth data will be obtained without exhausting any of the parties, the actual duration of the interviews varied from an hour to four hours. The perceived severity of the discriminatory incident, the level of tolerance of the victim and the period and depth of reflection which the victim underwent after the discriminatory incident definitely played a part in the length of the interviews.

⁴ Davies, M.B. (2007). *Doing a successful Research Project*. New York, NY: Palgrave MacMillan.

The key goal of the qualitative interview portion of the research was to encourage interviewees to present their own personal understandings, priorities and rationales of the discriminatory incident per se and on coming to terms with the consequences. As none of the interviewees' contributions was treated as representative of any wider population, the priority was to allow the interviewees to frame their own attitudes as they see fit, with the interviewer and the interview guide playing facilitating roles rather than dictating the content of the conversation. Thus, both the interviewers and the interview questions had to be flexible enough to adapt to the organic nature of the conversation. The interview guide thus represented a set of vague boundaries to keep the conversation from becoming irrelevant, rather than a series of strict checkpoints through which the interview had to be channelled.

Due to the nature of the issue being studied, the interviewer was prepared for the course of the interview to alter based on the interviewee's attitudes. If the interviewer asked a general question about the interviewee's attitudes to discrimination or reporting discrimination, the answer dictated how the following questions were framed.

As the interviews demanded flexibility, it was not suitable for the interview guide to be a linear list of precisely-worded questions. Rather, it must be seen as a list of topics that the interviewee could introduce where appropriate. Hence, the type, style and content of questions differed from one interview to another. Additionally, the outcomes of one interview sometimes gave rise to new possible questions for forthcoming interviews. To maintain a conversational style and encourage the interviewee to talk freely, the order of these topics could not be followed linearly, but could change organically to suit the conversation. However, while a strict structure was not appropriate for the bulk of the interview process, some pre-planned structure was useful in introducing, beginning and ending the interviews.

At the start of the interview, the interviewees were informed about the research topic and how the interview data will be used. The interviewer ensured the interviewees that their anonymity and confidentiality would be respected and that nobody other than the researchers would be able to link any quoted or cited discourse to a particular interviewee. The interviewees were made well aware that they have the right to opt out of the research at any time (both during the interview and afterwards). Each interviewee was asked to sign a consent form to confirm their understanding of their rights. Lastly, the interviewer sought permission for recording the interview.

The interview then commenced by gathering information through set questions, namely age, educational background and geographical origin. The process of answering simple set questions served to introduce and ease tension in both parties before more probing questions were presented. Following the set questions, the interviewee was asked to speak broadly about their experience of discrimination. More direct, focused questions were asked to probe for further depth, ensuring that the situation is explored to its entirety. Throughout this process the interviewer remained respectful, courteous and aware of the sensitivity of any topics being discussed.

Following the loosely structured portion of the interview was a pre-planned closing speech, thanking the participant and offering them contact details for any future questions or requests they may have regarding the research. Interviewees were reminded of their confidentiality and anonymity and that they have a right to withdraw their interview data from the research at any point.

Since the people who were interviewed are members of minority groups, ethical considerations are of utmost importance. Diener and Crandall (1978) break down ethical concerns into four broad areas; harm to participants, lack of informed consent, invasion of privacy and deception. These four areas and how they are tackled in this research project, are discussed below.

There is little to be gained from holding information back from the participants in investigating this research question and no attempt was made to deceive the interviewees. The nature of the research and their role in it was overtly stated. Further, participants were presented with an informed consent form, ensuring that they are aware of their rights throughout the research process. The consent form included information about the research project and the goals that it aims to reach. It also stated how the interview data will be used and ensured interviewees' anonymity and confidentiality. Additionally, it stated that interviewees have the right to opt out of the research at any time (both during the interview and afterwards).

The interviewer read out the consent form to interviewees who had difficulty reading it. The consent form was also explained to all interviewees, who were further encouraged to ask questions about the form or the research. Interviewees were given researchers' contact details for their perusal should further questions emerge after the interview ended.

While it was envisaged that no physical or developmental harm will occur, there was a chance that encouraging interviewees to recite information relating to a traumatic event may cause psychological stress. For this reason, an empathic approach on the interviewer's part was imperative throughout the interview. Thus, the interviewer took care to remain gentle, respectful and unaggressive throughout. The interviewer's sensitivity was evident in the questions she asked, which also helped to deflect the topic slightly to minimise stress where appropriate. Participants were given the choice to delve/deflect into/away from the topic as they please. They could also stop the interview if they felt uncomfortable, or even say things 'off the record'. While none of the interviewees overtly stated that they would like to terminate the interview, interviews with participants who were shy or very sensitive to the discriminatory incident were naturally shorter and there were instances where recordings were not taken of the interview.

Issues of invasion of privacy are unavoidable in research that probes into personal narratives and values. Notwithstanding, it is important to delve into this information in order to improve the situation for the majority. The participants were made aware of their rights not to answer any given question, and their right to abandon the interview process without explanation. Careful wording of questions is vital to creation a non-invasive atmosphere, as a clumsily worded question can be interpreted as a combative

accusation rather than neutral question. Conversely, a sympathetically worded question can encourage the interviewee to give their opinions freely without feeling cornered or judged. Our researchers were aware of the responsibilities which are accepted when gathering personal data.

The interviewee was asked as soon as possible whether she/he objects to being recorded and confirmed their decision in the consent form. When the interviewee opted not to be recorded the interview went ahead as planned, with the interviewer taking notes where appropriate. As such it was desirable that the interview goes ahead, even if recording was not permitted.

During the interview the interviewer ensured that the subject matter discussed did not exceed the needs of the research question. As a voice recorder was being employed, the responsibility for accurate data recording was imperative during the transcription stage, where small errors in transcription can greatly misrepresent an interviewee's statement. Naturally, this has research quality implications as well as ethical ones, and is therefore of great importance. Recordings and transcripts were only accessed by the researchers. Pseudonyms were assigned to participants to help to ensure confidentiality (Israel and Hay 2006).

Survey

The last part of data collection was done via a survey, which allowed a large number of people to share their experiences with the researchers. The nature of the study and the minimal data available about discrimination and about the minority groups that this study is concerned with did not make methodological decisions easy.

Quota sampling was used, with the six grounds of discrimination acting as cohorts for the sample. It was thought that this would ensure that each ground of discrimination is adequately represented, and manageable with the restrictions available for this research. The researchers are aware that this does come at a price and that it would not be wholly possible to infer the answers provided by the survey onto a population beyond that participating in the survey. However, a truly representative random sampling was beyond the practical limitations of this research. To begin with, since the research investigates underreporting, there are no records of people which the researchers could use as a sampling frame. Using the entire Maltese population as a sampling frame was also impossible: records such as the electoral register or the telephone directory exclude a large number of people who the researchers felt they could not exclude from this research. Furthermore, these registers do not specify characteristics which are vital to this project, namely sexual orientation, religion or race. Moreover, even if this were possible, it would be likely that a large proportion of respondents will have never been discriminated⁵, so an extremely large sample would be required in order to have valid results.

⁵ According to the Eurobarometer Survey "Discrimination in the EU in 2009" 7% of respondents were discriminated in the 12 months prior to the survey interview; www.ec.europa.eu/public_opinion/archives/ebs/ebs_317_en.pdf

It was initially thought that the quota for each ground of discrimination could be set proportionally, taking a set percentage from the populations that make up the grounds of discrimination. However, a search for statistics about how many people residing in Malta pertain to the minority groups that form the grounds of discrimination produced little fruit. The Eurobarometer survey “Discrimination in the EU in 2009” reports discrimination that occurred among respondents during the 12 months preceding the survey interview. 3% of a sample of 500 people claimed to have been discriminated on the basis of gender, and 2% on the basis of age. In the case of gender, the Eurobarometer report states that women are discriminated more often than men, but there is no indication of how proportionally large the difference is. Similarly, we are not told exactly which age groups are most frequently discriminated. 1% of respondents claimed to have been discriminated on the basis of disability and a further 1% on the basis of ethnicity. No respondents claimed to have been discriminated on the basis of religion. However, the Eurobarometer only includes EU citizens, excluding non-EU nationals from the research. Thus, people discriminated on the basis of ethnicity and/or religion may be underrepresented. In fact, in contrast to the above statistic, the EU Midis report on Minorities and Discrimination found that 63% of sub-Saharan Africans in Malta were discriminated against in the 12 months prior to the survey. Likewise in the Eurobarometer report no respondents claimed to have been discriminated on the basis of religion. There are no questions in the Eurobarometer which establish one’s ethnic background or religious practice. Furthermore, data on discrimination based on sexual orientation is missing in the Eurobarometer reports. Moreover, the statistics for occurrences of discrimination presented by the Eurobarometer report encompass people who were discriminated against on multiple grounds. However, the number of people who were discriminated against on multiple grounds is not specified. None of the NSO’s reports delve into data about sexual orientation and while the Lifestyle Survey 2006 does ask about religion, the results are not published in the survey report. Based on this lack of information, it was impossible to create a truly proportional quota for the different cohorts, so it was decided that the same quota will be established for recruiting people who have experienced discrimination (either by actually being victims of discrimination or by witnessing discrimination) on each ground of discrimination. The only different quota was used for people who have experienced discrimination on multiple grounds. Here, it was felt that a larger quota was needed in order to allow for the various different combinations of discrimination to be explored.

Consequently, the total number of interviewees was that of 400, with 50 persons having taken the survey for each of the grounds of disability, gender, sexual orientation, race/ethnicity, age and religion. However 100 persons took the survey in relation to discrimination on multiple grounds.

The questionnaires were conducted on a face-to-face basis. This was considered ideal as it did not eliminate non-literate people from the survey and ensured that the questionnaires are carried out in the time restrictions provided for this project. Additionally, although respondents could opt not to respond to a particular question should they have felt the need to do so, face-to-face interviews reduce the proportion of missing data from the survey as no questions are skipped accidentally. Additionally, face-to-face interviewing ensures that all the questions are asked in the same order.

Potential interviewees were sought using various methods. This mix was imperative since we were concerned with people pertaining to minority groups, some of which may be difficult to reach particularly if only one method of recruitment were to be employed. The methods are listed below:

1. Interviewers approached and sought participation from personal contacts.
2. Snowballing method was employed, whereby identified respondents suggested other potential respondents.
3. Interviewers also frequented public places, particularly those where it was thought likely that people from minority groups may be. This included the quadrangle at the University of Malta, village squares (namely Siggiewi), open centres for migrants, old people's homes, places of entertainment in Paceville, Republic Street in Valletta, Sliema Front, and the lobby at Mater Dei Hospital.

A fourth recruitment method was also used, namely using NGOs as gatekeepers.

The majority of respondents who have participated in this research pertain to groups which are particularly vulnerable to or at risk of discriminatory treatment on the basis of their disability, ethnicity, religion, gender, age or sexual orientation. However, the researchers did not exclude any particular group of people at the outset. This non-exclusion was vital to help obtain a clear picture of the different experiences of discrimination and the variety of respondents of this research shows that no group of people may be considered completely excluded from potential victimisation.

The questionnaire design process could not be completed until the data from the qualitative interviews was analysed, as the themes that came up in the interviews informed the bulk of the questions and possible answers included in the questionnaire.

As the research aimed to evaluate the reporting of discrimination, it was imperative that the people interviewed felt that they have experienced discrimination at some point in time. This experience could have taken the form of actually being victims of discrimination or of witnessing an incidence of discrimination.

The questionnaire starts with some questions that identify whether the participant is eligible to complete the survey. Eligible respondents were those who are over 18 years of age, have been living in Malta for at least one year, and have experienced discrimination. These questions ask whether the respondents were actual victims of discrimination or witnesses of discrimination and when the discrimination happened. Eligible respondents must have experienced discrimination in the last two years in order to reduce recall bias. The questionnaire continues with demographic questions that serve to identify one's age, gender, sexual orientation, religious belief, locality and type of accommodation. The next set of questions gauged respondents' knowledge of what constitutes discrimination by posing a set of cases of discrimination and asking whether respondents perceive them to be incidents of discrimination.

The following section focuses on respondents' own experience of discrimination, through inquiring about the form/s and the ground/s of discriminatory incident/s that they experienced. It then asks about the contexts in which the discrimination took place, the person or policy that perpetrated the discrimination, confirms the ground of discrimination and assesses the perceived severity of the incident on a 5-point scale. Respondents who repeatedly experienced discrimination in the same context were asked to speak about their last experience of discrimination.

The penultimate section focuses on whether the respondents spoke to others about their experience/s, whether they reported their experience/s and whether they found support from others in sharing their experience.

Lastly, the respondents were asked to propose up to three recommendations that they think would encourage people to report their experiences of discrimination.

The questionnaire was designed in English and translated into Maltese, French, Somali, Tigrinia and Amharic in order to reach respondents from a wide variety of linguistic preferences.

The questionnaire was piloted with 20 respondents in order to confirm the clarity of the questions and possible answers, ensure that the subject is tackled in its totality and check that the translations have been correctly done. Minor changes to the questionnaire were done following the piloting phase.

Ethical considerations were of the utmost importance and the Diener and Crandall's (1978) classification of ethical concerns was followed in order to tackle the way that ethical concerns featured in this survey research.

There was no attempt to deceive the interviewees or conceal information from them. Each potential respondent was initially approached by introducing the research topic, the survey and the potential participants' role in it. Following an invitation to ask further questions about the research project, consent was sought verbally and participants sustained their consent throughout the survey interview process. Additionally, consent forms may appear too official, thereby discouraging participation from certain cohorts. For these reasons, consent forms were not deemed necessary. Respondents were also given the researchers' contact details as a point of reference should further questions arise following questionnaire completion or should they wish to withdraw from the research.

While no physical or developmental harm will occur, there is a chance that triggering remembrance of a traumatic event may cause psychological stress. For this reason, an empathic approach on the interviewer's part was imperative throughout the interview. Likewise, questionnaire wording was chosen carefully and tactfully to avoid undue stress or alienation.

Issues of invasion of privacy are unavoidable in research that probes into personal narratives and values. A non-invasive atmosphere was created by careful wording of questions in order to ensure that questions seem neutral rather than combative or invasive. Issues of privacy were ensured by informing

participants about their rights not to answer any given question and to abandon the interview process at any time without explanation.

Data was pre-coded to aid inputting into a statistical database. Data was inputted onto SPSS 19 immediately after receiving and checking questionnaires from the interviewers. SPSS 19 and Excel were used to analyse and present the data.

The survey faces a number of methodological challenges, including: lack of recent and reliable statistical information about the size and composition of target populations and difficult access to certain communities. These made it impossible for probability sampling to be implemented.

The research includes people who have some awareness of discrimination or at least who attribute certain happenings to unfair treatment. Thus, persons without such understanding are not included in this project. The sample consists of individuals who feel passionate, enthusiastic, charitable or even mischievous enough to complete the questionnaire. The interviewer also plays a role in the type of respondents as he/she is prone to approach people who seem most likely to complete the questionnaire. In turn, affinity towards the interviewer is a factor that determines whether potential respondents agree to participate.

In order to ensure that the data collected is valid errors should be minimised. For this reason, the researchers will take a number of measures with the scope of ensuring face and content validity:

1. Design questions which use simple language and are clear to comprehend.
2. Not give ambiguous instructions in the questionnaire.
3. Not use double-barrelled questions.
4. Translate the questionnaire into several languages.
5. Not design a questionnaire which is too long as to distract, bore or tire the interviewees.
6. Avoid yes/no questions to reduce acquiescence error.
7. Train interviewers on interviewing skills and discrimination issues.
8. Brief interviewers thoroughly about the research project and the survey questionnaire.
9. Perform internal consistency checks.
- 10.

However, the research design, interviewers and interviewees all contribute to errors and some errors will inevitably be present. The research is therefore likely to have the following errors:

1. Momentary distraction.
2. Evaluation apprehension.
3. Mood bias.
4. Social desirability bias.
5. Non-response bias.
6. Random measurement error.
7. Recall bias.

8. Reporting bias.
9. Selection bias.
10. Data entry errors.

1.2 Literature Review

This literature review focuses on the current practical problems of underreporting discrimination based on the six grounds of race, religion, gender, sexual orientation, age and disability primarily in Malta but also in other European Union member states as well as discrimination on multiple grounds.

The principle of equal treatment can be said to be one of the basic principles upon which the EU is founded, with equal treatment becoming even more visible within the 1997 Amsterdam Treaty⁶. In fact Article 13 of the Amsterdam Treaty empowered the Community to take action to tackle discrimination based on grounds such as race and ethnicity, religion and belief, age, disability and sexual orientation. Discrimination on the ground of sex had already been specifically mentioned in the former Maastricht Treaty⁷ and several directives implementing the principle of equal treatment were put into effect in the sphere of employment. However the other five grounds of discrimination and the sphere of access to and supply of goods and services gained specific protection through other directives which together now provide protection in the field of employment for all grounds in the field of employment⁸ and for the ground of sex⁹ and race or ethnicity¹⁰ in the sphere of access to and supply of goods and services. The EU is moreover currently discussing the drafting of a proposed directive that will consider the principle of equal treatment on the basis of sexual orientation, religion, disability and age in the access to and supply of goods and services¹¹.

⁶ Treaty of Amsterdam amending the treaty on European Union, the Treaties establishing the European Communities, Official Journal C 340, 10 November 1997; <http://eur-lex.europa.eu/en/treaties/dat/11997D/htm/11997D.html>

⁷ Article 2 of the Maastricht Treaty, Treaty of the European Union, Official Journal C 191, 29 July 1992; <http://eur-lex.europa.eu/en/treaties/dat/11992M/htm/11992M.html>

⁸ Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation; Official Journal L 303, 02/12/2000, P.0016 – 0022; <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32000L0078:en:HTML>; Directive 2006/54/EC of the European Parliament and Council of the 5 July 2006 on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation (recast), Official Journal L 204, 26/07/2006, P. 0023 – 0036; <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2006:204:0023:01:EN:HTML>

⁹ Council Directive 2004/113/EC of 13 December 2004 implementing the principle of equal treatment between men and women in the access to and supply of goods and services, Official Journal L 373, 21/12/2004 P. 0037 – 0043; <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32004L0113:EN:HTML>

¹⁰ Council Directive 2000/43/EC of 29 June implementing the principle of equal treatment between persons irrespective of racial or ethnic origin; Official Journal L 180, 19/07/2000, P. 0022 – 0026; <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32000L0043:en:HTML>

¹¹ Council Directive on implementing the principle of equal treatment between persons irrespective of religion or belief, disability, age or sexual orientation presented by the Commission, <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2008:0426:FIN:EN:PDF>

These directives have been transposed into national legislation and accordingly victims of discrimination find protection and redress under a number of national laws¹². In the case of discrimination on the ground of disability national legislation is more *avant-garde* than the EU protection and this since the national legislation protects not only the sphere of employment but also some aspects of the sphere of goods and services. Equality bodies have also been designated to take stock of discrimination on a few grounds with the NCPE having been established in 2004 and the KNPD was established in 2000. While the latter has competence to act as an equality body in terms of the directives in the field of disability discrimination, the former's remit is over sex discrimination in employment and access to and supply of goods and services and also in respect of racial discrimination in the access to and supply of goods and services. Other mechanisms do exist and these include the DIER, the Ombudsman, the Industrial Tribunal, the civil and criminal courts.

With Malta's accession to the EU new laws were enacted and measures of redress designed. Focus on issues of discrimination and equal treatment also fostered and developed into studies that considered aspects of discrimination. However these studies have predominantly focused on assessing the incidence of discrimination, perception of diversity and the public's knowledge of the legislation and of issues related to discrimination. Consequently, national studies considering the incidence of reporting of discrimination and its causes have been lacking.

The review focuses on existing practice and is not an exhaustive list of all resources, but rather, a summary of the most relevant sources which have been published until now. This review takes into account various publications which have analysed issues of underreporting discrimination. Many of the publications are surveys which have been carried out in several EU member states with the aim of understanding the major obstacles which people of a different age, race, religion, gender, disability and/or sexual orientation experience in various sectors of society and the reasons why these persons have not reported these incidents to the authorities or organisations set up to deal with these issues.

The purpose of this literature review was to strengthen the researchers' critical analysis of the research question so as to enable them to consider the different aspects, issues and causes that needed to be analysed in their research on underreporting. Sources have been selected on the basis of their pertinence to the main question of the qualitative and quantitative research, to their relevance within Malta and if published according to established principles of research. Consequently where studies focused on underreporting but also on other issues, for the purposes of this literature review it was only the data relevant to underreporting that was extracted. Where the studies also provide information on good practice or measures that empower victims to report, then this data was also reviewed. Other studies and reports than the ones reviewed here were also considered by researchers however they were only indirectly relevant to the research question and have been omitted from this review.

¹² Equality for Men and Women Act, Chapter 456 of the Laws of Malta; Employment and Industrial Relations Act, Chapter 452 of the Laws of Malta; Equal Treatment in Employment Regulations Legal Notice 461 of 2004 as amended; Equal Treatment of Persons Order Legal Notice 85 of 2007, Access to Goods and Services and their Supply (Equal Treatment) Regulations, 2008 Legal Notice 181 of 2008, Equal Opportunities (Persons with Disability) Act Chapter 413 of the Laws of Malta.

The European Union Minorities and Discrimination Survey, Main Results Report carried out by the European Union Agency for Fundamental Rights which was published in 2009¹³ has been reviewed to try to understand the reasons for underreporting **racial discrimination** in Malta and other member states. This survey analysed the extent of racial discrimination with regards to the main minorities in the EU. Whilst analysing incidents of discrimination in various sectors of society and in different EU member states the survey also explored reasons for not reporting such incidents.

The findings reveal that the majority of persons forming part of a minority group in the European Union are particularly vulnerable to racially motivated crime. The survey reveals that rates of reporting to the police are extremely low amongst most groups, indicating low levels of faith in the police's ability to effectively respond to crime, as well as an absence of trust in the authorities.

In all the Member States an average of 82% of those who were discriminated against in the 12 months prior to the survey did not report their most recent experience of discrimination either at the place where it occurred or to a competent authority. Non-reporting ranged from 79% amongst the Roma to 88% amongst Central and East Europeans. Findings in this survey also indicate that a crucial reason for not reporting incidents of discrimination is that the majority of persons interviewed who experienced discrimination did not know of any organisation which could support their complaints. In fact only 16% of the respondents were aware of an organisation which supported such complaints in their country. In trying to achieve accurate results FRA went a step further and presented the respondents with the name or names of Equality Bodies in their country of residence; 63% of respondents said that they had not heard of any of them.

The specific groups of people interviewed in this survey included Sub Saharan and Northern Africans, Central and Eastern Europeans, Roma and South Americans above all. The survey also specified non reporting discrimination in various domains. These domains included non reporting of discrimination incidents when looking for work, at work, when looking for a house either by the landlord or agency, by healthcare personnel, social service personnel, school personnel, in a restaurant, cafe or bar, in shops and also at the bank.

The survey indicated the following options which could be selected from as reasons for not reporting an occurrence of discrimination included: fear of intimidation from perpetrators if reported discrimination, concern about negative consequences/contrary to my interest – such as not receiving 'good service' in future, did not know how to go about reporting discrimination/where to report, nothing would happen/change by reporting discrimination, too trivial/not worth reporting it – it's normal, 'happens all the time', inconvenience/too much bureaucracy or trouble/no time, dealt with the problem themselves/with help from family/friends, and not reported because of language difficulties.

¹³ http://fra.europa.eu/fraWebsite/attachments/eumidis_mainreport_conference-edition_en_.pdf

No matter which minority they formed part of or in which European country the victims resided in the reasons given as to why they did not report such incidents were unanimous. The overall majority felt that nothing would happen as a result of reporting which indicates the lack of faith which victims have in the various organizations and authorities. The Roma, Russian and ex-Yugoslavian replies showed that the second most widely mentioned barrier to officially reporting discrimination is that respondents 'didn't know how or where to report it' whilst North Africans, Turkish respondents, and Central and East European immigrants indicated that these incidents were almost 'normal' and belonged to the daily routine; thus, they were classified as 'too trivial, not worth reporting'. This reason was also the second most common category chosen by all respondents of the various minorities interviewed in this survey. Another reason, that is that reporting is 'too inconvenient, takes too much time or trouble' was selected by 19% among Sub-Saharan Africans through to 27% among Russians.

Secondary victimisation is also a factor dissuading people from reporting with a sizable amount of respondents claiming that reporting brings along negative consequences. Other reasons included fear of intimidation, language difficulties and residence permit problems within the categories chosen by respondents when asked to choose the reason for not reporting incidents of discrimination. A number of respondents also indicate that they dealt with the problem themselves especially when discrimination took the form of assault. This may either indicate a level of self reliance or once again a lack of faith in official complaints mechanisms but this was not analysed through this survey.

When analyzing reporting in Malta per se only 18% of the Africans interviewed had officially reported incidents of discrimination. In Malta, no complaints were filed when respondents felt discriminated against by educational personnel or in relation to housing whilst reporting incidents of discrimination by public service personnel had the highest number of complaints filed in their regard (32%). A large number of persons in Malta compared to other member states cited language difficulties as one of the obstacles of not reporting.

Reporting seemed to be the exception rather than the norm in most EU member states. Overall, crime incidents are more likely to be officially reported than discrimination incidents. A number of victims of harassment considered their experiences as not very serious and therefore did not think it appropriate to bring them to the attention of the police.

Reporting rates of discrimination were also quite different between countries; but, generally, higher rates of discrimination corresponded with lower reporting rates. According to this report an explanation for this could be that in some countries where discrimination is more widespread people also have a lack of faith in the ability of institutions to address discrimination.

The Data in Focus Report on Muslims which was also carried out by the European Union Agency for Fundamental Rights (FRA)¹⁴ provides information on the reasons of underreporting **religious**

¹⁴ http://www.fra.europa.eu/fraWebsite/attachments/EU-MIDIS_MUSLIMS_EN.pdf

discrimination. Notwithstanding that this survey focused primarily on Muslims its findings are still relevant when trying to understand underreporting religious discrimination.

The findings of this survey indicate that an average 79% of respondents did not report their most recent experience of discrimination in the 12 months prior to the survey to any competent organisation or at the place where the discrimination occurred. The main reason given for not reporting the discrimination was that 'nothing would happen or change' by reporting their experience of discrimination (59%), while many (38%) did not see the point of reporting discrimination, as it was just 'part of their normal everyday existence'. These results are very similar to the results obtained in the previous survey carried out by European Union Minorities and Discrimination Survey, Main Results Report by FRA.

Another common factor between the reasons for underreporting religious discrimination and the reasons of underreporting racial discrimination is that the majority of respondents could not name any organisation in their country of residence which could offer support or advice to victims of discrimination. Of those who were themselves victims of offences against the person, between 53% and 98%, depending on their country of residence, did not report it to the police, 43% stated the main reason for this was that they were not confident the police would be able to do anything.

When looking at the responses of the different Muslim groups surveyed, it is interesting to note that more Iraqi respondents (69%) than average considered that 'nothing would happen or change' by reporting, while more than half stated that they 'dealt with the problem themselves'. A similar pattern can be seen in the responses of Muslims of Turkish origin, and 28% indicated 'concern about negative consequences' as a reason for not reporting. To this end, the report indicates that policy interventions at Member State level need to explore the specific reasons among different groups for non-reporting.

The results given for non reporting of discrimination on the ground of religions are similar if not the same as those results obtained in the FRA EU MIDIS report on different racial groups. Primarily nothing would happen (59%), followed by too trivial/not worth reporting it/it's normal, happens all the time, Didn't know how to go about reporting/where to report, Inconvenience/too much bureaucracy or trouble/no time (21%).

Underreporting discrimination on the basis of sexual orientation shall be analysed separately from underreporting discrimination on the basis of gender identity. When analysing underreporting of discrimination on the basis of **sexual orientation** this review will be referring to persons who are gay, lesbian or bisexual whilst with regards to underreporting discrimination on the basis of a person's gender identity this review shall refer to Trans persons being both pre-op Trans and post-op Trans.

The survey which was carried out by the MGRM entitled 'Sexual Orientation Discrimination in Malta - A Report on Discrimination, Harassment and Violence against Malta's Gay, Lesbian and Bisexual Community' published in 2003¹⁵ is the first of its kind to be carried out in Malta. The survey aims at giving an indication of the extent of discrimination, harassment and violence experienced by gay men, lesbians and bisexuals in Maltese society.

¹⁵ <http://www.maltgayrights.net/files/sexual-orientation-discrimination-in-malta.pdf>

When carrying out the survey MGRM were cautious to indicate that the real extent of discrimination may come across in a less pronounced manner since a lot of the LGB Community were considered to have become passive about these incidents and have started to accept them as an unavoidable aspect of their lives. The findings of this survey indicate that more than one in ten respondents claimed they had been subjected to some form of violence due to their sexual orientation. Half of respondents, on the other hand, claimed that they had experienced some sort of harassment, a number of the persons who claimed that they had experienced harassment held that the harassment occurred repeatedly which makes it even more concerning. The findings also showed that in some cases the perpetrators were either family members or police officers.

Discrimination in schools was also common between respondents of this survey. This led MGRM to comment by saying that there is an urgent need of ensuring a safe environment for all students, irrespective of sexual orientation, in all educational establishments. Only five of the twenty three respondents who suffered violent acts against themselves as a result of their sexual orientation reported such violence to the police. The most common reasons for not reporting the incidents were lack of faith in the police force, lack of knowledge about the possibilities of taking action and fear of exposure. Only four respondents claimed that they had reported the harassment to another authority other than the police. Two of them described the reaction of this authority as “supportive” and the other two described it as “neutral”.

Six of the 101 respondents who claimed they had been harassed reported the incident to the police. The reasons given for keeping back were, amongst others, lack of faith in the police corps, lack of information about the law and the possible courses of action that could have been taken, fear of being exposed or ridiculed by the police and the inexistence of any form of incriminating evidence. Some respondents also claimed they did not consider the incidents as being of a serious enough nature to warrant a complaint to the authorities, while others claimed that it was a normal occurrence; something they had to deal with in their everyday lives. The incidence of discrimination in restaurants, bars and clubs, was the most reported occurrence of discrimination in this study.

One of the conclusions of this study is that the majority of Member States lack the necessary tools for reporting such incidents to the police, such as self-reporting forms or third party and assisted reporting. Police officers in most Member States are not adequately trained to identify and deal with hate crime¹⁶. In fact MGRM and other NGOs which work in this field do not have the legal capacity to take up complaints in Malta.

Reporting violence or harassment suffered as a result of a person's **gender identity** tends to be uncommon between victims. Trans persons are extremely vulnerable and many a time feel helpless consequently they do not report such incidents. ILGA-Europe and Press for Change published a report in

¹⁶ FRA - http://www.fra.europa.eu/fraWebsite/attachments/FRA_hdgso_report-part2_en.pdf

May 2009 titled 'Transphobic Hate Crime in the European Union'¹⁷. This report indicates that a large number of Trans persons are subjected to hate crimes. The report points out that hate crimes against these persons are generally underreported for various reasons including lack of faith that the crime would be dealt with appropriately by the criminal justice system or lack of trust that the police would take the allegations seriously¹⁸. This was found to be the case for those whose identities or behaviors might be culturally stigmatised or illegal, as with lesbian, gay, bisexual or Trans people. The study points out that any person who reports a hate crime to the police needs to have confidence in them and seriously believe that they will take the appropriate action but for trans people there is an additional factor that they will be treated appropriately with dignity and respect as a trans person, for example, addressed as a member of one's acquired gender. Therefore if a Trans person knows that he will be ridiculed by the police force they would not file their report and as a result the incident will never be reported.

As we have previously analysed when reviewing the MGRM report which focused on the LGB community, a number of these incidents are not reported since many Trans persons may not be 'out' yet and there is a fear that reporting may lead to their identities being disclosed by criminal justice proceedings. The report states that one must bear in mind that some Trans people (and also gay people) may have had previous bad experiences with the police – and in some cases, been the victims of hate crime at the hands of police officers.¹⁹

Another crucial point which this report makes is that not only is a Trans person scared of being additionally victimised whilst reporting incidents of discrimination but stories about an individual's negative experiences will circulate through the trans community and this will impact the trust of other trans persons in the police and therefore less people from this community will want to report.

Notwithstanding the general awareness regarding discrimination on the grounds of disability such persons find it very difficult to report incidents of discrimination. Victims tend to avoid filing a report or complaint especially at their place of work since they feel that by reporting such information they may be further discriminated against as a result.²⁰

No official studies have been identified that provides analysis of the causes or incidence of underreporting which fall within the criteria set to the selection of studies for this review. Many a time persons with a disability or persons who are related to a person with a disability find certain comments or situations normal and believe that it is simply something which they must live with in today's society. However the qualitative interviews carried out for the purposes of this study have indicated that the majority of victims do not report their experience. Often problems of underreporting relate to the fear

¹⁷ http://www.pfc.org.uk/files/Transphobic_Hate_Crime_in_EU.pdf

¹⁸ Perry 2001; Stonewall 2008

¹⁹ See Human Rights Watch report (2008) which describes how in one district of Istanbul, police were involved in a campaign of persecution of Trans people by arbitrarily arresting and torturing them.

²⁰ http://www.gmc-uk.org/education/undergraduate/15_3_responsibilities_of_employers.asp

of reprisal or repeat victimisation or alternatively to a lack of confidence or trust in the police service due to previous life experiences or experiences of others in their same situation.²¹

A number of persons with a disability might find it difficult to report not because they do not wish to report but out of fear of further victimisation, some have normalised the discriminatory treatment, and in relation to employment out of loss of employment.

No publications with regard to underreporting **age** discrimination and which is Malta focused have been identified. The carrying out of the qualitative interviews for this study has shown a high incidence of lack of awareness and knowledge of ageism. Often victims were unable to identify their experience as being a form of discrimination indicating that the treatment was regularly done and was therefore internalized as what is to be expected.

Sex discrimination does not only refer to discrimination vis-a-vis the female sex but also discrimination towards males. The directives have also been interpreted by the European Court of Justice to protect a post operation transgender person by recognizing that person to fall under the acquired sex. However studies on sex discrimination often focus on the frequency of the discrimination, on identifying the areas and an analysis of the type of discrimination without considering incidence or causes for not reporting. To this end, the studies analysed for this research were only indirectly related to the research question.

²¹ www.fife.police.uk/docs/div_conword1.doc

2 Outcome of the Qualitative Interviews

This chapter provides a summary of the information collected from the qualitative interview held with victims of discrimination. Interviewees are grouped according to the ground alleged and the names of the interviewees here used are fictitious to ensure confidentiality. Where information which could identify the interviewee was provided in the interview, this has been here omitted to protect the identity of the interviewees.

2.1 Discrimination on the ground of Sexual Orientation

Interviewee 1: John is 32 year old homosexual male who has experience in social work and who professes the catholic faith. A main concern that was expressed by John was the relationship between one's sexual orientation and one's religion and he noted in the interview that one's sexual orientation, that is being who that person is in an honest way, and what one believes in ought not to be in conflict. John defines discrimination as *'doors are closed for the community.'*

When discussing discrimination John states that *'at different levels doors are closed for the community'*, yet when recollecting personal experiences of discrimination John's worst experience of discrimination was in secondary school and describes this as *'I have a lot of bad experiences at secondary school it was hell.'* His experiences in a boys' school predominantly consisted in bullying by other students yet while he states that *'The teachers liked me, loved me – academically I used to do well so I was quite cared for but at the time teachers used to see it as positive to be bullied i.e. something that will toughen him up.'* He had not approached his teachers about the incidence of bullying out of shyness, fear and being *'very much on my own'*.

John says that he coped with this situation at school because he had an active life after school being involved in a number of extracurricular activities. He reflects on his life then by saying *'So I coped with having kind of two lives – the morning, it was horrible and had to endure bullying but I somehow survived and then there were the evenings so I spend my time at church ... My coping skill was a little bit of an arrogant coping skill because the other children were not very intelligent so my way of coping was understanding that they were ignorant and that's how they dealt with and also I was exposed to the music ... which obviously the other students at school didn't bother about so I felt superior, I was being bullied in one area but then I was far more intelligent.'*

Although John describes his years in sixth form as being much better since *'there wasn't all this complex boys school kind of thing'* but because he was in the Christian community at that time and he was coming out at the age of 16 years *'things went very wrong there as well'*. John says that he was ostracised by the community in a very direct way and members of the community were *'telling me horrible things'*.

Joining University '*changed everything*', however he indicated that at this time he left the church and only returned later in life. Although he did experience some harassment from fellow students, John states that at this time he confronted the students and sorted things out.

Later on in life after he came out and also publicly spoke in favour of gay people John experienced different forms of discrimination including being insulted in the road. Yet the worst experience he recollects was being followed by a car while walking alone back home at night. A number of men in the car were insulting him aggressively.

Other ways of discrimination that John identifies is that of '*being sidelined*'. He however states that this happens to those who are activists of a cause and does not attribute this to him being gay but to his function as an activist.

From his experience in social work and as an activist John expressed concern in relation to gay suicides indicating that there are instances when teenagers have committed suicide '*because they are gay and not accepted by their families*.' Another area of concern is that of employment where according to John gay people cannot express their sexual identity out of a fear that this would jeopardise their job. He says '*There is this fear that is very real and is very much there and then of course you have the whole trans and transgender people who are on different dimensions who find it very hard to access jobs in the first place*.'

When discussing measures of support, he identifies the MGRM as having done something in real terms and describes the law as '*not being really and truly practiced or enforced*'. He negatively notes that there is no official entity with a mandate to take discrimination on the ground of sexual orientation on board and opines that this must be taken on board '*on an institutional level*'. He also indicates that training is to take place across society mentioning in particular religious people, priests, police, soldiers, teachers, lecturers, doctors and nurses. He also claims that there has been a change at '*grass root level*' which is not reflected at the '*legal level*'.

John expressed an opinion that victims need to be empowered by learning how to approach the perpetrator and how to stand one's ground. He also states that the Maltese culture is a violent culture that is in search of a scapegoat. This, he stresses, needs to be seen to especially when that violence is legally, religiously or culturally sanctioned. John states that although the Maltese society is realising that resorting to violence is not the answer, yet there still exist pockets of society that need to be addressed. When addressing issues in schools John indicates that children ought not to be indoctrinated and that when one speaks to children about gay issues this will not turn them into being gay. John also discussed the issue of same sex marriages indicating that this cannot be viewed as an attack on man-woman relationships (which are currently also experiencing difficult times) as it is not an issue of being pro family and therefore against same sex marriages. He also indicates that in Malta there are already same sex families who are raising children.

Interviewee 2: Rose is a 51 year old transsexual who, at the time of the interview, was unemployed. She completed secondary school level education and is skilled in a trade. Rose identified herself as a Roman Catholic but does not attend church because she disagrees with some issues. She says that she had been following a tranquil life until she passed through a trauma when she started a new life, that of a male to female transsexual.

Rose says that 'I have experienced a lot of suffering, it is an experience which today makes me more mature and wiser and now I know what both worlds think'²². When she speaks of the discrimination she has experienced she describes it as '*... There are people who look at you and laugh in your face, others who see you walking in and open the door for you saying 'Good morning madam'. ... In other places, they used to laugh at me behind my back ...*'²³' She continues to say '*I was a very sad person but did not really know. My sadness was frustration. People discrimination against you without knowing you, they generalise.*'²⁴

Rose explained that when seeking employment she was told blankly '*I do not employ people like you! just like that and you start crying. At least not at that moment as you try to keep your dignity, but as soon as you walk out of the door, you start crying.*'²⁵ When she was taken into employment and particularly in delivery of goods, she had informed her employer that she had the strength of a woman rather than that of a man yet this was ignored by the employer and when she did not manage she was made to leave after being sworn at and shouted at. When she undertook promotional work she was harassed by customers who would tease her and ask her out on dates, '*As if when people see a different person they automatically assume that you are available.*'²⁶

She describes the sphere of employment as '*Where work is concerned, it's a disaster. And that is where I wish that the government does something, because everyone needs to live. I ended up homeless because I could not afford to pay. They stopped my electricity. I had no money to pay with, if no one employed me!*'²⁷ Rose describes training courses provided by the ETC as being fruitless since when sent to a prospective employer the latter would exclude her from that job opportunity. Using the bathroom while on the job was also another negative experience for Rose, as there were times when her employers asked her to use the bathroom assigned to men.

²² 'Għaddej minn ħafna, baġhtejt hija esperjenza li illum għamlitni iktar matur u iktar wiser u sirt naf kif jaħsubha both worlds.'

²³ 'Għandek nies li jħarsu lejku u jidhku f'wiccek, għandek nies li jarawk dieħel jew dieħla u jiftħulek il-bieb 'Bonġu sinjura'. ... Postijiet oħra, jogħqodu hekk, jidhku bja minn wara dari ...'

²⁴ 'Kont persuna mdejqa pero ma kontx eżatt naf. Pero d-dwejjaq kien il-frustrazzjoni. Nies jiddiskriminaw kontra tiegħek mingħajr ma jkun jafu inti min inti, jiġġeneralizzaw.'

²⁵ 'Ma nħaddimx nies bħalek', hekk bumm u taqbad tibki. Almenu dak il-ħin inti żzomm id-dinjita tiegħek, imma kif toħroġ mill-bieb, taqbad tibki.'

²⁶ 'Qishom in-nies malli jaraw persuna differenti awtomatikament jassumu li you're available.'

²⁷ 'Fejn jidhhol xogħol dizastru. U hemmhekk fejn nixtieq li l-gvern jagħmel xi ħaġa, għax kulhadd irid jgħix. Jiena spicċajt barra mid-dar għax ma kellix biex inħallas. Qattawli d-dawl. Ma kellix biex inħallas, jekk jiena ħadd ma ried iħaddimni!'

Lack of access to employment opportunities led Rose to be in a state whereby *'several times friends came to bring me food because I had nothing to eat. There were times when I ate stale bread on its own. That is where you learn what suffering is.'*... *'I wish to live a normal life.'*²⁸

Rose had presented an official complaint to the National Commissioner for Equality but criticises this process as requiring too much detail in writing from her and that the Commissioner did not cover discrimination on *'me as who I am, on my sexual orientation. Gender was male or female, with nothing in between.'*²⁹ After I explained to them what I had gone through I had received a letter saying that they had still investigated my complaint but found that there was a reasonable justification to my experience. However she stressed that it is imperative for the National Commissioner for Equality to be given remit over discrimination on the ground of sexual orientation.

Rose complained of the embarrassment she is made to experience when she is required to present her identity card since she is not legally allowed to change her name. She also proposed job retraining for transsexuals to help them integrate into employment.

Interviewee 3: Claire, a lesbian, is qualified in social work. Although for reasons related to her family as a teenager she felt attracted to women, she fought that attraction and carried on living *'the straight life'*. She was in a relationship when she *'got to a point where I had enough of fighting it and I went overseas. I was still with my ex at the time and I decided that if I found somebody I was interested in I would take the plunge and see if they were interested in me and go for it! And little did I know I'd fall in love with her and be with her for the rest of my life.'*

At the time that she met her partner, they were both in heterosexual relationships. When Claire came out to her siblings, she was accepted by her brother but her relationship with her sister went sour for a number of years. Claire also told her grandparents about her sexual orientation and claims that her grandmother responded well to the news and also started reading books about homosexuality. She was surprised to find that her father had realised and consequently was supportive when she came out to him.

Claire didn't renounce to becoming a mother and when she shared this desire with her relatives she was told *'aren't you scared they're going to be gay?'* She took this in her stride since her parents had been both straight. She was also told that her child would be bullied but Claire reasoned that she had been bullied for being fat. Together with her partner she underwent artificial insemination privately and has a child. She claims that this arrangement was done privately.

She defines discrimination as *'someone not being educated, not being aware that people are different.'* Claire further states *'We always assume that the norm is one particular way and everything has to*

²⁸ *'Jiena min jaf kemm ġew ħbieb iġibuli l-ikel għax ma kellix x'niekol. Ġieli kilt ħobż niexef waħdu. Hemm fejn taf it-tbagħtija x'inh.* ... *'Nixtieq ngħix hajja normali.'*

²⁹ *'Jiena minn jien, fuq l-orientazzjoni sesswali tiegħi. Il-gender kien male or female, in between ma kien hemm xejn.'*

conform to that, or else we need to see how to accommodate. That's another thing, it's about accommodation it's not a right.'

Claire specifically mentions an issue of social benefits whereby once she claimed benefits as a single mother because she was out of work and the social security department considered her and her partner as a couple for reasons of benefits. She complains that this is discriminatory especially since she is unable to marry her partner, and if she were in employment she would be considered as a single person for reasons of tax. Claire also indicates that the employees of the department have told her that *'We never planned for same sex couples to have children'*. She positively indicates that her position was once recognised however only after obtaining assistance and that at the time of the interview she had presented an appeal before the department which was still pending.

She emphasises the need for education as a measure to stop prejudice and stereotyping and a need for awareness raising aimed at the general public. Claire also suggests that there is a need for support mechanisms to be developed to assist those in the coming out process.

2.2 Discrimination on the ground of Age

Interviewee 1: Mary is a 22 year old graduate with an Honours degree and is unemployed. She claims to have experienced age discrimination in seeking the job of executive director and indicates that she has been to 3 interviews wherein the manner in which she was spoken to and the words told to her indicated to her that she was considered as having the requisite qualifications and also experience in the job, yet she too young to be employed in this post. She stated that in this situation she was expected to take on a job which was much less than her work experience and qualifications would deserve. Two of these interviews were within the public sector and the third was in the private sector.

She had spoken about the situation with relatives but did not present any official report in this regard. She however opined that she perceived this type of discrimination to be directly perpetrated by the prospective employer and that NCPE ought to provide more short and focused training to employers. Mary defines discrimination as *'to be excluded and not accepted by society not necessarily by everyone but by a particular sector – not being served as you wish.'*

As a measure to combat this type of discrimination Mary indicates that it would be good if companies could provide traineeships during studies at University. She also commented that when she sought assistance from the Employment Training Corporation to join a scheme that offers traineeships in the private sector she had not been provided with adequate assistance and was not clearly told how to obtain access to such a scheme. Mary suggested a better use of the media to promote awareness.

Interviewee 2: Paul, a 50 year old, married with 2 children has been unemployed for around three years. He previously worked as a supervisor in a factory but was made redundant after the factory closed and later found a job on a fixed term contract.

Paul defines discrimination as *'that you were not given, denied something that was due to you, that you had to take'*.

He claims to have experienced discrimination due to his age in the field of employment and particularly in seeking employment. Paul states that when he applies for jobs he is told that he will not be accepted because of his age. He also states that *'sometimes they won't even give you the time to fill in the paper application for the job that you went there for ...'*. Paul has experienced this type of treatment either by the employer himself/herself or by the secretary, that is the person he spoke to when seeking the job. He quantifies the number of prospective employers with whom he has sought employment and who have specifically referred to his age as an obstacle to employment at above 40% even if he would have sought employment to fill up vacancies brought to his attention by the ETC.

Paul indicates that although the ETC had established a scheme whereby it partially finances the salary of an employee of his age who is taken in employment, yet this has not been of help to him even if he has brought to the attention of prospective employers.

He says that at first he used to feel offended and frustrated with the situation and thought it unfair that he was not being given a chance. However, he now feels powerless and is aware of the outcome of any interview prior to him sitting for that interview. He has also spoken to the ETC about his experience and he claims to have been told that they are aware of the situation and are doing their best to address it. He concludes that it seems that nothing that the ETC could do would change the employers' opinion and in this regard therefore he does not suggest that the ETC is to take any further action. He however proposes the introduction of a quota in the same way that applies to persons with disability.

Interviewee 3: Jane is 47 years old, married with two children and is in employment. She has completed a degree and a diploma. She finished her studies at the age of 45 years. She defines discrimination as being the unequal treatment of persons because of sex or age or colour and says that there a lot of factors upon which a person may be discriminated.

In her opinion, discrimination in employment on the basis of a person's skin colour is the most severe. Upon graduating Jane sought employment and although she sent about 25 applications over a period of 15 months she perceived that she was not being accepted for the job because of her age. Of these 25 applications she was only called for an interview twice. In these 15 months Jane states that she felt frustrated and demoralised. She started thinking whether she was doing something wrong and that she was not being offered a job out of a fault of her own since she was not even being given a chance to present herself at an interview. Jane indicates in her interview that she was not given the chance to show to prospective employers that she was presentable, sharp and focused on her work.

She indicates that it was a prerequisite to indicate her date of birth on the cv and comments that since they sought her identity card number prospective employers would still have guessed her age.

Jane said that at the stage of the interview she felt that she could not report since *'there was no way how to prove it in that respect'*. Consequently she only spoke to her family members about this but felt that she could not report to the authorities. It was only when she applied to an employer who had indicated himself/herself an equal opportunities employer that she felt she was being given a fair chance. Jane identifies parents as a target group that needs to be educated in parenting skills especially of teenage children also in relation to discrimination and equality.

2.3 Discrimination on the ground of Religion

Interviewee 1: Mark is a 29 year old, living in a stable relationship with his partner and is a Methodist. He is a university graduate and is in employment in the area of linguistic education. Mark defines discrimination as *'I have negative connotations of the word that treating someone unfairly based upon colour their nationality their disability ...'*

Mark compared the occurrence of discrimination in Malta with that in his country of origin and noted that *'when I first arrived in Malta I was very shocked at what I was seeing ... the way that people even spoke about them (migrants) was unbelievable for me to hear especially professionals at work as well. Where I'm from ... you would be sacked straight away for even saying such words ...'*

He feels he is being treated unfairly by being required to attend Roman Catholic mass on the job even though he does not profess the Roman Catholic religion and that this service has no meaning to him. He was obliged to attend religious services at the school and when he informed the Director that he will stay in the staff room he was told that there are *'ifs and there are no buts everybody has to go.'* Another colleague of his who did not profess the Roman Catholic faith was also ordered to attend the service. In his two years on the job this happened about three times. However he was obliged to attend not only services but also religious talks which took place on different occasions such as Christmas and Easter time.

Mark did not present a complaint to anyone else even after attending the service as he was still on probation and felt that this could jeopardise his job. He *'didn't want to start you know going against my director ...'* He also commented that with a change in the Director, he was no longer obliged to attend mass or religious talks.

Mark states that he felt offended on these occasions and is fearful of manifesting his own faith *'because I always have this fear that Oh my god one day someone someone's parents are going to come in and say you're telling that ... you know I have this fear so I try to keep it very close ... kind of like you're crushed and small you know what I mean you're like you're being really forced into doing something that you really don't want to do ...'* Even when asked direct questions about his faith, Mark answers in a way that would not show too much of a clash between his faith and the Roman Catholic faith so as not to shock. He also tried to introduce religious diversity education by bringing in different representatives of faiths or a Roman Catholic priest who could give an overview of the different faiths; however he found no support in this.

He noted that he did not know if there was an equality body that could assist in these circumstances. Even if there exists a law protecting religious diversity he was of the opinion that this is not being enforced. Diversity education is needed from a young age where children are thought to appreciate diversity. He also understands that at times he feels treated differently because others are ignorant of the doctrine of his faith.

Interviewee 2: James identified himself as a practising Muslim living in Malta. He comments that there were around 7,000 Muslims in Malta. In the interview it was difficult to differentiate between religion and cultural origin and the terms Muslim and Arab were used interchangeably.

He indicated that discrimination occurred in different areas. When speaking of the media he indicated that the media portrays Muslims in bad light, whereby the actions of one person are generalised to tarnish all the others of the same faith. In the field of education, he claimed that children professing the Muslim faith are stereotyped into being '*dirty, terrorist, bad.*' Often fellow students are influenced by the negative opinion of Muslims held by their parents and then when at school further perpetrate this opinion against Muslim children.

Muslims in employment are jeered at when observing religious rules such as Ramadan and prayers. There is also a tendency not to call Muslims by name but simply by referring to them as '*that Arab or that Muslim.*'

Specific racist terminology was indicated as being used by members of the police force, who are reported as having told Muslims '*you are Muslim, we will remove you all from here ...*'.

Forms of discrimination in relation to the use of the public transport service included instances when the bus does not stop for a commuter waiting on a bus stop and she is wearing the *hijab*. In shopping Muslim women wearing the *hijab* were reported as having experienced increased charges and verbal harassment by other customers.

James mentioned that when naming their children, Muslim parents are also being cautious to avoid names such as Mohammed since they know that this would make their children targets of abuse at school.

When speaking of places of entertainment, James notes that Muslims learn not to go to Paceville since when they try to access these places they are generally told that there is a private party even if they can see members of the public entering the place. He said that this reason is given to Muslims by bouncers and police alike. Muslims also refrain from wearing traditional religious clothing in public as they are verbally harassed for doing so.

Other instances which effected children and mentioned by James refer to those cases where Muslims coming from third countries marry Maltese women and upon separation the Muslim husband is sent out of the country without the possibility of returning to visit his children.

James indicates that persons of the Muslim faith have lost faith in the Maltese authorities and *'have given up and do not even approach authorities.'* Consequently they rely on each other.

He suggested that education should explore Malta's connections with other countries and faiths and ought to identify the positive influence that these 'others' have left on the Maltese culture. Furthermore, the media should provide space to Muslims to promote the reality of Islam rather than use Islam in sensationalist items.

Interviewee 3: Joe is a 30 year old full time student and identifies himself as an agnostic describing this as *'considering the possibility of the God does not exist higher than the possibility of his existence'*. He has been living in Malta for ten years.

He describes discrimination as being *'a very large large word ... with very different aspects'*. In his regard, he considers that he is discriminated against because since he is from a former third country national people assume he is Muslim, even if he is agnostic. Joe claims to have no knowledge of the Muslim faith as was not raised in any faith. As a consequence of persons assuming his religion due to his nationality of origin, he was refused jobs in the industry in which he has experience having been told that he should work in a Turkish take away rather than in the music industry. This was repeatedly said to him and in the end depending on a friend of his, he ended up working as a cook in a take away as he had been rejected from all other job applications. He claims that he did this since only if he felt that only if he fitted the stereotype would he be accepted.

In his job he claims to have been working in *'inhumane conditions'* working 70 hours a week, 10 hours a day, 7 days a week with no days off. All in all he ended up in a depression and was even diagnosed with major depression and also ended up separated from his wife.

Joe claims that the presumptions that Maltese persons make about his faith coupled with the presumptions people make about his country of origin amount are offensive to him. He is teased that he can marry 4 different women, or that he rides camels. Joe says that the cause of this harassment is lack of knowledge. Although he speaks of these experiences with a number of persons, yet he has never made an official report thinking that *'it's really hard to prove you know it's more like my word against yours'*.

He criticises the lack of law enforcement and opines that public educational campaigns are required. Joe expressed the hope that by participating in this research he would help in bringing about change in perceptions.

2.4 Discrimination on the ground of disability

Interviewee 1: Joan is a 50 year old visually impaired person who has been in the same employment for over 25 years and who resides with her parents. She is not a member or involved in any NGO that works in the field of disability.

She defines discrimination as 'when a person, especially one with a disability, is being hurt with her/his own disability'³⁰. Joan states that she has found support from her employers who have also sent her for training on aids to use the computer and she has found support from the KNPD.

After long years of service in the company, Joan's system at work was changed to a modern more computerised system of human resources. This caused difficulties for Joan and so she approached her direct head to inform her of the difficulties that she was facing. The latter was dismissive, did not want to hear of Joan's difficulties with the new system and simply dismissed her saying '*That is your work and you must do it. If anything go look for tools that will help you work better. ... If you don't like it, then go look for other work*'.³¹ When she fell ill due to strain, her head of section suggested that she swaps onto reduced hours.

At first she sought support from the trade union however she claims that her request for help was ignored. At work she regularly felt that she was being politely told to leave the job and that she was not wanted there anymore. At this point she also sought assistance from KNPD.

Joan claims that even when accessing healthcare at the hospital services there are not sensitive to the needs of those with visual impairment. She criticised the system whereby a visually impaired person is required to go to hospital to obtain a medical appointment and is unable to be provided with an appointment through the phone or email. Furthermore, she indicated the lack of use of different infrastructure is also a common obstacle.

Joan sees a need for the holding of seminars and discussions to focus on what the victim experiences and the obstacles that victims are made to face. She also sees a need for the media to raise more awareness and for KNPD to be more pro-active. The government should provide financial assistance for the buying of that equipment that a person experiencing disability may require.

She however makes it clear that what she is after is '*sensitivity not pityness. It's very different I don't want anyone to pity me or my disability. I want to be known as one who makes mistakes but then help*

³⁰ '*meta persuna, speċjalment persuna b'diżabilita tkun qed tweġġaha bid-diżabilita tal-persuna.*'

³¹ '*Dak xogħlok u inti trid taġħmlu. Jekk dak mur fittex tools kif int tista taħdem ahjar.*' ... '*Jekk ma jogħġbokx mur fittex xogħol ieħor.*'

*me not obstruct me.*³² She continues to describe disability as *'We really fight for independence but it is society that disables us further, truly society.'*³³

Interviewee 2: Noel is a 40 year old visually impaired person. He is employed and makes use of aids to assist him to use the computer on his job. Noel lives in rented accommodation. When speaking of his impairment he says *'Yes, because in reality I don't really feel disabled ... I feel disabled when people make me feel disabled. ... It's normal you cope with what you have.'*

When he was in his previous employment tasks were assigned to him which would potentially make his visual impairment worse and consequently he approached the management to ask to be assigned different tasks. However he claims that the management's reaction was to make him leave without directly asking him to do so rather than to assign him alternative tasks. He claims that this was carried out through various actions of harassment and with the issue of warnings. When this happened he first approached the trade union who although spoke to the management did not manage to obtain a result. He consequently sought the assistance of the KNPD. Despite this, he continued to be treated badly on the job and *'Yes, I had to resign. So in my employment history there is written resigned but the facts, the things went really really differently ...'* He describes his feelings about this situation as *'I was demotivated, yes because I found it really unfair. You feel really down the drain in that you are not really, you're not really given a chance to express, to say how you are, to show what you're capable of.'*

Noel has words of praise for his current employer who has provided him with the aids that he requires and who has also entrusted him with responsibilities on the job. He recounts his experience at school (in the 80s) whereby when the students were asked to copy from the blackboard he was left out and could not do this, thereby being left out and missing a number of exams. In this regard, he positively speaks of the current system of learning assistants.

He thinks that *'it's society that puts the problems, the barriers, not as such the environment, because the environment many times is made by people, ...'* Noel complains that the infrastructure, especially on public roads, makes it unsafe for him to go around independently and *'it was two, three times that I discovered I was in the middle of the road'*. He also criticises the issue of accessibility of goods and services available to the public indicating that often these are not physically accessible. He indicates that it is important that public transport becomes available since it is very expensive to rent out private transport.

Noel describes the training that he needs to undergo so that he can live independently, training which includes understanding the surroundings. He speaks positively of courses offered by the KNPD saying *'they were very very interesting, and after these courses, it's like a miracle, I don't know, I got stronger'*.

³² *'Jiena ririd nkun magħrfa fejn niżbalja imma mbaġhad għinni mhux tfixkilni.'*

³³ *'L-indipendenza vera niġġieldu għaliha ahna imma it's society li tagħmilna aktar disabled ta', bis-serjeta is-soċjeta.'*

He suggests that awareness raising would be more effective if targeted at children and youths, since from his experience these are the ones who want to learn. Awareness raising is also to be done through bringing people together. Noel also stated that opportunities of work and studies for persons experiencing disability need to be increased.

Interviewee 3: David is a 54 year old married man with 2 children who are in their 20s. He experiences a physical disability which was the consequence of having contracted a virus. David indicates that despite his disability he was brought up without any limitations and like his elder brother was not stopped from reaching his goals. He does not allow his physical disability to put limitations on him and says that he does not commiserate himself for his disability as this attitude would put limitations on him. He describes discrimination as being those circumstances which do not provide an opportunity to the person to use his skills and ability.

However when he was growing up he says that his friends started dating girls and so excluded him from the group. This continued even in the area of access to employment wherein prospective employers politely used to tell him that they had no job for him. But when he finally found employment he says that he one of the best employees among 300 workers. *'... obviously when a disabled person finds work he must prove himself that he can do his share of work and sometimes more than his share of work. That is what happens in fact.'*³⁴ Although for him this was some years ago, David indicates that persons with disability still experience discrimination in employment.

Two important areas that David sees as being important and that need to be developed are to provide better access to employment and also to provide persons with disability independent living accommodation. In relation to employment David complains that the quota established in the law is not enforced and that employers are not really aware of the ability of persons with disability.

2.5 Discrimination on the ground of Race and ethnic origin

Interviewee 1: Alex is 29 years old from Guinea and has been residing in Malta since 2004 in rented accommodation. He is in full time employment.

Alex says that when he tries to access places of entertainment there have been several times when *'they do not let me to enter'*. He says that *'there are some places that don't allow you if you are black to enter there.'* Essentially you are expected only to just work and eat and sleep, he continues. Alex describes how his Maltese Identity Card is only recognised by a few entities and says:

'Sometime I finish from work on Saturday and I say I try to go to some disco but when I arrive; they ask me "passport". And I say I do not have passport, how? They say; sometime they ask me my ID card and show them my ID card and they tell me it's no good. I try to complain with them I say why it is no good? They say because it's only use for Malta. I tell them no! If it is not good so why the inspector sign his

³⁴ *'Hekk jigrì fil-fatt'.*

signature of the inspector and I there are the flag of Malta in the ID card. So they tell me it's no good. They tell me, I cannot enter and I get angry. And one day I went in (name of bank) and went to change the, my cheque and they tell me "why not open your account?" I tell them no! I do not want to open! Because my ID card is no good! They tell me "no it's good". And I say yes it's not good because with that ID card everywhere I want to go they tell me it is no good. So for the money is good, I want to open the account but then I go sleep and then after then I try to go to open my account you know? But it was very, very strange. Because if to open the account the ID card is good, but if you want to go somewhere it is no good.'

On one occasion when accompanied by a Maltese person to a place of entertainment, upon showing the Identity Card to the person at the door, this person threw his identity card on the floor outside of the building. He did complain to the police officers but they informed Alex that the place was a private place and they could not help him. Because this is the usual approach taken by police officers, Alex claims that he no longer goes to report and has lost faith in the authorities. *'No change, no improvement. So I leave it.'*

Alex states that in his employment he does not have the possibility of moving ahead and when there was an opening for a higher post than the one he occupies he was not given the opportunity to take that post. Even in this regard, he felt helpless and did nothing about the situation. *'No because the problem is, I think all the Maltese they are the same.'* Essentially as a person of colour, Alex says that *'If you want to have peace just go work, and eat, you sleep only.'*

When asked about his perception of discrimination Alex notes that it is often Maltese males who discriminate against coloured people more than Maltese females. Alex also comments that feasts could be used to assist integration; however he complains that it is very difficult for immigrants to participate in these occasions. In his experience in healthcare Alex says that often it is the receptionist or the nurse who has first contact with the patient that perpetrates discrimination. In this regard, he says that some persons even if professionals and educated are simply racists and do not treat coloured persons well.

Alex claims that in general there are a number of stereotypes on coloured persons in Malta, and these include presumptions that they are dirty, ignorant, unworthy. In relation to employment, Alex highlights the unfair treatment in benefits, whereby as a full time worker he pays taxes and national insurance contributions but is not entitled to benefits in the same way as others are. In this way he says *'we are paying the tax for nothing, maybe only for the health side but for the support of the social security we don't get anything.'*

Abuse by employers in retaining work permits issued for immigrants is another issue of concern expressed by Alex. There are instances, he says, whereby the immigrant worker, is put in a negative situation because upon his employment being terminated the employer retains all documentation in relation to their work permit. He suggests that work permits ought to be issued to the immigrant himself. There are times when employers refuse to apply for a work permit so that they would pay immigrants much less money.

When Alex was asked whether he was aware of the DIER who was legally obliged to assist with issues related to employment, he answers *'I don't know they do their job but for me it is not enough. Yes, not enough.'* The department, he suggests, ought to have an outreach programme whereby they approach coloured persons and take stock of the discrimination that they experience in employment.

Alex mentions that some of his friends have had bad experiences in employment which include working without getting paid and even getting injured on the job and then being thrown out of the job. Alex suggests that there is strong need for increasing 'sensibility' and 'sensitisation' of the population through campaigns which are not only addressed to the public but also in schools. Laws need to be strengthened and enforced too, he continues.

Interviewee 2: Lucy is a 28 year old from Eritrea, who is a Christian and has been in Malta for about 3 years. She has a first degree in economics and finance and is married with 2 children. Lucy is in employment and resides in rented accommodation. She speaks highly of her current employer but narrates a bad experience in her previous employment.

She defines discrimination as *'when you are treating somebody differently based on colour or religion or citizenship or it might be I mean different backgrounds ...'*

Lucy says that has experienced a lot of discrimination in Malta toward her as an African woman especially in the sphere of employment. In this regard she distinguishes between access to employment and while on the job, indicating that even after one has been taken into employment discrimination still occurs. She says that the Maltese assume that African migrants lack education. Despite her qualifications the job she found was as a room attendant. In her job as a room attendant she says it was *'the hardest time in, in my life because the supervisors they were thinking that since I come from Africa they think that we don't have document I don't know anything like I don't have a bed I don't know how to use a toilet so it was I mean there was times that when I come back home I was crying at home.'* She continues to describe her experience as *'Sometimes they make us like clean the room 3-4 times. One room 3-4 times so it's eh and but for the others they, they treat them very easily and they are very friendly with them so I, you really feel it I mean, I really felt I was really feeling very bad.'* At the beginning of the employment her colleagues actually thought that she did not understand Maltese and English.

She indicates that initially she did not seek the support of the managers at the hotel in which she was working since she thought that everyone thought in the same way and that Managers were always supporting their supervisors. Later on she approached the managers and she found support. However, Lucy claims that she only found the courage to do this after accepting that this could lead to her losing her employment. In one of the hotels in which she worked, Lucy speaks of a positive experience whereby a supervisor who was rude, arrogant and aggressive towards another African woman was dismissed for her behaviour. This brought about a situation whereby although the African women

working there were being spoken to with nicer language yet they could still perceive that they were not liked.

Lucy indicates that often Africans are only given a decent salary when they are covered with a working permit. When speaking of public transport she says that there are times when the busses do not stop at the bus stop when there are African women waiting for the bus and consequently they are made to walk on foot for long distance.

Although reports are made to NGOs, Lucy says that these do not have the power to push for a solution or a remedy. She strongly argues that there is need for *'more more education ... getting to know each other also ...'* and more interaction.

Interviewee 3: Nigel is a 30 year old originally from Turkey. He has been living in Malta for over 10 years. He has encountered discrimination due to his country of origin in the field of employment and describes how when sought to work in the field of his experience he was often rejected because he was a third country national even though he was married to a Maltese. Nigel also narrates how when he used to attend for job interviewees he was often told that being Turkish he should be looking for a job in a Turkish take away and not in the field of his choice. On several occasions he replied that he did not even know how to cook and that his experience was directly in the area in which he was seeking employment. After several months of unemployment, he felt he had to give in to the stereotype and consequently asked another Turkish acquaintance of his if would allow him to act as his apprentice so that he could learn how to cook. After some time he started working at a Turkish take away.

Nigel says that while he was working at the take away his conditions were terrible and had to work long hours including in the weekend. His situation was made worse when fell into a depression.

He says that it is difficult for him to find employment according to his experience because people decide upon stereotypes and they make assumptions of who he is rather than try to get to know him.

Nigel has not presented any official complaints in this regard and feels that nothing would come out of presenting such report. He emphasis that there is a need for public educational campaigns and to raise awareness and knowledge about persons from different cultures.

2.6 Discrimination on the ground of gender

Interviewee 1: Doris is 36 year old married mother who was in full time employment between 1992 and 2009, but who transferred onto 'reduced hours' since 10 months. She is a graduate in healthcare. She defines discrimination as that situation wherein one is treated less favourably than another *'treats you less special because you are a woman.'*³⁵ She particularly refers to the situation of women who try to find a work-life balance which Doris claims to be very difficult to attain in Malta.

³⁵ *'jistmgħuk inqas speċjalment meta tkun mara'.*

Doris refers to her particular situation whereby the Head of Department has ordered that all those on reduced hours are to carry out 'outside inspections' only between 5.15pm and 06.00am. She claims that this was only introduced in January 2010 and that previously those on reduced hours carried out outside inspections in times similar to those employees who were on full time employment. When she, together with others in her situation spoke to the head of department, she claims that they were told: *'Go home, he told us, because you who applied for reduced hours and who want to be with their children between 2 and 5 in the afternoon, then you cannot do that work, go home and after 5.15pm when the office closes if something crops up I will call you. I sometimes go to work at 9 at night, at 11pm, at 1.30am, at 3 in the morning or 6 in the morning on Saturdays and Sundays. Around the clock, so that all I have at home is between 2:00pm and 5:00pm when a full timer works between 8:00am and 5:00pm only Monday to Friday.'*³⁶ Doris says that should she refuse to obey this rule, she would receive a much lesser pay and would consequently experience financial discrimination. She says that when she compares herself to those on full time hours then she thinks that *'might as well I swap to full timer because they are benefitting more!'*

Doris has also discussed these issues with the other women who are in her same situation but she says that although they speak between themselves they are all afraid and her colleagues tell her that they are afraid they will not be allowed to carry on their work. She was unofficially told that this measure was introduced following talks with the trade union, however when she asked the latter they did not confirm this. When she approached her director personally she was told: *'If you are feeling discriminated against then write to the boss but I am telling you that you will ruin your friends who are full timers. He told me now if you want write the claim of discrimination.'*³⁷

Doris describes her experience on reduced hours within her department in the following terms: *"Reduced hours are given on the department's concession but rather than this he is manoeuvring us and frightening us, disheartening us and giving us dirty work so that other women will not ask for reduced hours"³⁸. ... And I because I am raising a family – I have to go to work while my daughter is asleep because that is the mentality and what keeps their mind at rest. They tell you the kids are asleep so you can go out. Your husband has returned from work after five and so (because there was this talk) he can take over the children and you can go out again for work.*³⁹

³⁶ *"Morru d-dar", qalilna, "għax intom applikajtu għar 'reduced hours' u bejn is-sagħtejn u l-hamsa ta' wara nofsinhar tridu tkunu mat tfal". Qalilina, "mela intom ma tistgħux tagħmlu dak ix-xogħol, morru d-dar, wara l-5:15 p.m., x'hin jagħlaq l-ufficju jekk tinqala bicca xogħol innejhkom". Jiena ġieli mmur xogħol fid-9 ta' bil-lejl, fl-11 pm, fis-1:30 am, fit-3 ta' filgħodu, 6 ta' filgħodu u Sibt u Hadd. 'Around the clock', kull m'għandi d-dar jiena mis-2:00 p.m. sa l-5:00 p.m. meta full timer qed jagħmel xogħolu bejn it 8:00 a.m. u 5:00 p.m. Tnejn sal- Ġimgħa biss.'*

³⁷ *'Qalli "jekk qed tħossok diskriminata iktab lil kbir nett pero qed ngħidlek li tista tfotti shabek il full timers". Qalli "issa jekk trid tikteb li kaz ta' diskriminazzoni iktab".'*

³⁸ *'Reduced hours' jingħataw 'on the department's concession' pero minflok dan, iqiegħed forsi jagħmel manuvra oħra - qed ibezżgħana, qed jaqtalna qalbna, qed itina d-'dirty work' biex in-nisa ma jeqilbux 'reduced hours'.*

³⁹ *'U jiena għax dan kollu qed inrabbu - ikolli nmur xogħol waqt li t-tifla hija riegda għax dik hija l-mentalita u s-serħan tal-moħħ tagħhom . Jgħidulek it-tfal reqdin mela inti tista toħrog. Ir-raġel ġie mix-xogħol wara l-hamsa mela la darba ir-raġel ġie mix- xogħol (għax hekk kien id-diskors) jigi r-raġel jieħu over lit-tfal u inti erga oħroġ għax-xogħol.'*

She also complains that women working on reduced hours in her department were told by the Union that they cannot work after hours as this would be considered overtime and women on reduced hours were not allowed to work overtime. However Doris points out that the PSMC says that women on reduced hours can work overtime.

Doris has been awaiting a reply and resolution of the matter since January and she considers this delay to be too long. Only a week before her interview she came to know of the NCPE and she states that she has already forwarded her complaint to the commission. But she indicates she was told that they would get back to her.

She suggests that the NCPE should promote itself better and reach out more to members of the public, but she says *'I don't know what else one can do because I believe more that it is the women who need to be stronger. If I took a case to NCPE, and found who to hear me out, but how many women presented a complaint? I think it is more a case that women need to find courage to come out in the open.'*⁴⁰ She concludes her interview by addressing women and says, *'Stand up and talk. Don't be a victim - you are a victim because you make yourself a victim. You have to stand up.'*

Interviewee 2: Norma is a 49 year old, married mother of 2 university students. She says that she worked for 11 years, then stopped for about 12 years and then started again to work on a part time basis in the field. However when her contract term ended she was informed that it would not be renewed since they were looking for young graduates. She is currently unemployed. She defines discrimination as when one does not treat you well.

In her last employment she was on a yearly contract which was renewed three times, however she said that it was always at the last moment that she was given the management's decision for renewal and in this manner was always unsure of her position from a year to year. Norma says that all the part timers, who in this case were all females, were in this situation whereby even a week before the lapse of their contract they still did not know if their contract would be renewed. She says that *'psychologically that used to affect us a lot and we don't know what we will do.'*... *'At the last moment we received a letter at home or they call us to say that they had extended...*

Norma also relates how after the lapse of the first year of their contract, they had been dismissed and only called back to work after 2 months according to the employer's needs. She also indicates that while she was on part time her employer never provided training to her or the others in part time employment.

She did not present any official reports about this situation but she did seek assistance from an official person who tried to find out the cause for such treatment. However he was told that the employer

⁴⁰ *'Ma naḥx x'tista taḡhmel għax iktar nemmen li n-nisa iridu ikunu iktar 'strong'. Jekk jien ressaqt kaz lill-NCPE, sibt il min jismani, pero kemm il mara hemm li tersaq bil-każ. Jien naḥseb li huwa iktar il-każ tan-nisa li iridu jsibu l-kuraġġ joħorgu 'in the open'.*

wanted new graduates. No solution was found to her situation and she says *'no I didn't find a solution and I still I'm still hurt I'm still hurt about it. ...and I feel that the bank really treated me badly.'* Neither did Norma complain to the management since *'I for example started feeling that if I talked I was making the issue bigger than it was as if it were something out of this world ... If I stay complaining to that one and the other. Sort of I have to I had to accept it that the bank decided so.'*⁴¹

Norma says that agencies such as the NCPE need to educate people about these situations *'and ought not to allow them to go unpunished.* Norma thinks that the government is another stakeholder who ought to give clear message that this attitude is unacceptable. She says that she is unaware whether laws protect part timers equally as full timers but she insists that *'part timers ought to be treated equally with full timers.'*

Interviewee 3: Gordon is 51 years old, with an undergraduate degree, father of 2 children and separated. He lives in privately owned premises.

He perceives the occurrence of gender discrimination in care and custody proceedings claiming that in this area the role of the father in the upbringing of children was considered to be inferior to the role of the mother. This he claims leads to a situation whereby the fathers' relationship with their children is considered to be secondary to that with the mother. Gordon says *'While the interviewee lamented that fathers are only valued for their monetary contribution to the financial upbringing of the child, still often they are devoid of authority or responsibility where the child's development is concerned.'* He speaks of the court system as one *'where you are expected to fit into the mould, whether or not you are a dead-beat dad or one who cares about his children. There is a set standard and they will not try deviate from it. The system does not allow for any manoeuvre.'*

This situation also affects the children's education whereby separated fathers and those whose marriage has been annulled are not informed of their child's progress, needs and educational life. To attend parents' day Gordon had to first file a complaint with the Education Division and only after a representative had spoken to his children's school did he start to receive information about his children's educational development. Gordon also complains that while he is contributing to his children's school fees it is only the mother who can claim a tax rebate over private school fees.

He has sought to speak of this situation with a number of persons including a member of the European Parliament, a minister, on television in debate programmes, and he has also placed an official complaint with the NCPE. He claims to have presented his complaint with the commission about 5 years ago but says that no action was taken by the commission. He feels that the commission is *'ineffective and need to take greater action against issues of discrimination, particularly against men.'*

⁴¹ *'jiena per eżempju jiena bdejt inħoss li jiena jekk nitkellem bdejt inħossni li qed inkabbarha dil-ħaġa qed nagħmel xi ħaġa out of this world fhitmt? ... jekk nogħqod nikkomplajna lil dak u lill-iehor. Speċi I have to I had to accept it li l-bank iddecieda hekk..'*

Gordon indicates that rather than a need for training, he thinks it is time that a law is enacted that strengthens the position of fathers before family courts and that family law must be reviewed to be made gender neutral. He also proposes the drafting of a guidance referral system in schools for children who are undergoing difficult family situations.

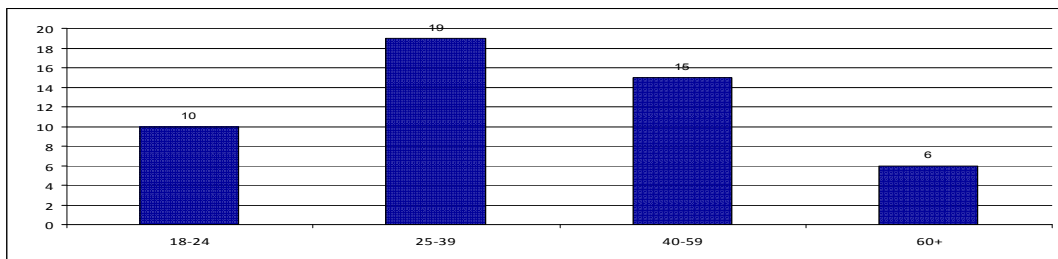
3 Underreporting of Discrimination Incidents

This chapter presents the findings of the survey and portrays the results produced by the answers given by those who participated in the survey. The findings of each ground are first presented and then the findings of the surveys on multiple discrimination are presented.

3.1 Ground of disability

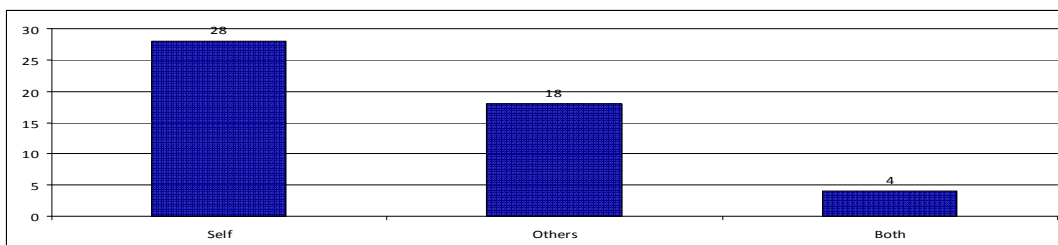
Identifying the interviewees

Interviewees who personally experienced or witnessed discriminatory treatment on the ground of disability identified themselves to be 20% between the age of 18 and 24 years, 38% between 25 and 39 years, 30% between 40 and 59 years and 12% to be above 60 years of age.



Age of Interviewees

Of these 56% had personally been victims of discrimination on the ground of disability, 36% had witnessed discrimination on the basis of disability and 8% had been both victims and also witnesses of discrimination on the ground of disability.

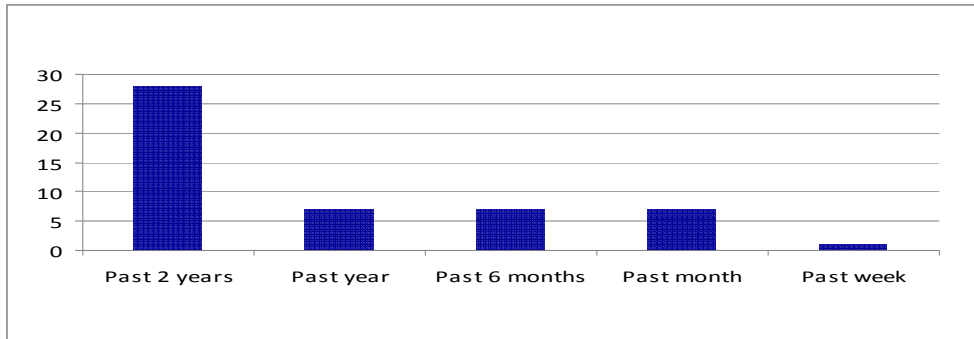


Experience of Discrimination

42% interviewees identified themselves as experiencing a physical disability, 18% as experiencing a mental disability, and 2% as experiencing hearing impairment. 2% of the interviewees indicated that they experience both a physical and mental disability. 6% claimed to have a visual impairment. 30% of the interviewees indicated that they had witnessed discrimination on the ground of disability on another person.

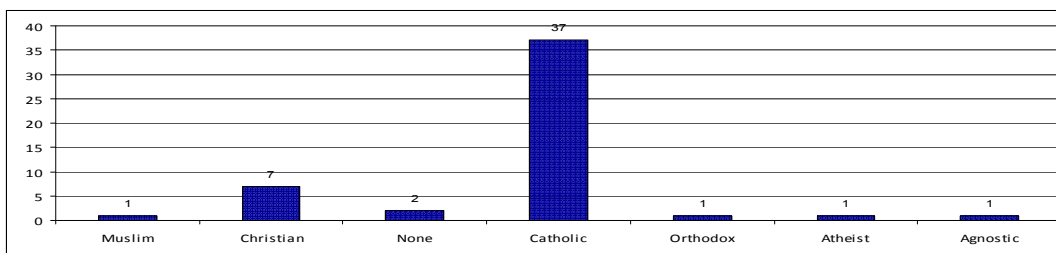
The discrimination was reported in the majority (56%) to have occurred in the 12 to 24 months prior to the interview. However an equal number of interviewees reported that they had experienced discrimination on the ground of disability either in the 6 to 12 months prior to the interview, or in the 1 to 6 months prior or in the month prior to their interview with each time frame being indicated by 14%.

Only 2% of interviewees indicated that they had experienced discrimination on the ground of disability in the week of the interview.



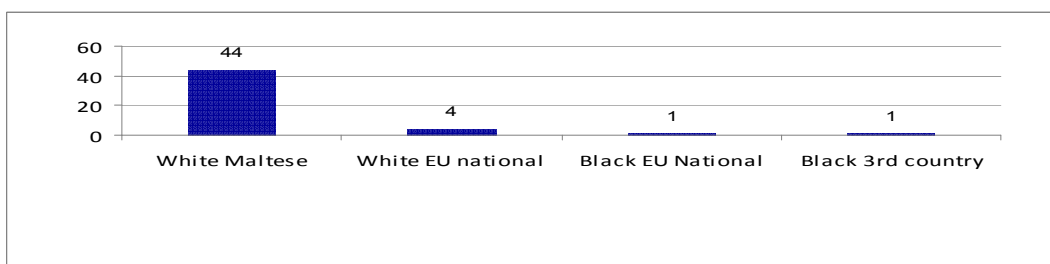
Timeframe of Discrimination

The religion professed by the interviewees was indicated in their majority to be the Roman Catholic faith (74%), then followed by Christian faiths (14%), 4% claimed to have no religion and 2% each category claimed to be of the Muslim or Orthodox faith, atheist or agnostic.



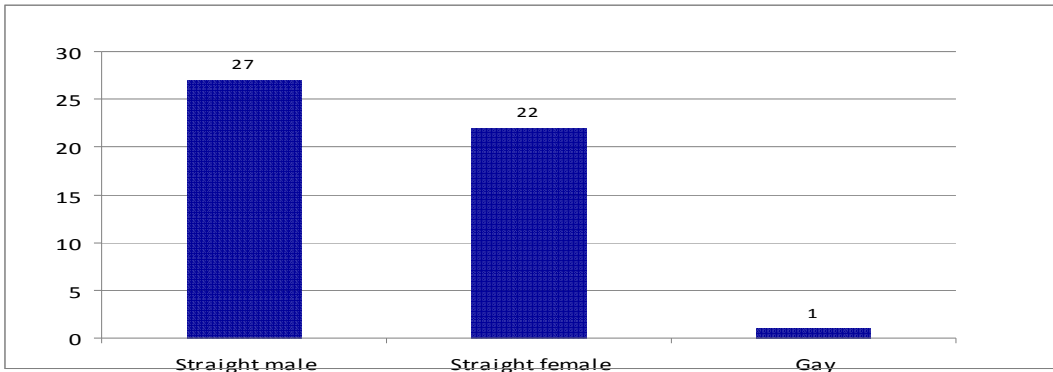
Religion of Interviewee

Interviewees who claimed to have experienced disability discrimination were predominantly white Maltese persons (88%), with 8% identifying themselves to be white EU nationals, 2% black EU nationals and 2% black third country national.



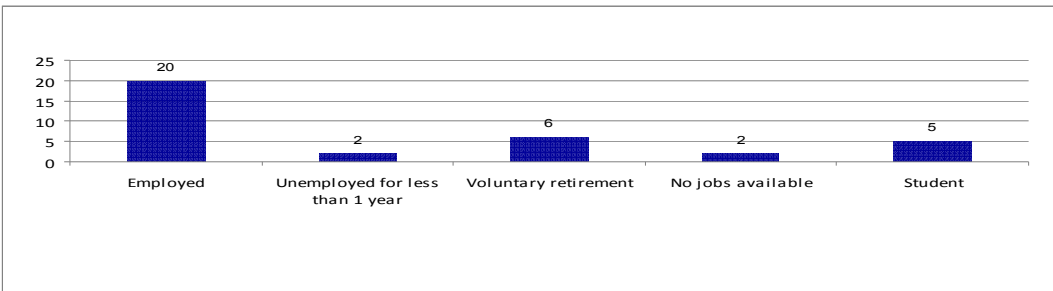
Race / Ethnicity of Interviewee

The sexual identity of interviewees who claimed discrimination on the ground of disability indicated that they were straight males (54%), straight females (44%) and 2% identified as being gay.



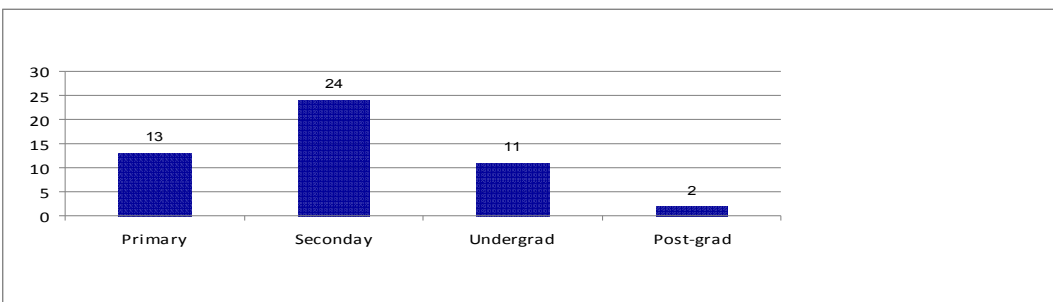
Sexual Identity of Interviewee

The majority of interviewees indicated that they were in employment, this including self employment, and full and part time employment. 4% of interviewees claiming discrimination on the ground of disability stated that they were unemployed for less than 1 year and another 8% claimed that they were unemployed for more than a year. 4% claimed to be unemployed as no jobs were available to them, while 16% stated that they were unable to work due to the disability they experienced. 2% stated that they were unable to work due to lack of jobs available for their skills and another 2% indicated that they were unable to work due to family responsibilities. 12% indicated that they were on voluntary retirement and 10% claimed to be pursuing their studies. 2% were on obligatory retirement as opposed to 12% who were on voluntary retirement. Furthermore, 10% stated that they were pursuing studies.



Employment Status

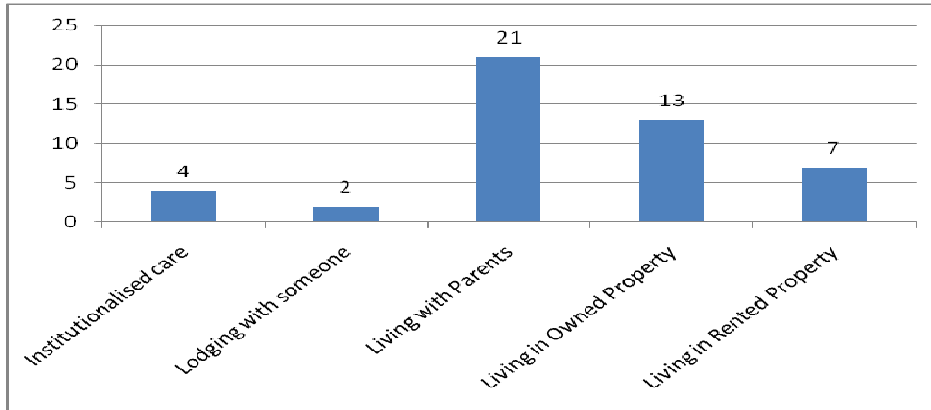
Of these 4% had completed post graduate studies, 22% had undertaken and completed under graduate studies, 48% had finished secondary education and 26% had only completed primary education.



Educational Background

The majority of interviewees who experienced discrimination on the ground of disability claimed to be residing either with their parents or with someone else. 54% stated that they resided with parents,

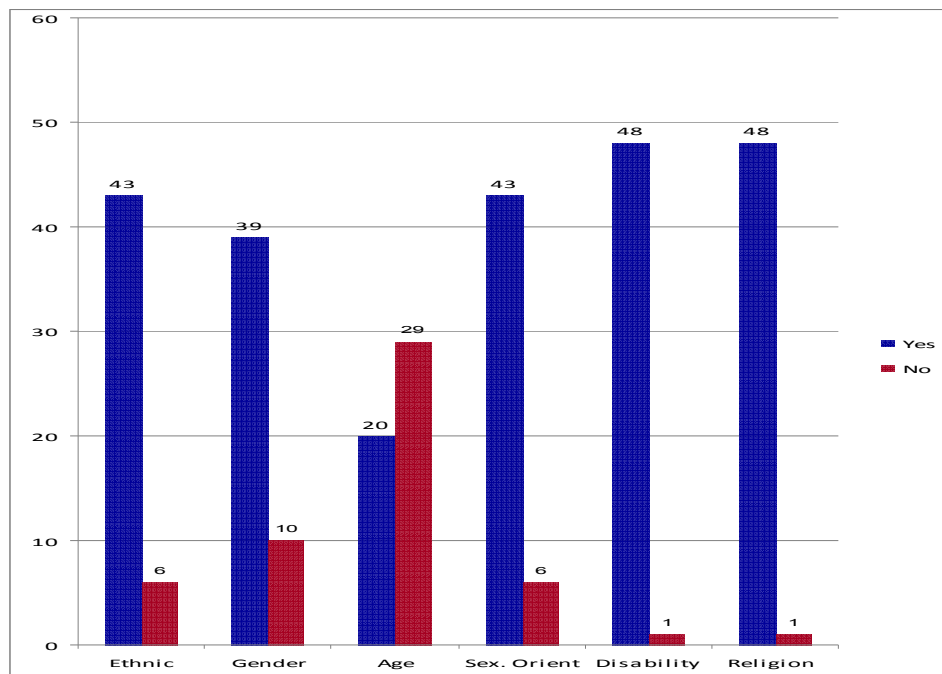
while 44% claimed to reside with someone else. Only 20% stated that they owned private property and 14% claimed to reside in privately rented property. 4% resided in social housing and another 4% resided in institutionalised care at the time of the interview.



Accommodation Status

Level of knowledge of what constitutes discriminatory treatment

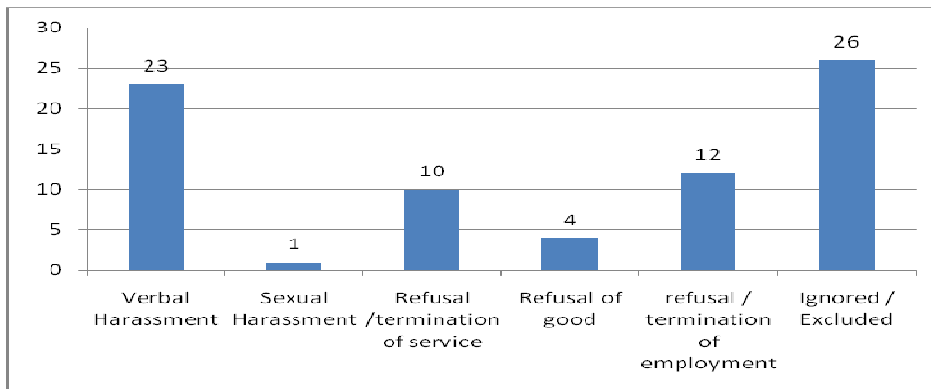
Interviewees experiencing discrimination on the ground of disability equally identified the scenarios representing discrimination treatment on the ground of religion and disability with 96% for each scenario. 86% of the interviewees identified the scenarios of racial discrimination and discrimination on the ground of sexual orientation to be tantamount to discriminatory treatment. The scenario of gender discrimination was recognised to be such only by 78% and the scenario of age discrimination was identified to be discriminatory treatment by 40% of the interviewees.



Identifying Discrimination

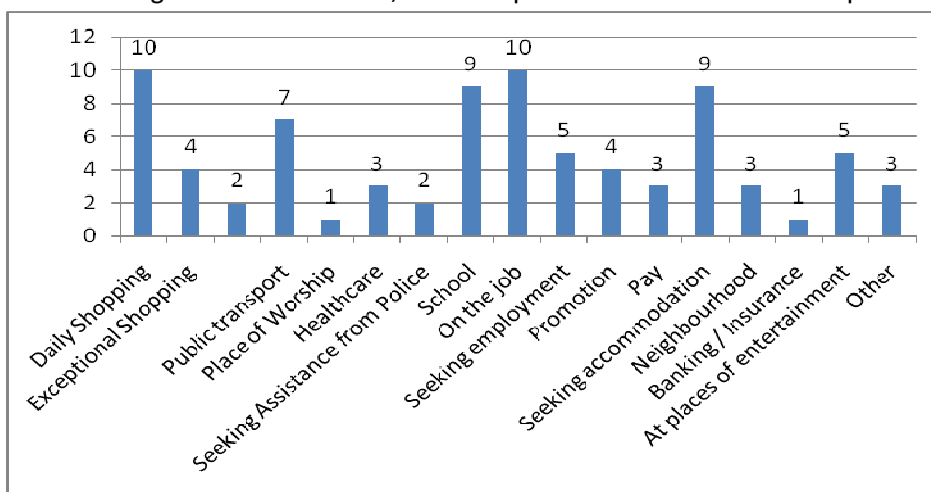
Type of and Area in which Discrimination was experienced

The majority of interviewees who experienced discrimination on the ground of disability classified their experience as one of exclusion. In this regard, 52% identified the discriminatory behaviour in their regard to be one of exclusion. 46% claimed this to be in the form of verbal harassment. On the other hand 24% claimed that they had been refused employment or had their employment terminated and 20% claimed to have been refused a service. 8% identified the discriminatory treatment they experienced to be in the form of refusal of a good. 2% claimed to have experienced sexual harassment.



Type of Discriminatory Treatment

Discrimination on the ground of disability was experienced in a wide range of areas with 20% experiencing discriminatory treatment on the job and equally in shopping for daily needs. 18% claimed to have been discriminated at school and 14% while using public transport. A further 10% claimed to have experienced discrimination when seeking employment and another 10% when accessing a place of entertainment. The area related to promotions at work and shopping for exceptional objects were equally indicated by 8% each of the interviewees. On the other hand, discrimination on the ground of disability was also experienced in the form of unequal pay, in the neighbourhood and when accessing healthcare, with each are being indicated by 6% of the interviewees. Seeking assistance from police officers and seeking information from government entities was indicated by 4% of the interviewees for each area. A further 2% indicated that they had experienced discrimination on the ground of disability when seeking a loan or insurance, and an equal amount when close to a place of worship.



Context of Discrimination

Interviewees were also asked to indicate whom they had perceived to be discriminatory in their regard in the different spheres in which they had personally experienced or witnessed discrimination. When indicating discrimination in school, interviewees indicated that this was perpetrated by students (5 interviewees). When considering discrimination in seeking employment 4 interviewees claimed to have been discriminated by the ETC, while 2 interviewees indicated that it was the employer who had discriminated against them. However while on the job, 9 interviewees indicated that they had been discriminated against by another employee, 4 interviewees indicated the perpetrator to be the supervisor, 2 interviewees perceived the discrimination from the Director and 1 interviewee from a client. When answering this question in relation to discrimination experienced in relation to promotion, 5 interviewees stated that they had been discriminated against by the Human Resources Manager, 1 interviewee indicated the perpetrator in this area as being the supervisor and another interviewee the Director. In relation to unequal pay, 3 interviewees had experienced discrimination from the Human Resources Manager, 1 from the supervisor and another 2 from the Director.

Of those interviewees who had experienced discrimination on the ground of disability when seeking accommodation 2 interviewees indicated the perpetrator to be the owner of the premises.

Interviewees claimed to have been discriminated against in their neighbourhood by a neighbour. When indicating the area of healthcare, 3 interviewees stated that they had been discriminated against by the hospital clerk, while the doctor, nurse and hospital security was indicated as having been the perpetrator by 1 interviewee each.

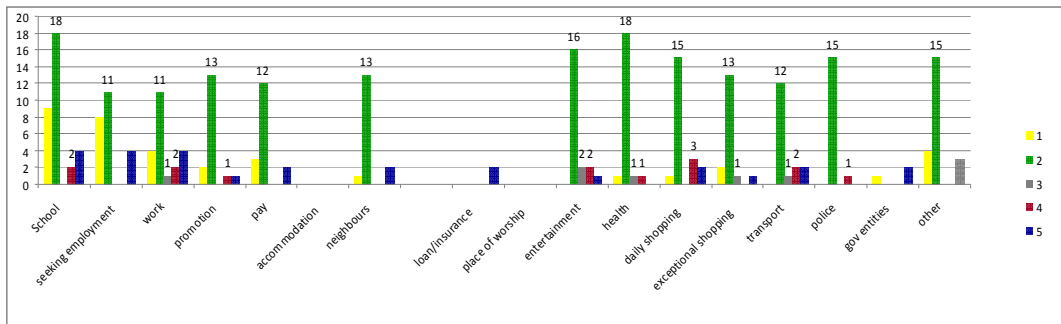
When shopping 6 interviewees indicated that they had been discriminated against by the shop owner, another 3 interviewees perceived the perpetrator to be the salesperson and another interviewee indicated the perpetrator to be another customer. In relation to public transport 5 interviewees perceived the perpetrator of the discrimination they had experienced as being the bus driver and another 3 interviewees indicated this to be another commuter.

In seeking assistance from police, only 1 interviewee indicated that she/he was discriminated against by the officer in charge. On the other in seeking information from government entities 3 interviewees indicated that they had been discriminated against by the director, 1 interviewee by the secretary and another by the receptionist.

In relation to access to places of entertainment 7 interviewees indicated that they had been discriminated against by the venue owner, while 3 interviewees indicated the perpetrator as being the venue security and another 4 interviewees had perceived discrimination from other customers.

When close to a place of worship, 2 interviewees indicated that they had experienced discrimination from a passerby.

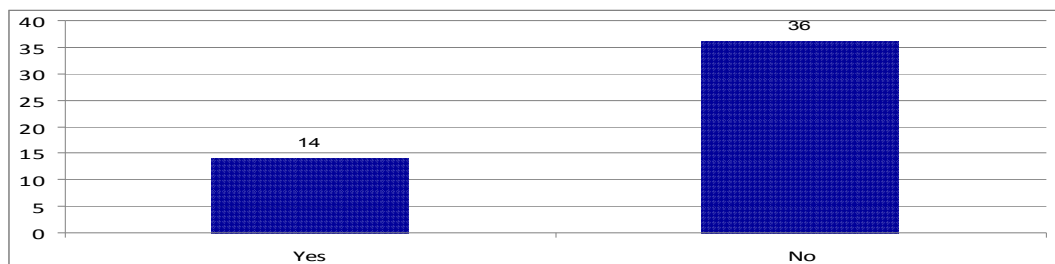
When asked to indicate the severity of the discrimination that they had experienced, the majority of the interviewees who had experienced discrimination on the ground of disability indicated this experience as having not been severe, indicating level 2 of severity in all the spheres within which discrimination had occurred. Level 5 of severity that is the most severe level, was indicated by 4 interviewees in relation to school, 4 interviewees in relation to access to employment, and another 4 interviewees while on the job. 2 interviewees indicated this level of severity in relation to unequal pay, the neighbourhood, loans/insurances, shopping for daily needs, use of public transport and when accessing information from government entities.



Severity of Discrimination

Sharing and Reporting of Experience of Discrimination

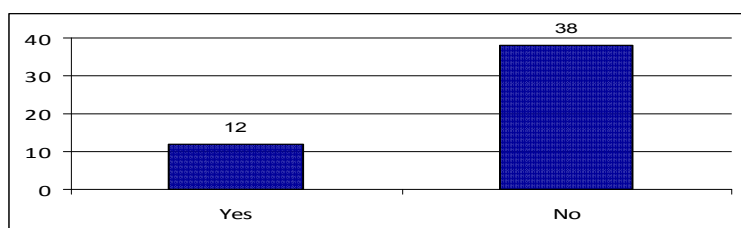
Of the 50 interviewees who had experienced discrimination on the ground of disability, only 14 interviewees (28%) had spoken to someone about their experience.



Talked to Someone

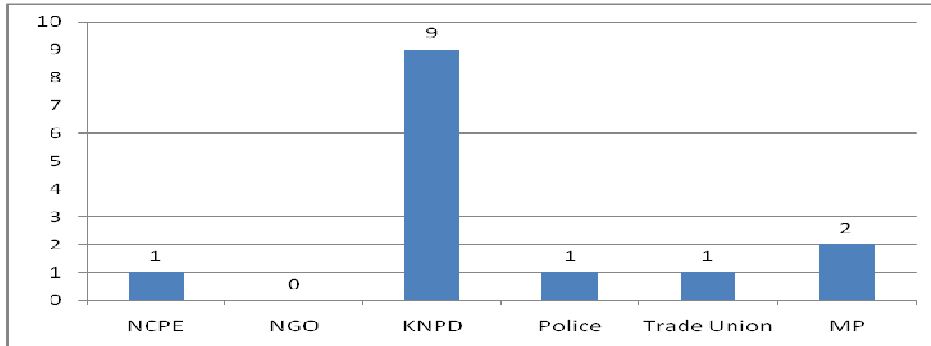
When asked to indicate who they spoke to 34% of those who did so spoke to a NGO and 28% only spoke to a friend. A further 10% spoke of their experience to KNPD.

Interviewees were also asked to indicate whether they had reported their experience through official mechanisms. 4% less than those who claimed to have spoken of their experience, had in fact presented an official report so that while 28% spoke of their experience only 24% had presented a report.



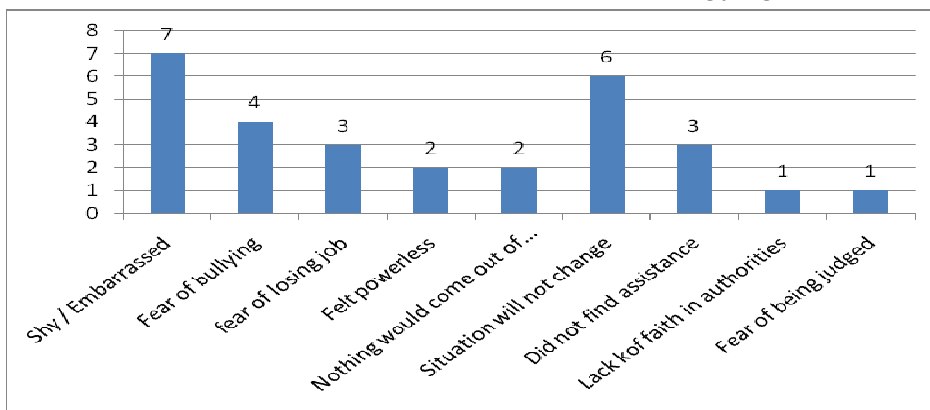
Reported

Of those who did present a report they had done so with KNPD (9 interviewees), a member of parliament (2 interviewees), and only 1 interviewee had reported to either the NCPE or the Police or a Trade Union.



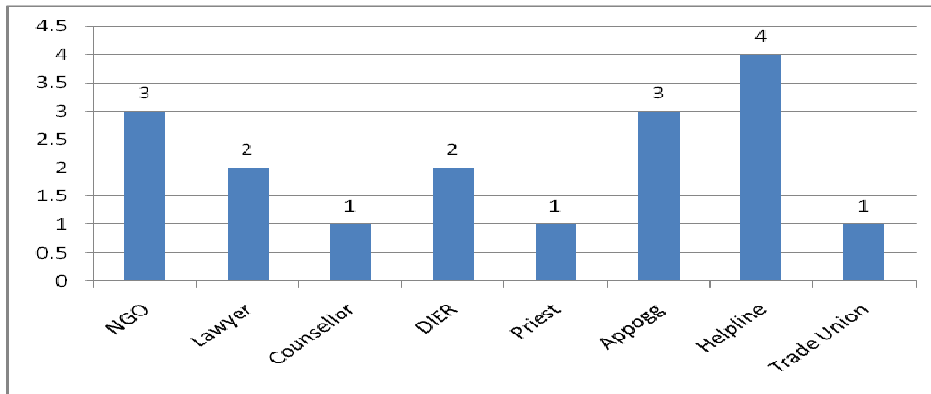
Entities to which Report was presented

Interviewees indicated that they had not presented an official report out of shyness and embarrassment (14%), they felt the situation will remain the same (12%), fear of bullying (8%), fear of losing their job and lack of assistance to report (6% each), feeling powerless and feeling that nothing would come out of it (4% each) and lack of faith in the authorities or fear of being judged (2% each).



Reasons for not reporting

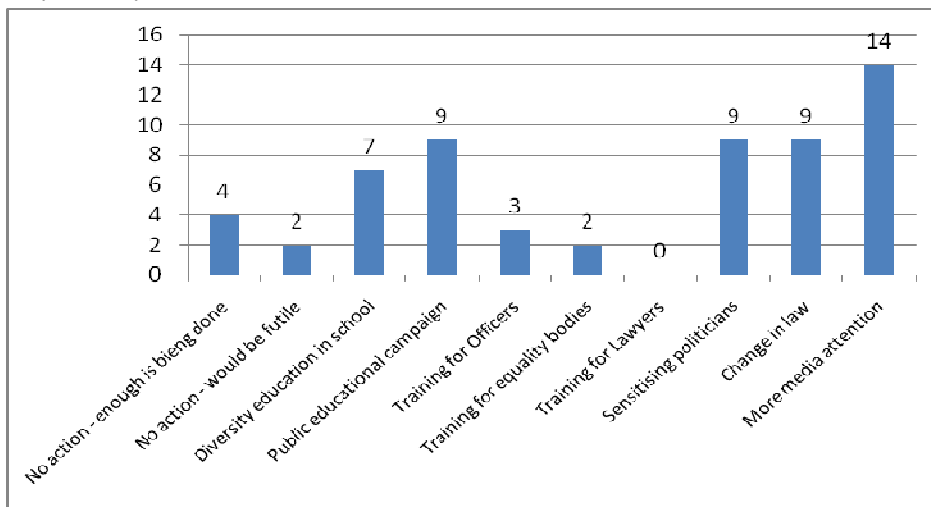
Of those interviewees who did report, 8% found assistance through a helpline, 6% by a nongovernmental organisation, another 6% from Appogg, 4% from a lawyer, another 4% from the DIER and 2% for each category from a counsellor, priest or a trade union.



Entity offering assistance

Recommended Measures

Interviewees indicated their preference of measures that were thought by them to assist victims of discrimination on the ground of disability to report their experience. In this regard, the majority (28%) indicated that more media attention was required. A public educational campaign, sensitising politicians and changes in law were each indicated by 18% of the interviewees. 14% of the interviewees indicated that a diversity educational programme was required in schools. Only 8% of the interviewees indicated that enough was being done, while 4% indicated that any further action would be futile. Training of officers and employees of equality bodies and other stakeholders was indicated by 6% and 4% respectively.

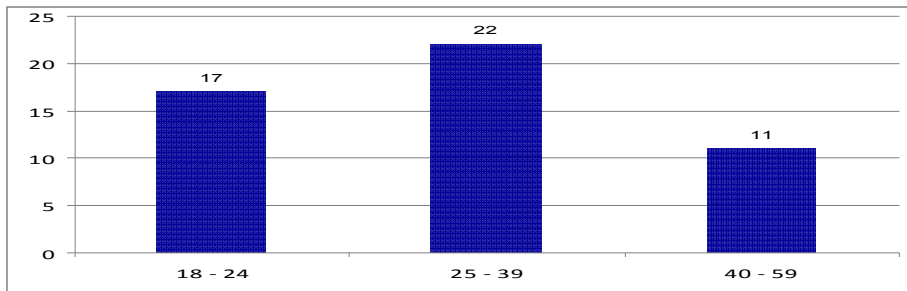


Recommended Measures

3.2 Gender Discrimination

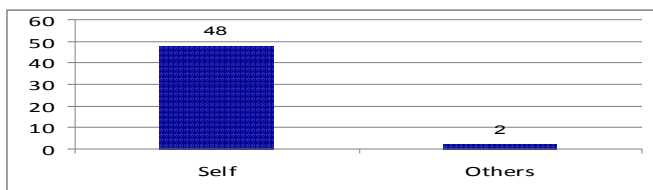
Identifying the Interviewees

The interviewees who claimed to have experienced gender discrimination or witnessed it occurring towards another person were predominantly from the age between 18 and 35 years of age. 34% were in the age bracket between 18 years and 24 years, while 36% were within the age group of 25 years to 35 years. 18% of the interviewees who claimed to have been discriminated against on the ground of gender fell into the age bracket between 36 and 45 years, 10% between the age of 46 to 55 years and 2% between the age of 56 and 65 years.



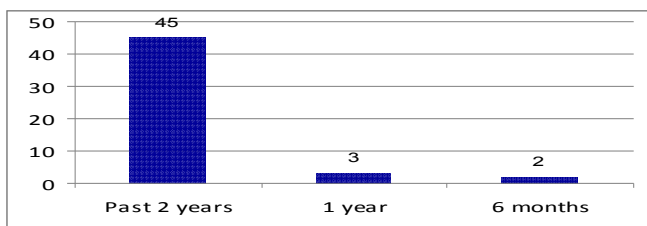
Age of Interviewees

96% of interviewees claimed to have personally experienced discrimination and only 4% stated that they witnessed discrimination on the ground of gender being committed against another person.



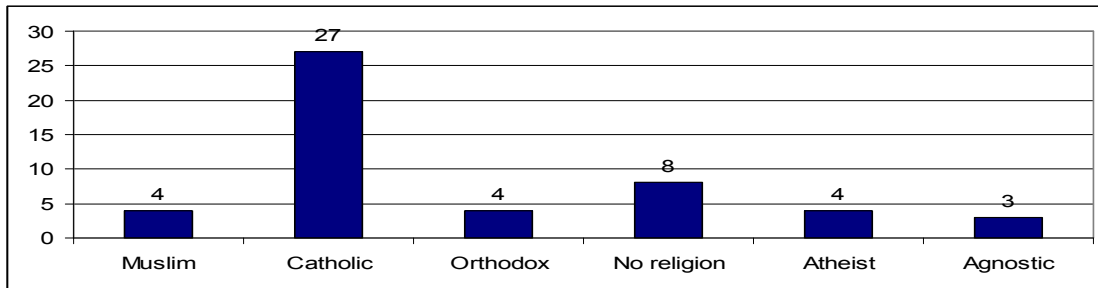
Experience of Discrimination

The majority of interviewees, 90%, claimed to have experienced discrimination on the ground of gender between 12 and 24 months prior to their interview. 6% stated that they had met with gender discrimination between 6 and 12 months prior to their interview and 4% claimed to have experienced discrimination between 1 and 6 months prior to the interview.



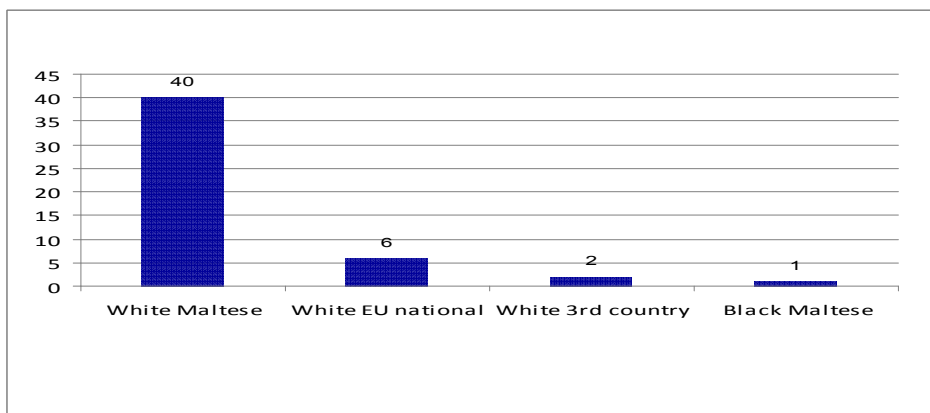
Timeframe of Discrimination

Interviewees identified themselves as professing the Orthodox faith (8%), the Roman Catholic faith (54%), the Muslim religion (8%), as having no religion (16%), being atheist (8%) and being agnostic (6%).



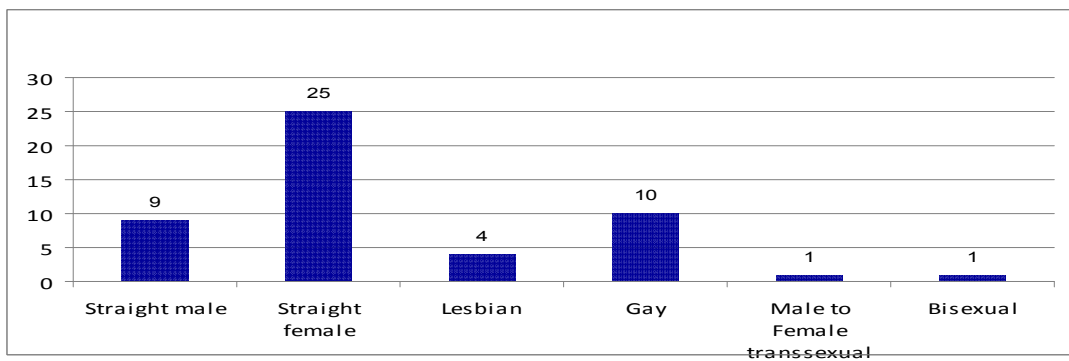
Religion of Interviewee

Of those interviewees who claimed to have experienced gender discrimination 80% stated that they were white Maltese, 12% identified themselves as white EU nationals, 4% white third country national and 2% black Maltese.



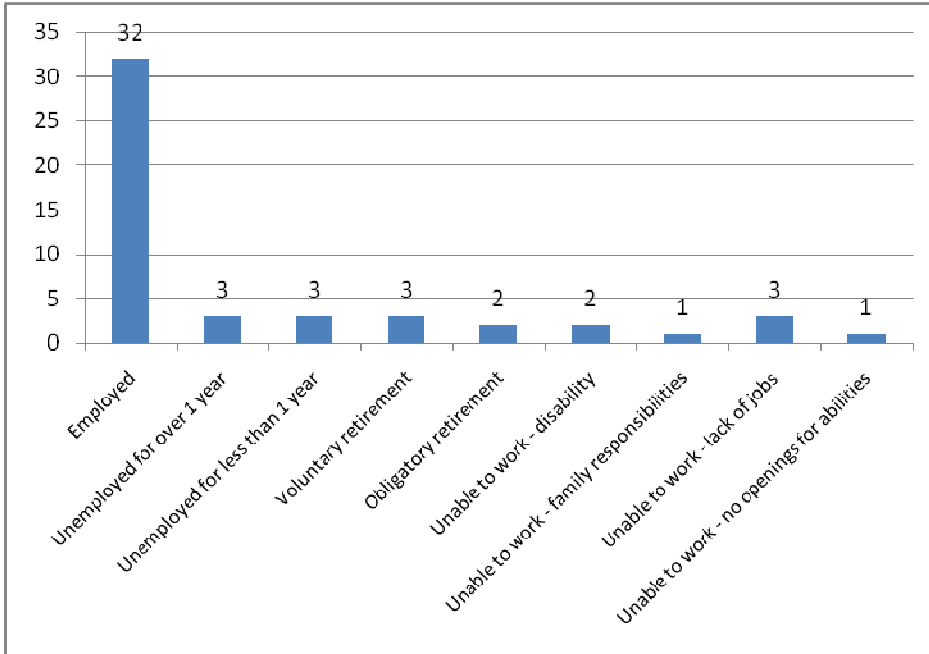
Race / Ethnicity of Interviewee

Sexual identity of interviewees who experienced gender discrimination was varied with 18% identifying themselves as straight males, 50% as straight females, 8% as lesbians, 20% as gay man, 2% male to female transgender and 2% bisexual.



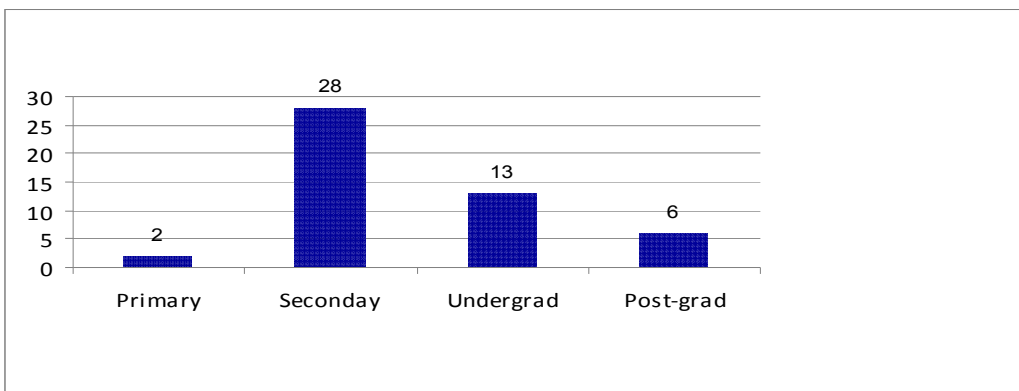
Sexual Identity of Interviewee

Of these 64% were in employment at the time of the interview, 6% were unemployed for over one year and another 6% were unemployed for less than one year. 6% were in voluntary retirement and 4% were in obligatory retirement. 4% were unable to work due to disability, 2% claimed to be unable to work due to family responsibilities and 6% claimed to be unable to work due to lack of jobs. 2% claimed to be unable to work due to lack of job opportunities for the age of the interviewees.



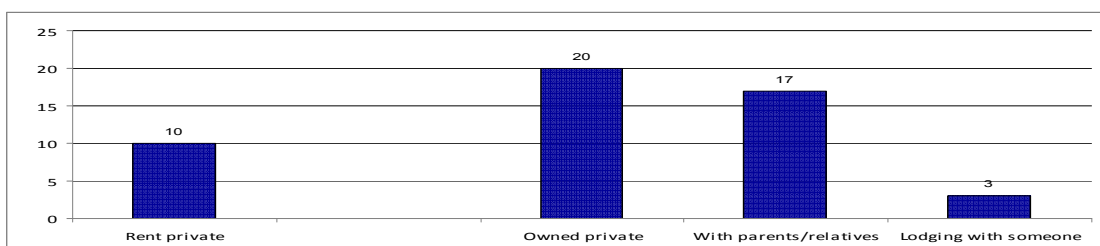
Employment Status

Interviewees also had different educational levels with 12% having completed their post graduate studies, 26% had finished their undergraduate studies, 56% had completed their secondary education and 4% had completed their primary education.



Educational Background

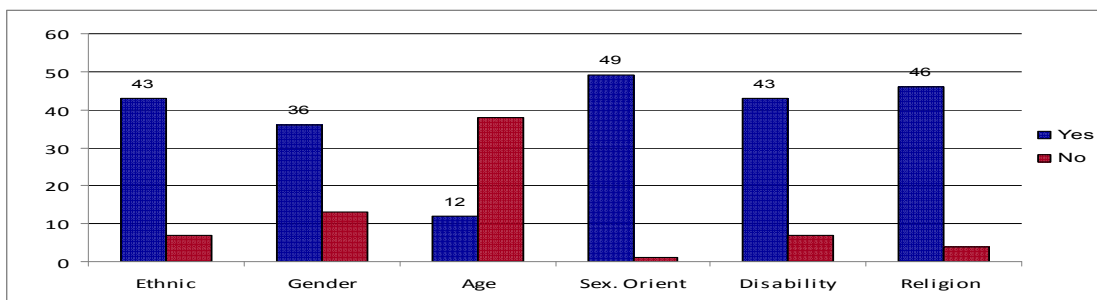
40% of interviewees who claimed to have experienced gender discrimination resided in owned private property at the time of their interview, while 34% resided with their parents. 20% of interviewees resided in rented private accommodation and 6% claimed to reside with someone else.



Accommodation Status

Level of knowledge of what constitutes discriminatory treatment

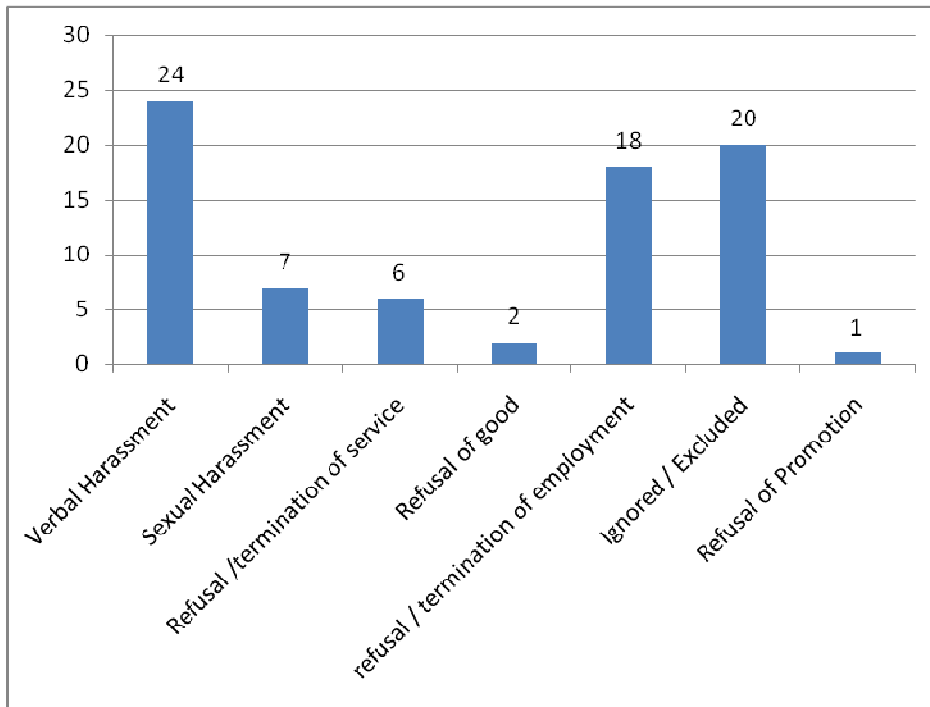
In identifying scenarios as discriminatory or not, interviewees who claimed to have experienced gender discrimination interpreted the scenarios in the following manner. 86% recognised the scenario of ethnic discrimination to be tantamount to discrimination on the ground of ethnicity. 72% identified the scenario based on gender discrimination to be such. Only 24% recognised the scenario which included stereotypes on age as being tantamount to discrimination on the basis of age. 98% of the interviewees identified the scenario on discrimination on the ground of sexual orientation as amounting to discriminatory treatment. The scenario of discrimination on the ground of disability was identified as such by 86% of the interviewees, while the scenario based on religious discrimination was identified by 92% of the interviewees.



Identifying Discrimination

Type of and Area in which Discrimination was experienced

Interviewees were asked to classify their experience of gender discrimination. The majority 48% claimed to have experienced verbal harassment. Refusal or termination of employment was claimed by 36% of the interviewees, while 2% claimed to have been refused a promotion on the basis of their sex. A strong 40% claimed that gender discrimination was experienced through exclusion. 14% stated that they had experienced sexual harassment. 12% stated that they had been refused a service and 4% claimed to have been discriminated against by being refused the supply of a good.

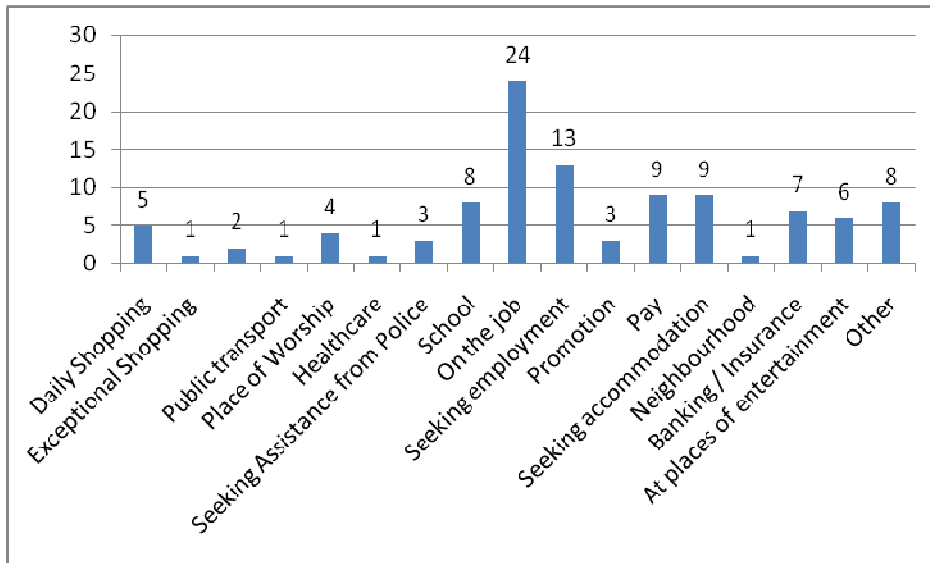


Type of Discriminatory Treatment

When asked to indicate the area within which gender discrimination was experienced by the interviewees, the majority indicated the sphere related to employment. This sphere was sub-divided in the survey and the interviewees indicated their experience as follows:

48% claimed to have experienced gender discrimination on the job, 26% in seeking employment, 6% in relation to a promotion, and 18% in relation to pay.

Other areas in which gender discrimination was experienced were indicated by interviewees as follows: 16% in school, 2% in seeking accommodation, 14% by neighbours, 8% close to a place of worship, 12% in places of entertainment, 2% in healthcare, 10% in shopping for daily needs, 2% in shopping for exceptional items, 2% in using public transport, 6% when seeking help from the police and 4% when seeking information from government entities.



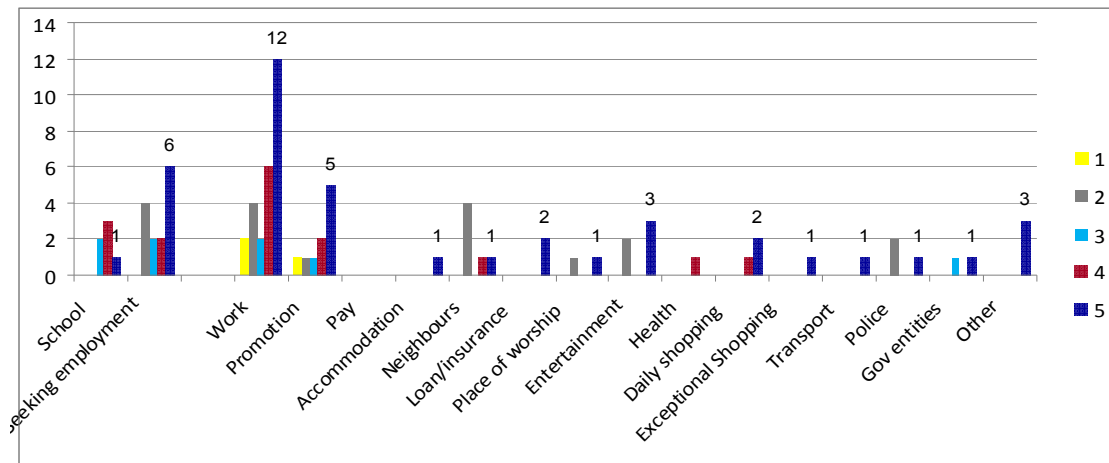
Context of Discrimination

Perpetrators of the discrimination experienced or witnessed by the interviewees was perceived as being perpetrated in school mainly by students (14%) with only 4% indicating that gender discrimination had been perpetrated by a teacher. In the field of access to employment 16% indicated that this was perpetrated by the employer. Gender discrimination on the job was perceived to be perpetrated by other employees by 22% of the interviewees. Another 14% perceived their discriminatory treatment to have been carried out by the supervisor, 18% by the Director, and 10% by a client. When asked to indicate the perceived perpetrator in discrimination related to promotions, 6% indicated the Human Resources Manager as the perpetrator, 2% by the supervisor and 18% by the Director. In seeking accommodation gender discrimination was seen as being perpetuated equally by the owner and estate agent (2% each). 6% indicated that they had experienced discrimination by passers-by when close to a place of worship. At places of entertainment interviewees indicated that the gender discrimination experienced was perpetrated by the security officer (10%) and by other customers (4%). 2% indicated gender discrimination as having been perpetrated by a doctor in the area of healthcare.

When shopping interviewees had experienced discrimination by the shop owner (2%), the salesperson (4%) and other customers (2%). 2% indicated that they had experienced gender discrimination when using public transport by the bus driver. In seeking information from government entities 2% experienced gender discrimination by the director of the entity and another 2% by the secretary of the entity.

The severity of their experience was reported by the interviewees to be the most severe while on the job, then when seeking employment and followed by the area related to promotions. Discrimination experienced in the other areas was indicated to have been of low severity with only 1 person indicating her or his experience to have been severe in the area of education, by neighbours, close to a place of worship, in shopping for exceptional items, in using public transport, in seeking police assistance and information from government entities. 2 of the interviewees indicated their experience as having been

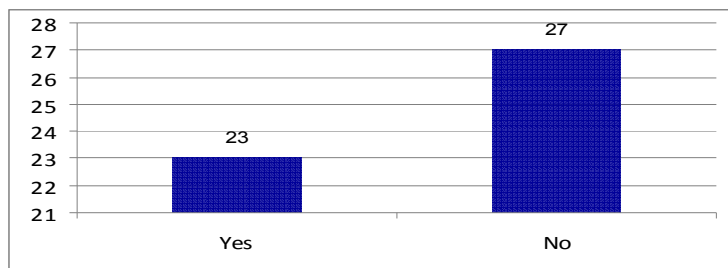
severe in banking/insurance, 3 when at a place of entertainment and another 2 when shopping for daily needs.



Severity of Discrimination

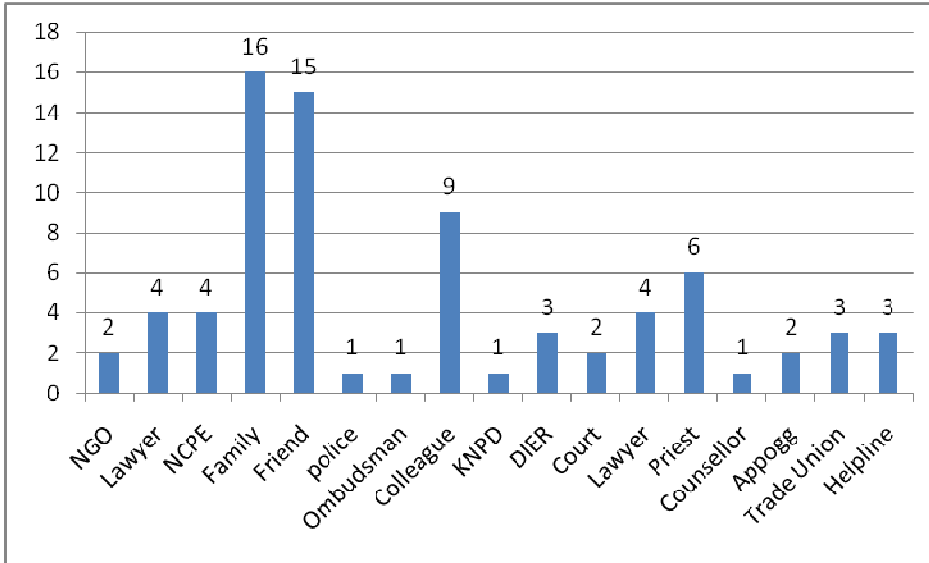
Sharing and Reporting of Experience of Discrimination

46% of the interviewees who experienced or witnessed gender discrimination indicated that they had spoken of their experience with someone.



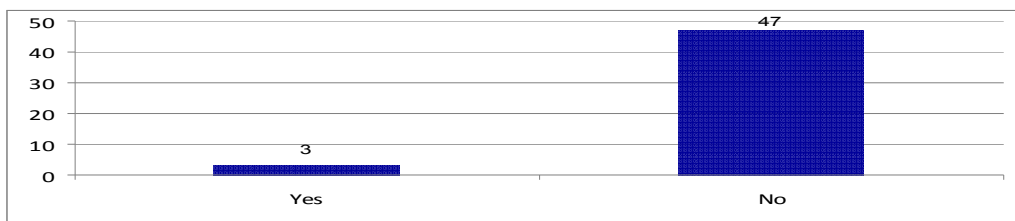
Talked to Someone

In their majority interviewees had shared their experience with a family member or a friend (32% and 30% respectively). Another 18% stated that they had shared their experience with a colleague, 12% with a priest, 8% had discussed their experience with a lawyer and another 8% had approached NCPE. 6% had approached the DIER, and another 6% had approached a trade union. Only 4% indicated that they had shared their experience with a nongovernmental organisation and another 4% with a person from Appogg.



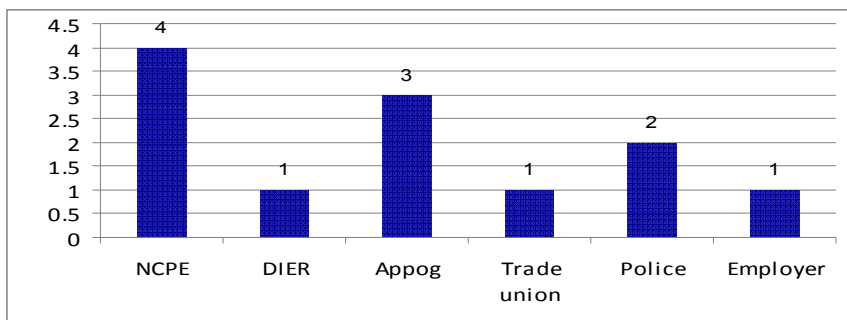
With who was experience shared

Only 6% had presented an official report on their experience of gender discrimination.



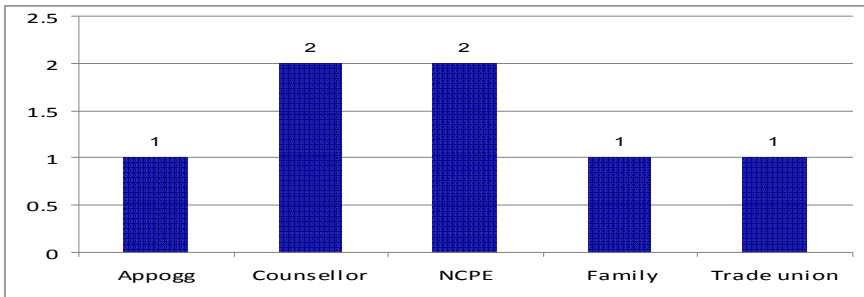
Reported

Interviewees had reported their experience to NCPE (8%), to Appogg (6%), to the police (4%), and 2% each to DIER, Trade Unions, and the Employer.



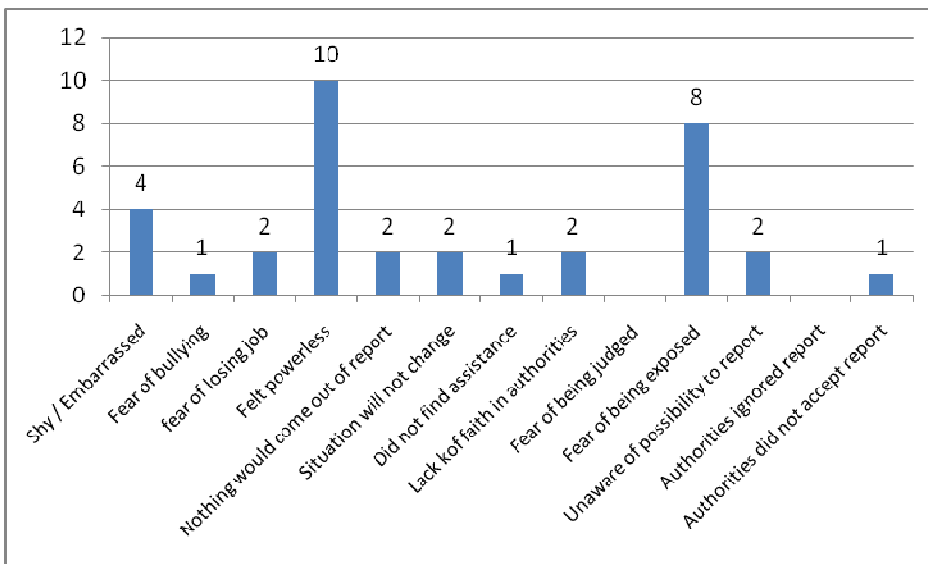
Entities to which Report was presented

In reporting their experience interviewees indicated that they had found support from a counsellor or NCPE (4% respectively), a family member, Appogg or a trade union (2% each category).



Entity offering assistance

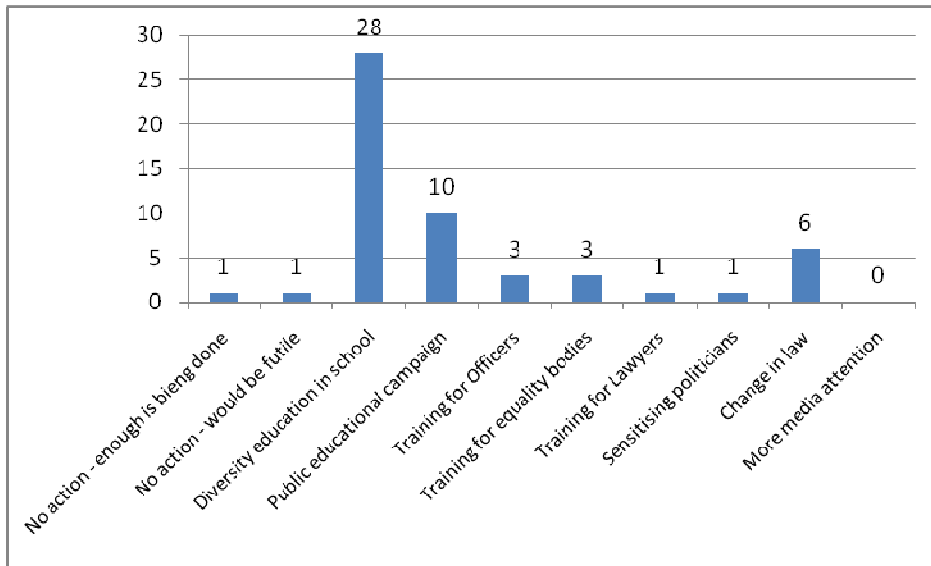
Of the 72% of interviewees who had not reported their experience of gender discrimination, 20% indicated the reason for this as being a feeling of powerlessness. 16% had not reported out of a fear of being exposed and 8% out of shyness and embarrassment. An equal number either feared losing their job, or were unaware of the possibility to report, or felt that nothing would come out of their report, or that the situation would remain unchanged or lacked faith in the authorities (4%). Another 2% indicated that the authorities had not accepted their report, or did not find assistance in reporting or were afraid of bullying.



Reasons for not reporting

Recommended Measures

Interviewees were asked to indicate the measures that they consider as helping victims to present reports. The majority, 56%, indicated that diversity education in school would bring about a higher reporting rate, while 20% indicated the need for a public educational campaign. 12% stated that a change in the law is required, while 6% indicated that training of officers or of employees is required. Only 2% indicated the need to train lawyers and to sensitise politicians. Another 2% claimed that any action would be futile and an equal percentage of interviewees indicated that enough was being done.

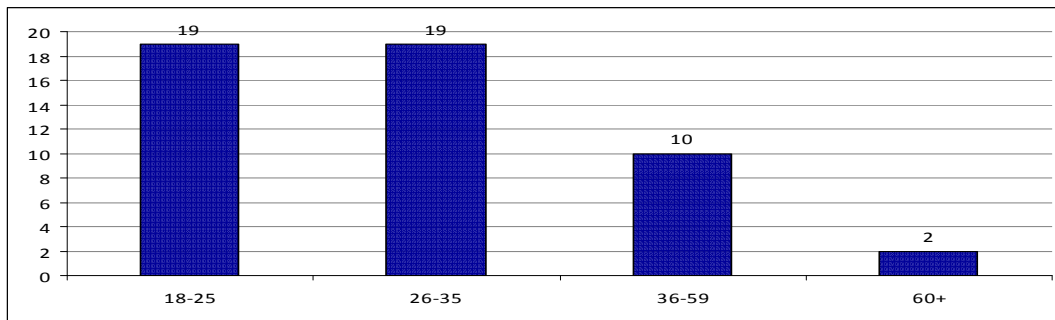


Recommended Measures

3.3 Religious Discrimination

Identifying the interviewees

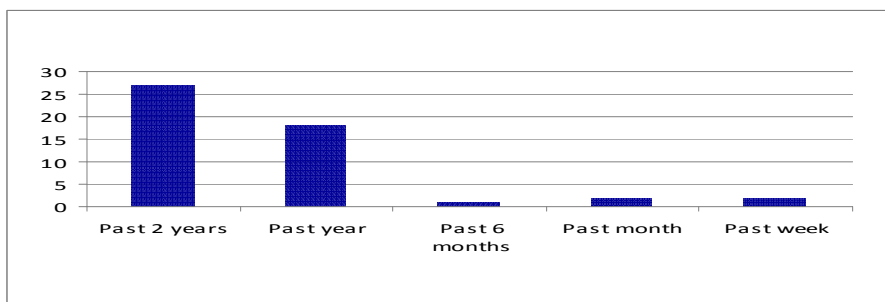
Those interviewees who claimed to have personally experienced or witnessed discrimination on the ground of religion were predominantly between the ages of 18 to 35 years. 38% of interviewees were of an age between 18 and 25 years of age and another 38% of interviewees were of an age between 26 and 35 years of age. Another 20% were of an age between 36 and 59 years and 4% were over 60 years old.



Age of Interviewees

The predominant majority of interviewees claiming religious discrimination had personally experienced such discrimination (62%), while 22% claimed to have witnessed religious discrimination being perpetuated against someone else. Furthermore, 16% of interviewees claimed to have been both personally victims of religious discrimination as well as witnesses of religious discrimination experienced by others.

54% of those who experienced or witnessed religious discrimination stated that this was experienced between 12 and 24 months prior to their interview and 18% claimed that the discrimination was perpetuated between 6 and 12 months prior to their interview. A relatively low number of interviewees claimed to have experienced religious discrimination in the 6 months prior to their interview, with 2% stating that they had experienced discrimination between 1 and 6 months prior to their interview, 4% within the month during which they were interviewed and another 4% within the week of their interview.

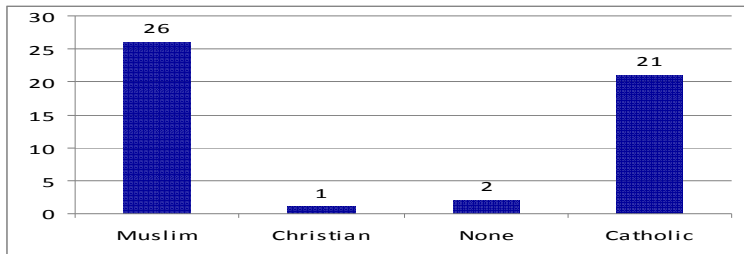


Timeframe of Discrimination

Interviewees professing the Muslim and Roman Catholic faith were the main groups who claimed religious discrimination. 52% of the interviewees claimed that they profess the Muslim religion, and 42%

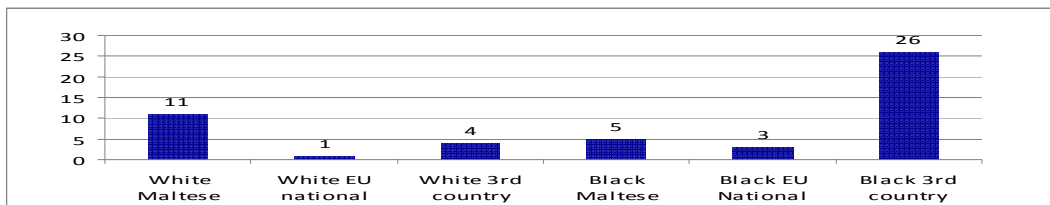
of the interviewees claimed that they profess the Roman Catholic religion. Another 2% claimed to be of a Christian faith and 4% claimed to profess no religion.

The predominant majority of those who claimed to have experienced religious discrimination indicated that they are black and of third country origin (68%), while



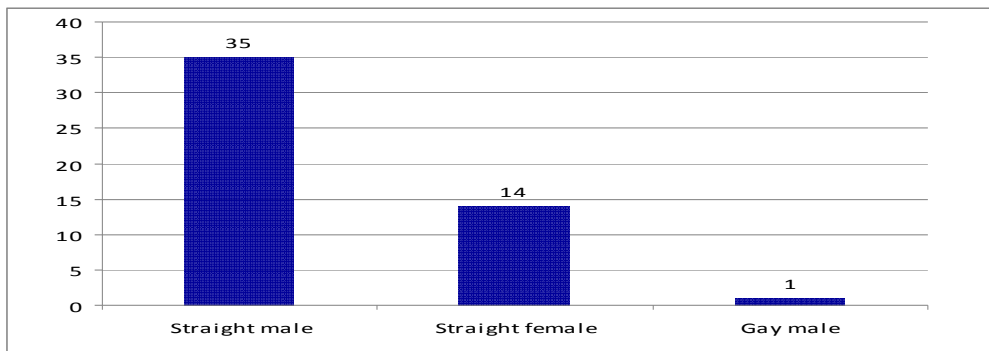
Religion of Interviewee

22% indicated that they are white Maltese, 2% white EU national, 6% white third country national, 10% to be black Maltese, and another 6% to be black EU national.



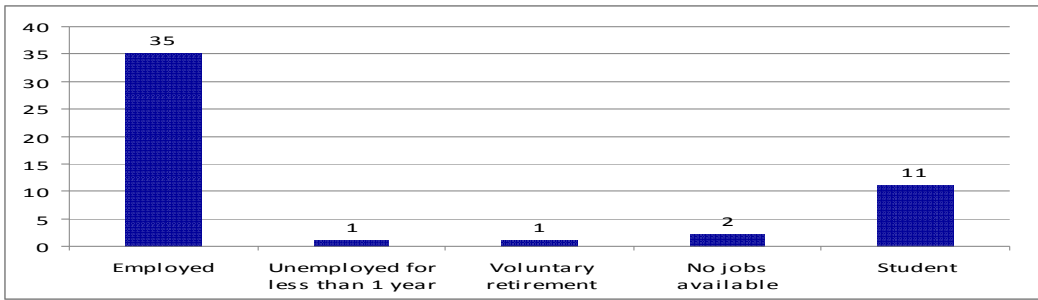
Race / Ethnicity of Interviewee

Of the interviewees who claimed to have been victims or witnesses of religious discrimination 70% stated that they were straight male, 28% to be straight female, and 2% stated that they were gay men.



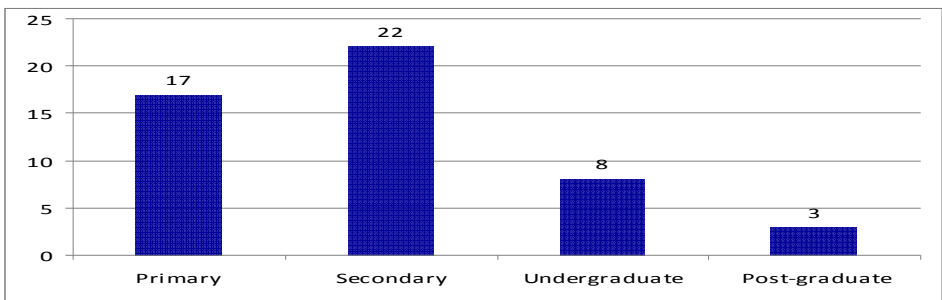
Sexual Identity of Interviewee

70% of the interviewees indicated that they were in employment (that is, either engaged in full or part time employment or in self-employment). 2% indicated to be unemployed for less than one year from the date of the interview, another 2% to be on voluntary retirement, another 2% indicated that no jobs were available to them and a further 22% indicated that they were students.



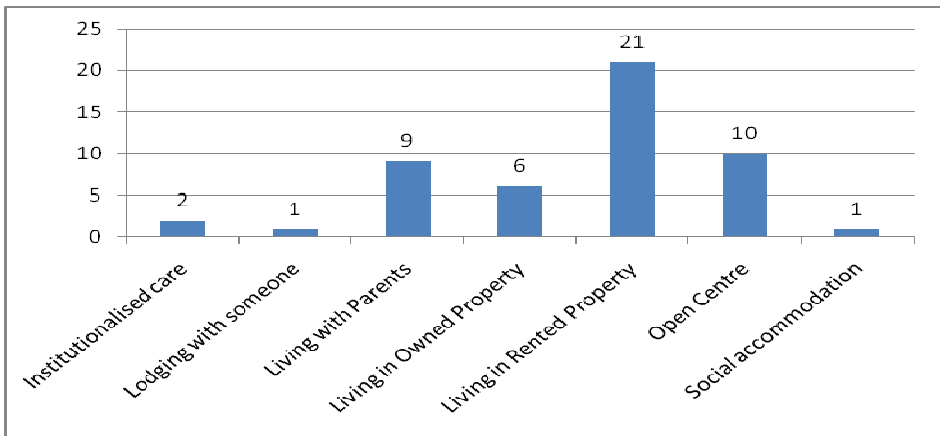
Employment Status

The interviewees educational background included 6% who have finished post graduate studies, 16% who have completed undergraduate studies, 44% having completed secondary education and 34% completed education at a primary level.



Educational Background

The majority of interviewees who experienced religious discrimination resided in private rented accommodation (42%). 20% resided in open centres available for migrants, 18% resided with their parents, 4% were in institutionalised care, 12% resided in their own premises, 2% resided in social housing and another 2% were lodging with someone. The premises in which interviewees resided at the time of the interview can be viewed as indicated in the next graph:

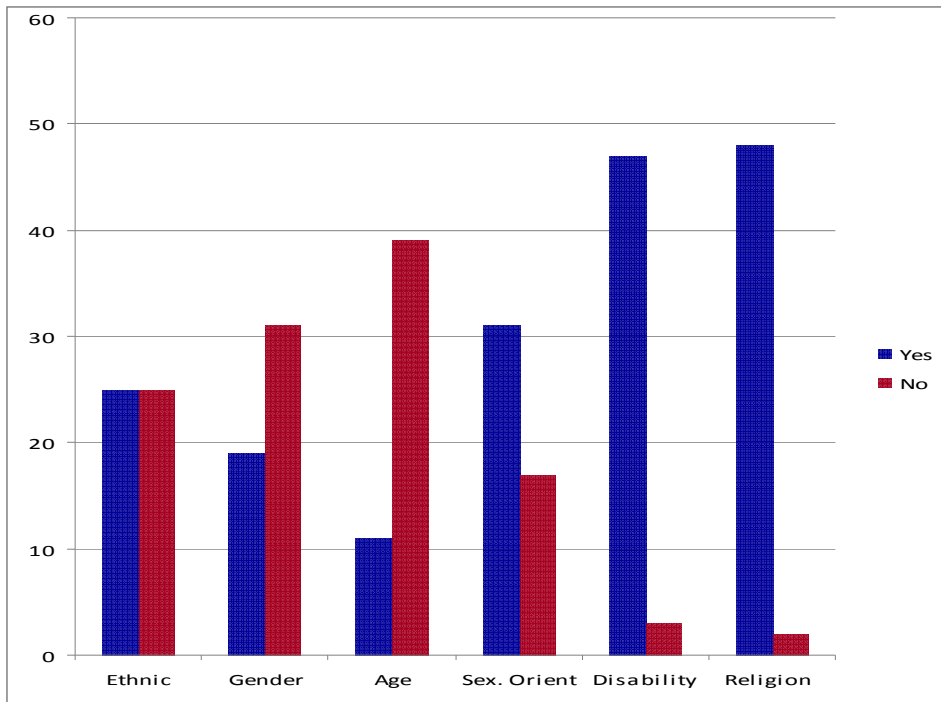


Accommodation Status

Level of knowledge of what constitutes discriminatory treatment

Interviewees who experienced or witnessed religious discrimination were given the same 6 scenarios as other interviewees and were also asked to indicate whether in their opinion the behaviour mentioned in the scenario amounted to discrimination or not. Each ground of discrimination was separately covered

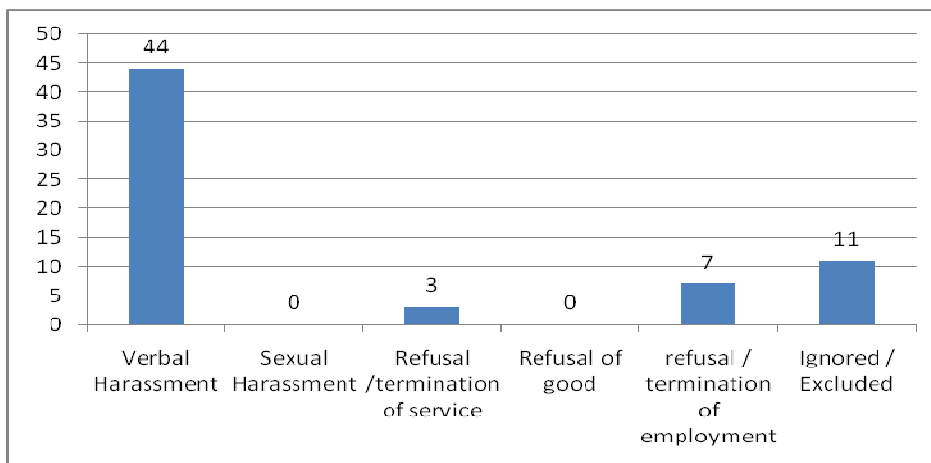
by the scenarios. Interviewees were better able to identify the discrimination on the ground of religion (96%), disability (94%), sexual orientation (62%), ethnicity and race (50%), gender (38%) and age (22%). Consequently the least recognised grounds of discrimination were those of gender and age with 62% not acknowledging the scenario presented as gender discrimination and 78% not identifying the scenario presented as a case of age discrimination.



Identifying Discrimination

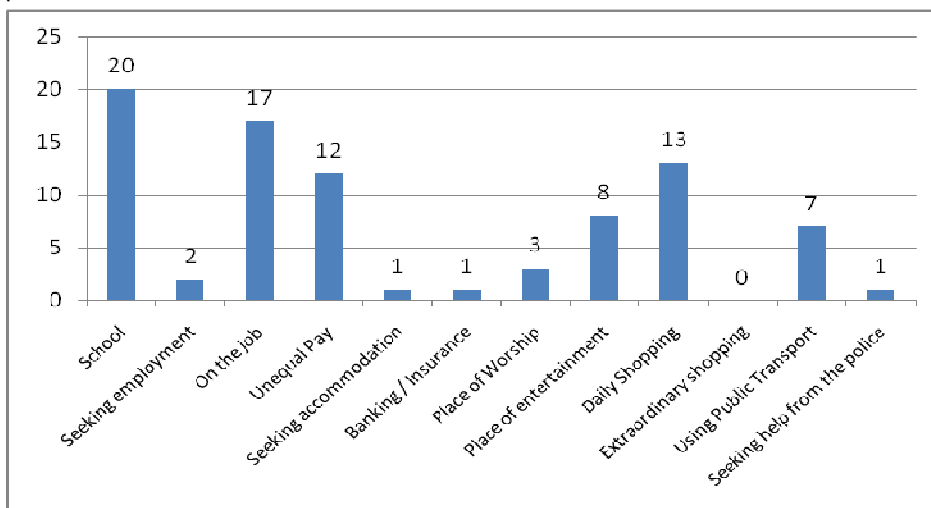
Type of and Area in which Discrimination was experienced

In classifying their experience of religious discrimination the predominant majority indicated that they had experienced or witnessed such discrimination through verbal harassment. This classification was indicated by 88% of the interviewees. 22% stated that they had been excluded, 14% were refused or had their employment terminated and 6% were refused a service or had a service terminated.



Type of Discriminatory Treatment

Most interviewees had experienced religious discrimination while on the job with 34% of the interviewees claiming this to be so. 26% claimed to have experienced such discrimination when shopping for daily needs with none of the interviewees claiming to have experienced religious discrimination when shopping for extraordinary items. 24% claimed to be discriminated by receiving an unequal pay to that being received by other employees for the same work. 20% of the interviewees claimed to have experienced or witnessed religious discrimination in school. Accessing places of entertainment as well as using public transport were also indicated to be areas where religious discrimination was experienced or witnessed, with 16% indicating discrimination when accessing places of entertainment and 14% when using public transport. On the other hand, a further 6% stated that religious discrimination had taken place at a place of worship, 4% when seeking employment, and 2% for each area of seeking accommodation, seeking a loan or insurance policy and seeking help from the police.



Context of Discrimination

In the discrimination experienced at school this was indicated to have been perpetrated by other students and the severity of this experience was classified by the interviewees as being of a severe level by 7 interviewees.

Religious discrimination from the ETC was indicated by 9 of the interviewees who claimed to have experienced religious discrimination in seeking employment, with 22 of these interviewees stating that religious discrimination was perpetrated by the prospective employer. While on the job, 22 interviewees indicated the supervisor as the perpetrator of the discrimination, 16 indicated other employees, 15 indicated the director and 4 indicated the client as the perpetrator of the discrimination. Religious discrimination in seeking a promotion at work was indicated to have been perpetrated by either the supervisor (6 interviewees) or the Human Resources manager (5 interviewees). While the Human Resources Manager and the supervisor was indicated by 20 and 21 interviewees respectively as the perpetrators of religious discrimination leading to unequal pay. In this case only 9 interviewees indicated the director as the perpetrator.

In relation to access to employment the majority of interviewees classified their experience as not being severe. While on the job the majority of interviewees who indicated this sphere indicated that their experience was very severe (12 interviewees). The same result was given for discrimination in relation to unequal pay with 8 interviewees indicating the highest level of severity.

In seeking accommodation 31 interviewees indicated that they had experienced or witnessed religious discrimination by the owners of the property and upon taking residence 11 interviewees stated that they were discriminated by neighbours. This experience was classified by interviewees at a medium level of severity with the interviewees experiencing discrimination in this field indicating level 3 of the scale.

Only 1 interviewee claimed to have experienced religious discrimination in seeking a loan or insurance policy and indicated the manager to be the perpetrator but did not indicate the severity of the experience.

In healthcare religious discrimination was perceived by 9 interviewees to have been perpetrated by the hospital clerk, 7 interviewees by the nurse, 3 interviewees by the doctor, 1 by hospital security and 2 by another patient. In this regard their experience was not considered to be of a high level of severity.

Of those claiming to have experienced religious discrimination when close to a place of worship 2 stated that this was perpetrated by passers-by and was classified as being of level 3 on the scale.

Religious discrimination in access to places of entertainment was indicated by the interviewees as having been predominantly perpetrated by the security officers assigned to the place of entertainment with 34 interviewees indicating this. 10 interviewees indicated that this religious discrimination was perpetrated by the venue owner and 5 interviewees perceived this to be perpetrated by other customers. 5 interviewees classified their experience in this field to be very severe.

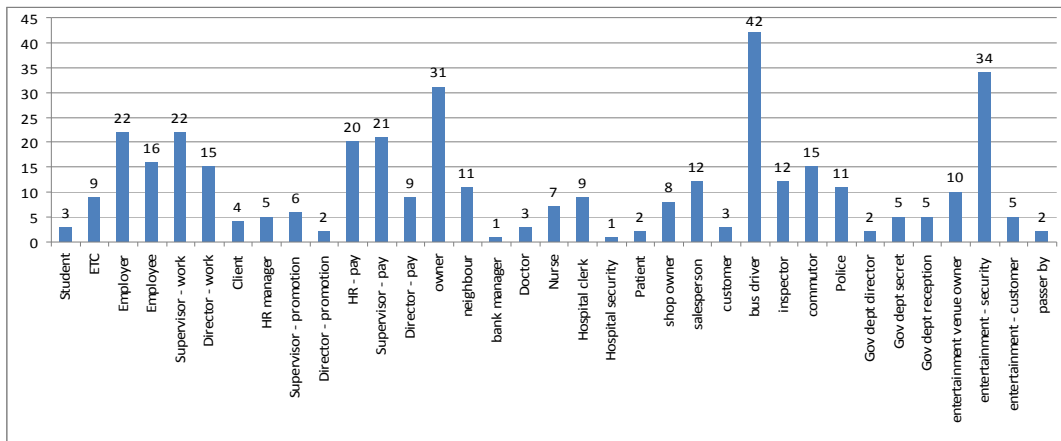
In access to goods interviewees were predominantly discriminated against when shopping for daily needs and for this context 12 interviewees indicated the salesperson to have been the perpetrator and 8

interviewees indicated the shop owner to be such. Interviewees perceived their discriminatory treatment to be severe by 8 of the interviewees.

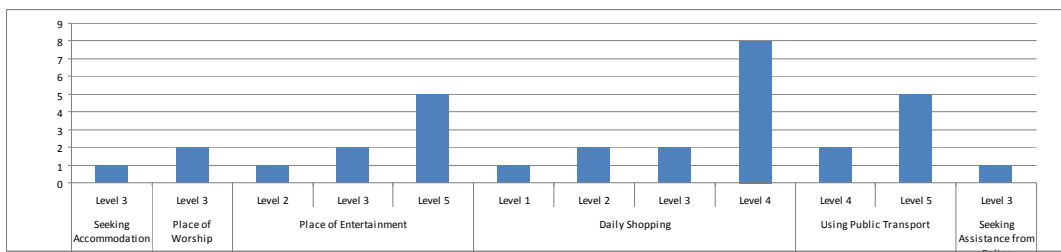
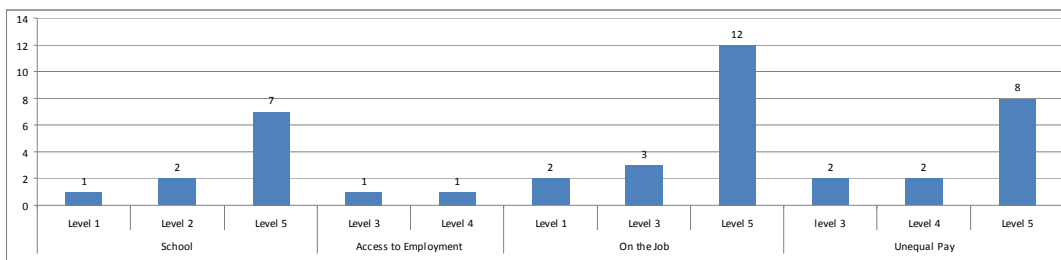
Of the 14% of interviewees who claimed to have experienced or witnessed religious discrimination when using public transport, 42 interviewees claimed that the bus driver was the perpetrator, 12 claimed that the inspector was the perpetrator and 15 claimed that another commuter was the perpetrator. In classifying their experience, 7 interviewees perceived this to be very severe and severe.

The interviewee who indicated religious discrimination when seeking help from the police indicated the perpetrator to be the officer in charge and indicated this to be of level 3 on the scale provided.

In seeking information from government entities, 5 interviewees claimed to have been faced with religious discrimination by the clerk and by the receptionist with only 2 interviewees naming the director as the perpetrator.



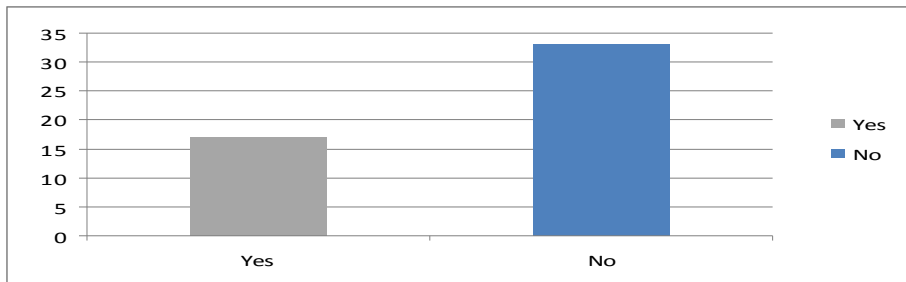
Perpetrator



Perceived Severity of Experience

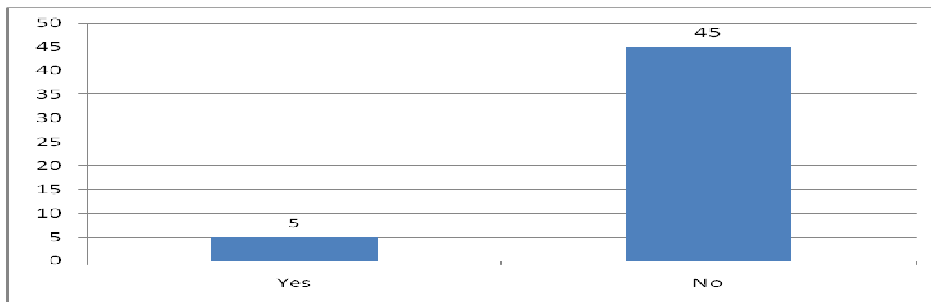
Sharing and Reporting of Experience of Discrimination

Of the interviewees who personally experienced or witnessed religious discrimination 66% did not speak to anyone of their experience.



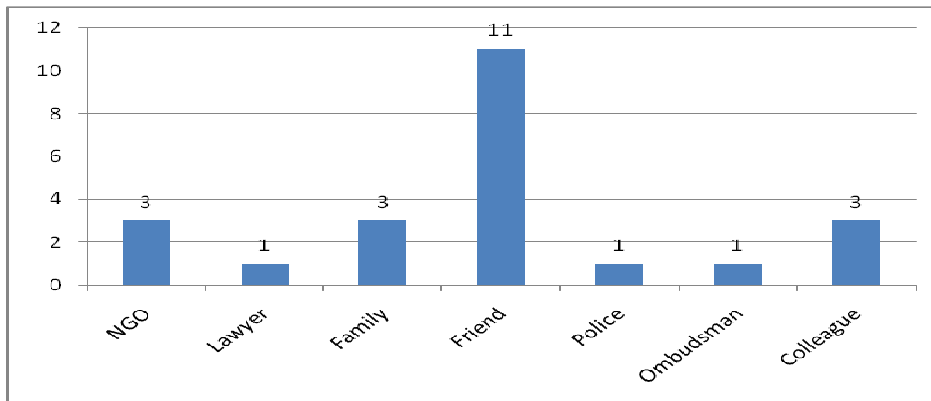
Talked to Someone

Moreover 90% claimed not to have filed an official report. The remaining 10% had filed a report with the Office of the Ombudsman.



Reported

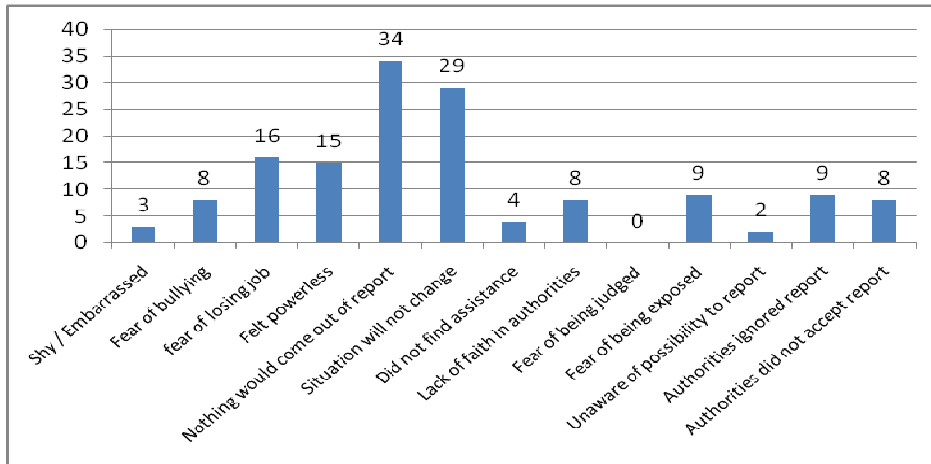
Those who did speak of their experience, that is 34% of all interviewees, mainly turned to friends (67.7%). 17.64% each turned to either a nongovernmental organisation, family relative, or colleague. Only 5.88% each discussed their experience with a lawyer, police officer and the ombudsman.



With who was experience shared

From the 90% of interviewees who chose not to present a report 34 interviewees indicated that nothing would come out their report, 29 claimed that the situation would not change, 16 feared that they would lose their job and 15 felt powerless. Fear of exposure and the authorities ignored the report were indicated by 9 interviewees each as the reason for not making an official report, while fear of bullying, the authorities did not accept the report and lack of faith in the authorities were each indicated by 8

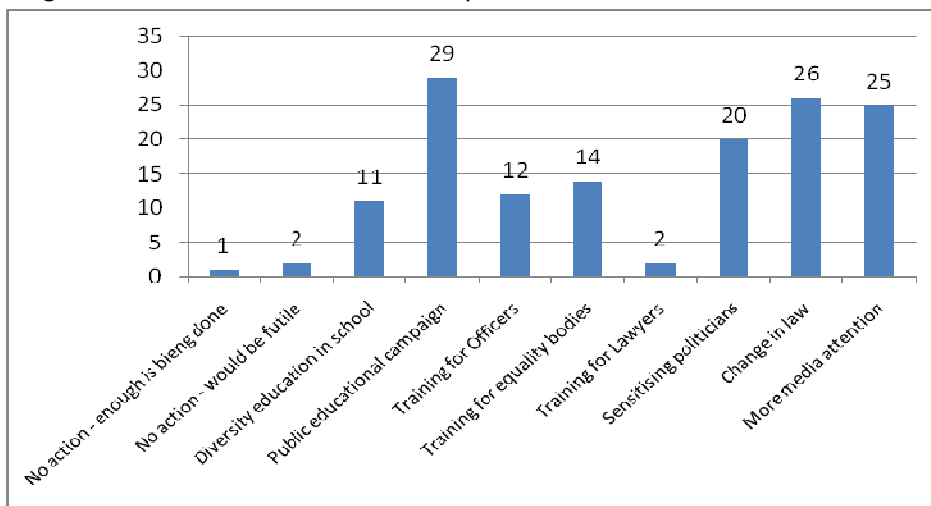
interviewees. 4 interviewees indicated that they did not find assistance, 3 felt embarrassed and 2 were unaware of the possibility to report.



Reasons for not reporting

Recommended Measures

Interviewees who experienced religious discrimination were also asked to indicate a maximum of three measures through which victims could be encouraged to report incidents of religious discrimination. The measures which found most support were the holding of a public educational campaign (58%), followed by changes in the law (52%), more media attention (50%) and sensitising politicians (40%). Only 2% considered that no action is needed as enough was being done, and only 4% considered that any action would be futile, or indicated that lawyers needed further training. However, training for police and army officers, public employees was selected by 24% and training of employees of equality bodies was selected by 28%. The use of diversity education as a measure to encourage victims to report incidents of religious discrimination was indicated by 22%.

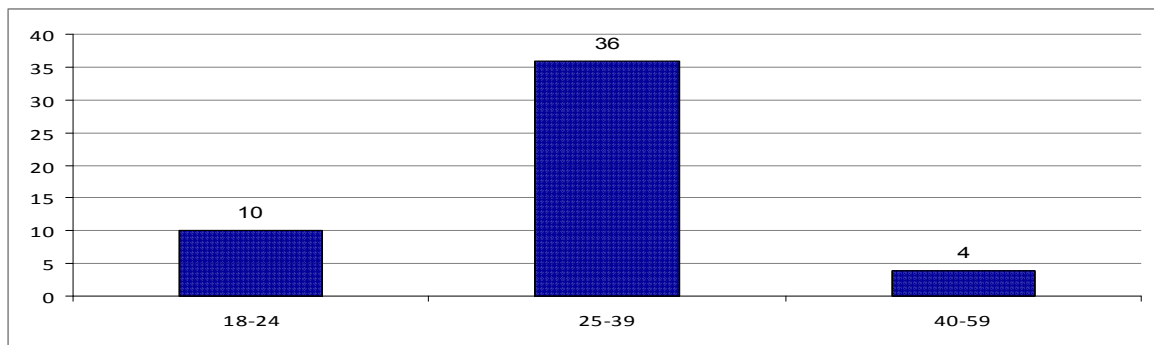


Recommended Measures

3.4 Discrimination on the ground of Race and Ethnic Origin

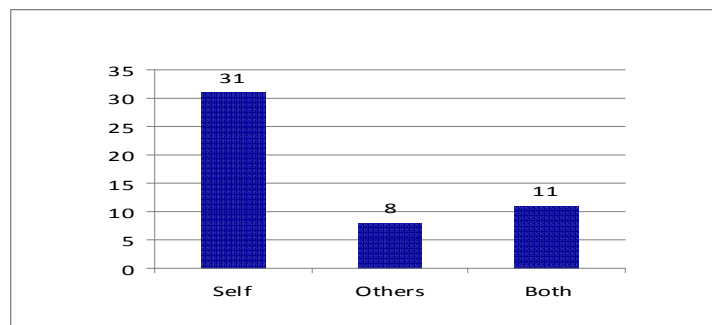
Identifying the interviewees

As indicated in the methodology, persons qualified for the survey only if they had either personally experienced discrimination or witnessed discrimination being perpetrated on others. In the case of interviewees who experienced or witnessed racial discrimination these fell predominantly in the 25 to 39 years bracket at 72%. A sizable amount were however from either the youth group with their age ranging from 18 to 24 years of age with 20% and in the 40 to 59 years age bracket interviewees amounted to 8%.



Age of Interviewees

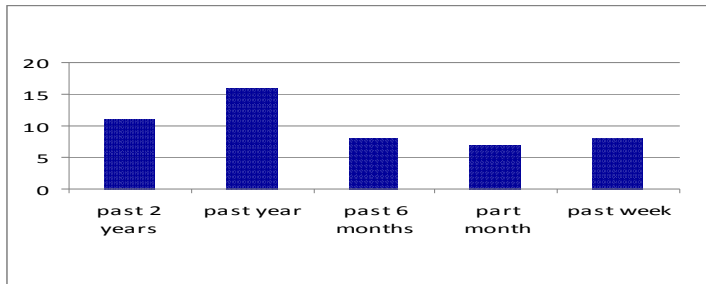
The majority of the interviewees had personally experienced racial discrimination (62%), while a sizable group of these had both experienced and witnessed racial discrimination (22%) and a further 16% had only witnessed racial discrimination.



Experience of Discrimination

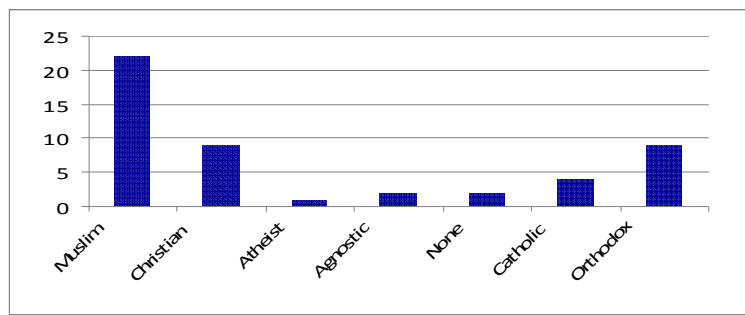
Most interviewees (32%) claimed that the last episode of racial discrimination that they experienced or witnessed occurred between 6 and 12 months prior to the interview. A further 22% claimed that it occurred between 12 and 24 months prior to the interview and 16% had experienced racial discrimination between 1 and 6 months prior to the interview. It is interesting to note that 16% of interviewees had experienced racial discrimination during the week prior to the survey interview, while 14% had experienced discrimination between 1 and 4 weeks prior to the interview. The interviews were

held in the months of October and November 2010.



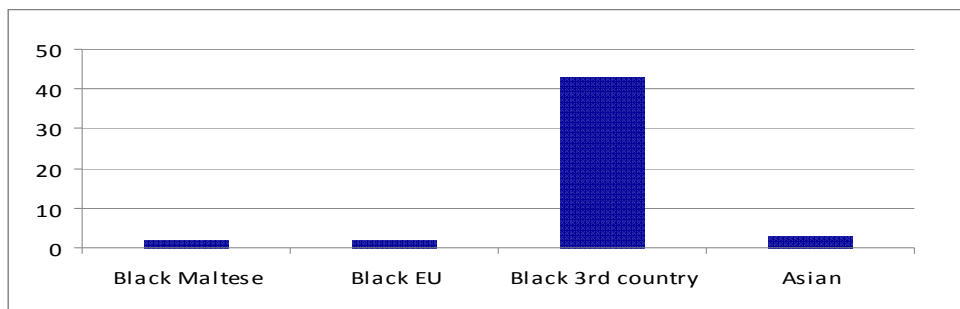
Employment Status

Almost half the interviewees who feel they have experienced discrimination solely on the basis of race (44%) profess the Muslim religion. A further 18% claimed to be Christians; another 18% claimed to profess the Orthodox faith, and 8% claimed to profess the Roman Catholic faith. 2% of interviewees claimed to be atheist and 4% of interviewees to be agnostic.



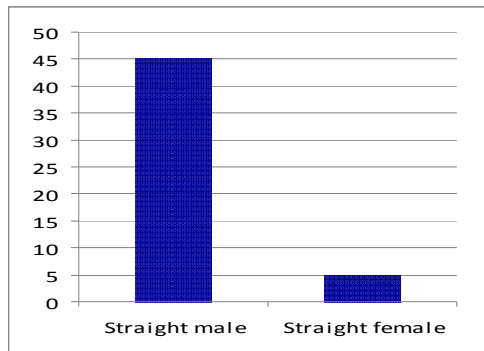
Religion of Interviewee

A predominant majority of interviewees (94%) who claimed that to have experienced racial discrimination were black. Of these 86% were third country nationals, 4% were EU nationals and 4% were Maltese nationals. The remaining interviewees who claimed to have experienced racial discrimination were Asian (6%), one of whom claiming to have EU citizenship.



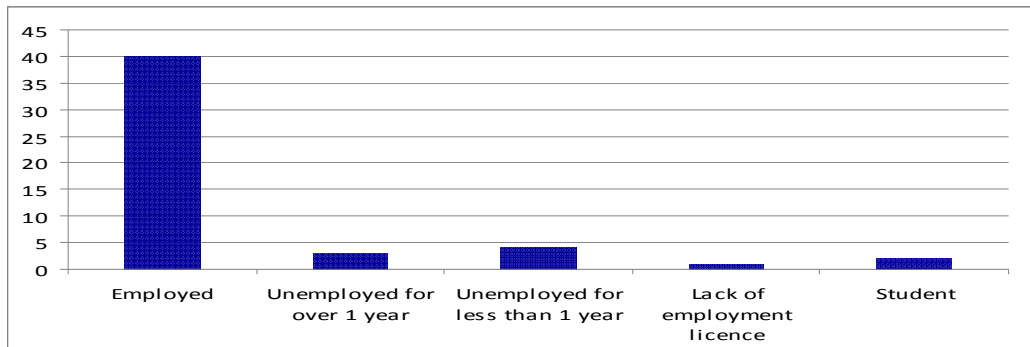
Religion of Interviewee

All the interviewees who claimed to have experienced racial discrimination claimed also to be heterosexual, with 90% being male and 10% female.



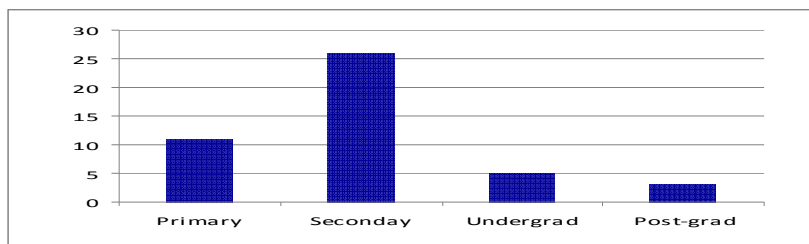
Sexual Identity of Interviewee

Of these interviewees 80% claimed to be in employment (that is, either engaged in full or part time employment or in self-employment). 20% claimed to be unemployed at the time of the interview, 2% of whom claimed to lack of employment licence to be the reason for their unemployment, 8% had been unemployed for less than 1 year and 6% had been unemployed for over 1 year. 4% of interviewees were students.



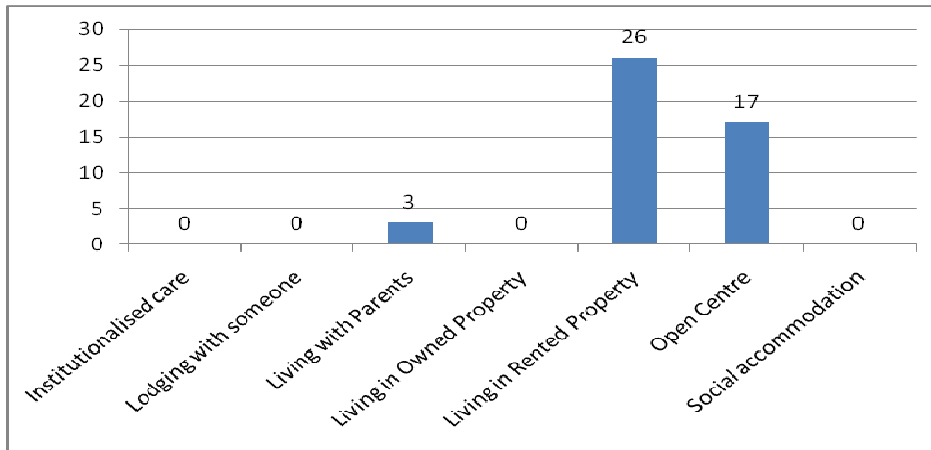
Employment Status

The interviewees educational background included 16% who claimed to have completed tertiary education, 52% had completed secondary education and 22% had completed primary education. Of those who claimed to have completed tertiary education, 10% had completed undergraduate education and 6% had completed post graduate education.



Educational Background

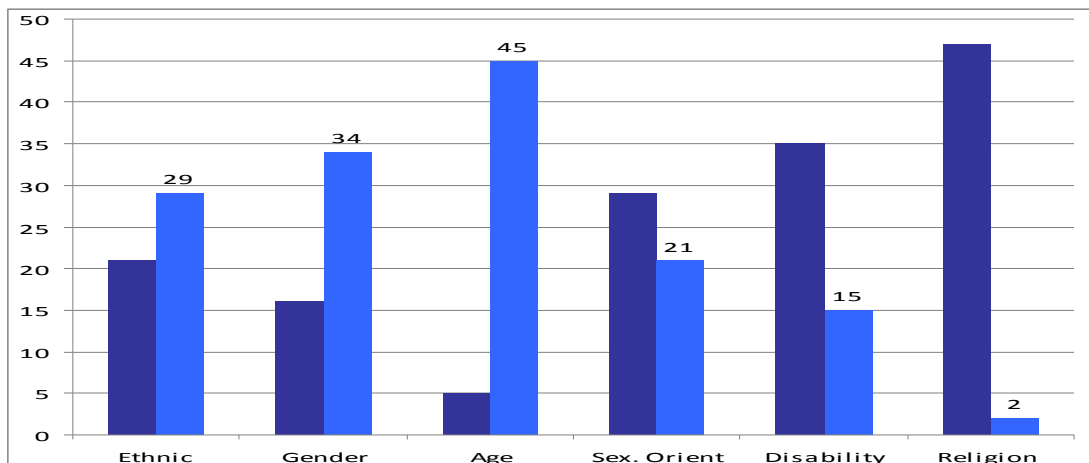
In their majority,(52%) the interviewees who experienced racial discrimination resided in rented accommodation and 34% of the interviewees resided in open centres for migrants. Of those interviewees living in open centres for migrants, 52.94% resided at the Marsa Open Centre, 17.64% at Hal Far Hangar and 29.42% residing at Peacelab, Hal Far Reception Centre, Hal far Tent village, Dar il-Liedna and Dar il-Qawsalla respectively.



Accommodation Status

Level of knowledge of what constitutes discriminatory treatment

Interviewees who experienced racial discrimination were given 6 scenarios of discrimination and were asked to identify whether in their opinion these amounted to discrimination or not. A scenario for each ground was provided in the interview. The outcome of the answers indicates that interviewees hold different interpretations of what constitutes discrimination. 42% of the respondents who experienced racial discrimination recognised the scenario of racial discrimination to be so, with 58% claiming this did not give rise to a situation of discrimination. 58% of the respondents who experienced racial discrimination recognised the scenario of discrimination on the ground of sexual orientation to be so; 32% identified the scenario of gender discrimination to be so, 70% recognised the scenario of discrimination on the ground of disability to be so, 96% recognised the scenario of religious discrimination and only 10% recognised the scenario of age discrimination to be so.

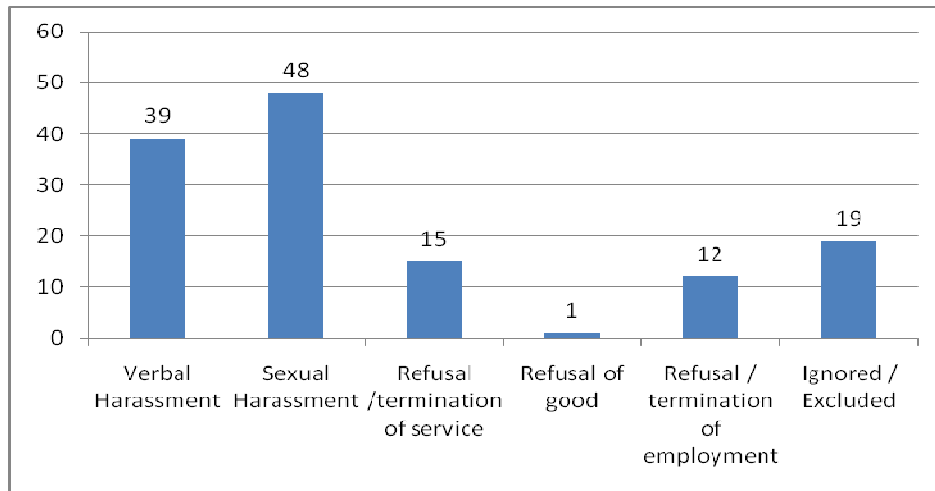


Identifying Discrimination

Type of and Area in which Discrimination was experienced

Interviewees were asked to classify the type of discrimination that they had experienced. Interviewees were given a number of options including: verbal harassment, sexual harassment, refusal or termination of a service, refusal of providing a good, refusal or termination of employment, refusal of promotion, exclusion, lack of physical access and lack of reasonable accommodation. 78% experienced

discrimination in the form of verbal harassment, 96% experienced discrimination in the form of sexual harassment, 30% experienced the refusal of provision or termination of a service, 2% were refused the provision and access of a good, 24% experienced discrimination by being refused employment or their employment was terminated, 38% felt discriminated against by way of being excluded.



Type of Discriminatory Treatment

Almost all the respondents who have experienced racial discrimination did so when accessing public transport; in fact 90% of the interviewees indicated that they had experienced discrimination in this area. In 28 of these cases (62%) the discrimination was seen as being perpetrated by the bus driver, in 2 cases (4%), the racial discrimination was perpetrated by the inspector, whilst in 1 episode (2%) it was a commuter who perpetuated the discrimination. In 5 cases (11%) the discriminatory incident was perpetrated by both the driver and another commuter. 9 instances of racial discrimination that respondents mentioned during the interview (20%) involved the bus driver, inspector and fellow commuters.

Another area in which racial discrimination was claimed with a good majority of interviewees is that of employment. 30 respondents (60%) claimed to have been discriminated against when seeking employment. 39 respondents (78%) claimed to have been discriminated against on the job. 38 respondents (76%) claimed to have been discriminated against by receiving less pay than another employee performing the same job. 12 respondents (24%) claimed to have been discriminated against when being considered for a promotion.

The majority of those claiming to have been discriminated against when seeking employment had been discriminated against by potential employers (70%) while 8 (26%) claimed to have been discriminated against by the ETC. One respondent (4%) claimed to have been discriminated against by both the ETC as well as the potential employers.

Of those who stated that they had been discriminated against while on the job, 16 said that they had been discriminated against by colleagues, 22 by a supervisor, 14 by the director and 4 by clients.

Interviewees who claimed to have been discrimination against when being considered for a promotion perceived this discrimination to have been perpetuated by their director (n=2), supervisor (n=6) or human resource manager (n=5). Similarly, those discriminated against by receiving less pay for the same job as another employee were discriminated against by their director (n=9), supervisor (n=21) or human resources manager (n=20).

76% of those interviewees who claimed to be victims of racial discrimination stated that this was experienced when accessing places of entertainment. In 34 of these cases the perpetrator of the discriminatory incident was the bouncer or security guard of the establishment. 10 involved the owner of the establishment and 5 involved other patrons in the establishment.

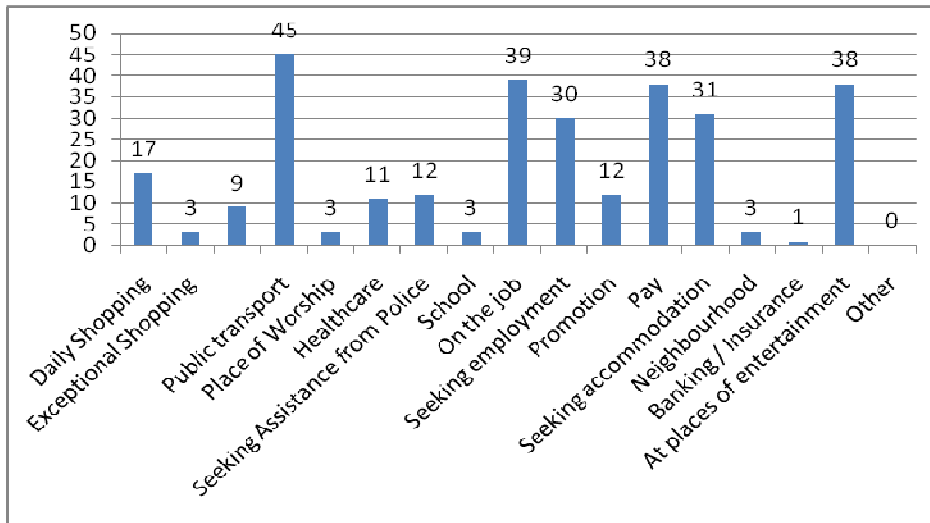
Racial discrimination is also common when looking for a place to rent or buy. In fact 62% of respondents (n=31) claimed to have been discriminated against in this context. In all cases, the perpetrator of the discrimination was the potential landlord. 11 respondents claimed to have experienced discrimination at the hands of their neighbours. These included people who rent, people who own their house, those living with their parents and those living in open centres.

17 respondents claimed to have been discriminated against when shopping for daily goods. 6 of these had been discriminated against by the shop owner, 11 by the sales person and 3 by other customers. Contrastingly, only 3 people had been discriminated against when shopping for exceptional objects. These had been discriminated against by the shop owner (n=2) or the sales person (n=1) but not by other clients.

12 people claimed to have experienced discrimination when seeking help from the police. Similarly, some people (n=11) also felt racially discriminated against when accessing healthcare. Interviewees claimed that this discrimination was perpetuated by the hospital clerk (n=9), nurse (n=7), doctor (n=3) or even other patients (n=2).

9 people felt discriminated against when seeking information from a government department, namely by the secretary (n=5) or clerk (n=5) of that department or by the director (n=2). 3 people claimed to have been discriminated against by students at school. 3 respondents claimed to have been discriminated against by a passer-by when he/she was close to a place of worship.

Only one person stated that he/she had been discriminated against when seeking a loan or insurance policy.



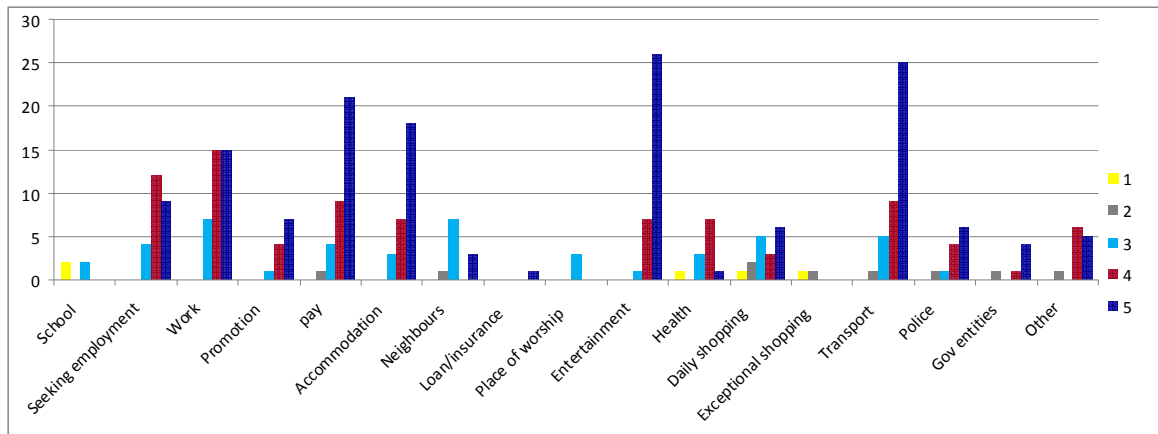
Context of Discrimination

In indicating the severity of their experience interviewees were asked to indicate 1 as not being severe and 5 as signifying very severe. According to interviewees the most severe experience of discrimination was encountered in accessing a place of entertainment and also in using public transport. This was closely followed with receiving unequal pay and seeking accommodation. Of all the interviewees who experienced racial discrimination in accessing a place of entertainment 52% perceived this to be very severe (indicating level 5) and 14% perceived this to be severe (indicating level 4). In the use of public transport 50% classified their experience of discrimination as being very severe (indicating level 5) and 18% perceived this to be severe (indicating level 4). Unequal pay was perceived to be very severe (indicating level 5) by 42% with 18% indicating this experience to have been severe (level 4). Discrimination in seeking accommodation was indicated by 36% to be very severe (level 5) and 14% felt this to be severe (indicating level 4). On the job the experience of discrimination was perceived with equal numbers of interviewees as very severe and severe (level 5 and 4) by 30% for each level of severity from the interviewees who indicated discrimination in this area. Accessing employment was also indicated as an area in which very severe or severe discrimination was experienced. 18% perceived their experience to have been very severe and 24% to be severe.

Level 1, that is not severe only obtained scores from interviewees in the area of schooling, accessing healthcare, and shopping. 4% of those who experienced discrimination in school, 2% of those who experienced discrimination when shopping for daily needs, for exceptional goods, in healthcare indicated that the experience of discrimination was not severe.

From those experiencing discrimination when seeking help from police officers 12% indicated their experience to have been of very severe discrimination and 8% to have been severe.

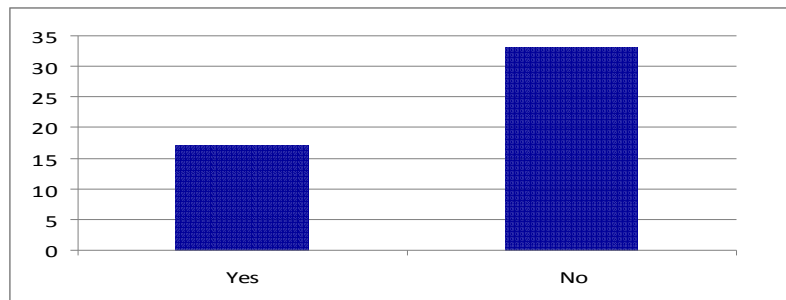
Interviewees were also given the chance to indicate their experience of discrimination in other areas not specifically indicated in the survey.



Severity of Discrimination

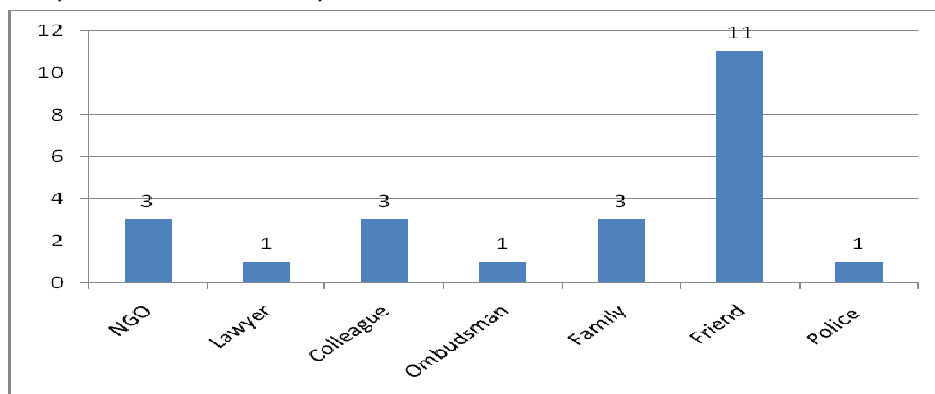
Sharing and Reporting of Experience of Discrimination

66% of all interviewees who experienced racial discrimination did not speak to anyone of their experience of discrimination.



Talked of Experience

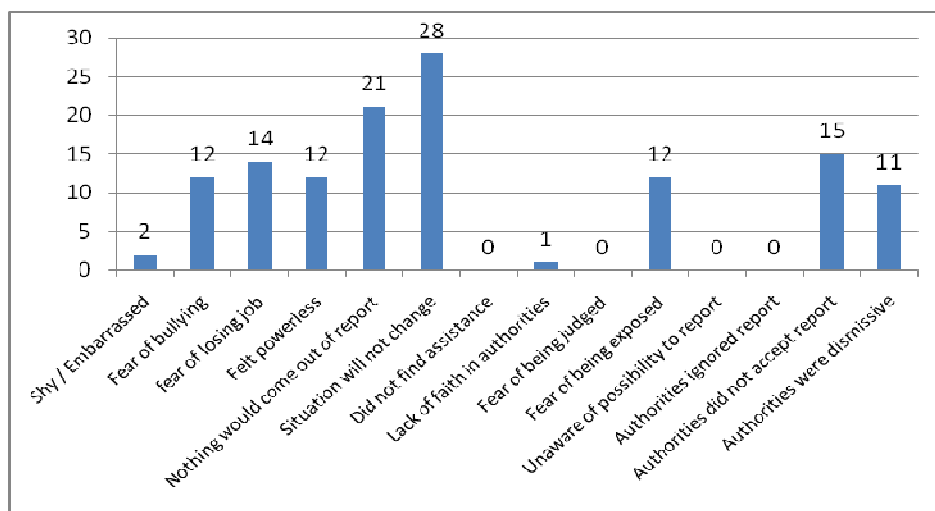
Of the 34% of interviewees who did share their experience with someone, 34% spoke to friends, 17% shared their experience with relatives, colleagues or non governmental organisations (17% in each case). 2% of those who spoke to an NGO also spoke to the police about the incident, while another 2% also spoke to a lawyer. Only 2% who had experienced discrimination solely on the basis of race had approached the ombudsman. This was the only official report regarding racial discrimination that was made by the respondents of this survey.



With who was experience shared

85% of these (28 interviewees) claimed that they did not share their experience with others because the situation will remain unchanged and 63% (21 interviewees) claimed that nothing would have come out of their report. 42% did not share their experience for fear of losing their job (14 interviewees). 36% (12 interviewees) felt powerless, while 24% each category did not share their experience for fear of being exposed or bullied. 21% of respondents claimed that they tried to report, but the authorities had been dismissive, or did not accept the report (15%). 4% felt too embarrassed to talk about the experience and 2% person claimed that they had no faith in the authorities.

The results show that from the 50 interviewees only 1 had filed an official report. Of the interviewees who did speak about their experience but did not place an official report, most claimed that reporting would be futile because nothing would come out of the report. 29 claimed that their situation will remain unchanged, 8 claimed that they had no faith in authorities, while 9% claimed that they tried to report but the authorities were dismissive. 15 did not report because saying that they felt powerless, 3 felt embarrassed and 9 feared being exposed, while another 16 feared losing their job and an equal number were unaware that they could file a report. 34 claimed that nothing would come out of their report.



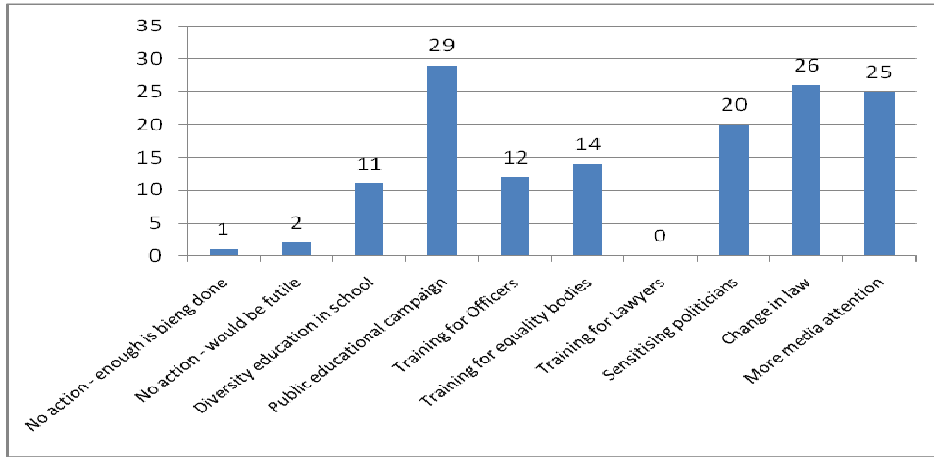
Reasons for not reporting

Interviewees were asked to indicate from whom they had found support in reporting. Only one interviewee did present an official report and indicated that support was found from friends, lawyer and a nongovernmental organisation.

Recommended Measures

Interviewees were asked to indicate a maximum of three measures which in their opinion would encourage victims or witnesses of discrimination to report the incidence of racial discrimination. 58% of interviewees indicated that a public educational campaign was needed, while 52% indicated a need for amendments in the law or the introduction of new laws. 50% indicated that more media attention is needed. Sensitising politicians (40%) and training of employees working within equality bodies (28%) and members of the Police Force, the Army, public officers, and employers (24%), and diversity

education in schools (22%) were also deemed necessary. 6% of the interviewees claimed that no action was necessary: 2% of these claimed that this was because enough is currently being done, and 4% claimed that any additional efforts would bear little fruit.

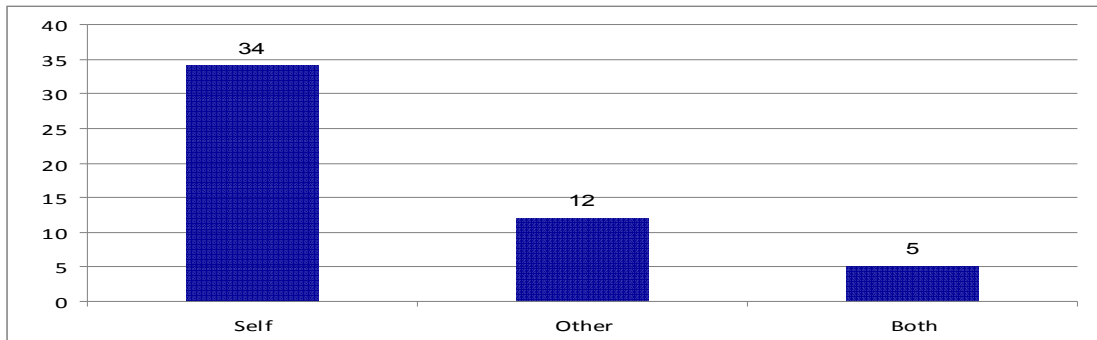


Recommended Measures

3.5 Discrimination on the ground of Sexual Orientation

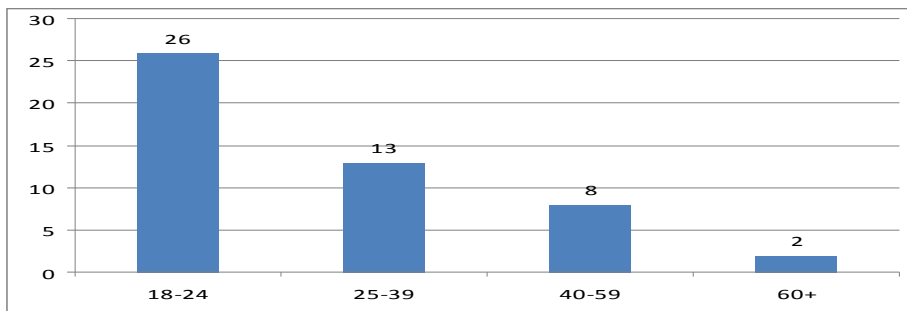
Identifying the interviewees

68% of the interviewees who claimed to have experienced discrimination on the ground of sexual orientation indicated that they had done so personally. On the other hand, 24% claimed to have been witnesses of discrimination on the ground of sexual orientation and a further 10% claimed to have both personally experienced discrimination as well as witnessed others being discriminated against on this ground.



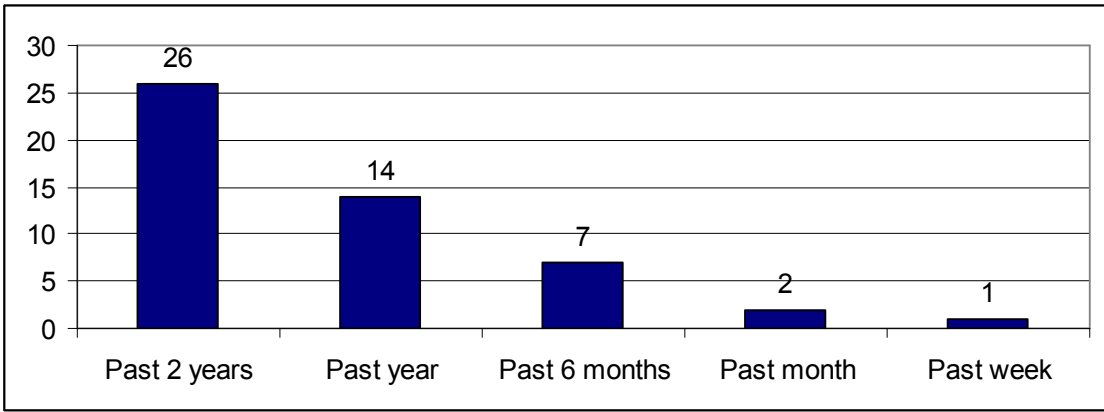
Experience of Discrimination

52% of the interviewees who claimed to have experienced discrimination on the basis of sexual orientation were between the age of 18 and 24 years. A further 26% were between the ages of 25 to 39 years; 16% between 40 and 59 years and 4% were above 60 years of age.



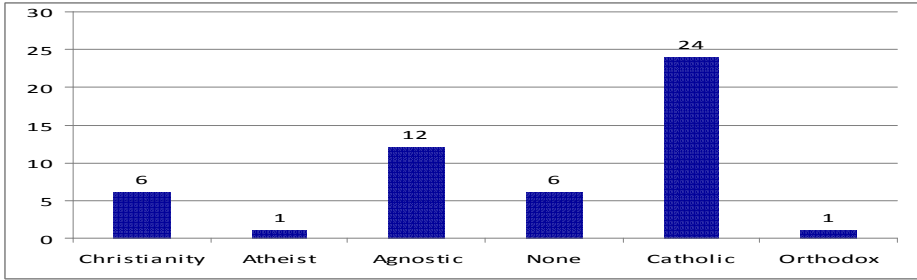
Age of Interviewees

The majority of interviewees, 52%, claimed to have experienced such discrimination between 12 and 24 months prior to their interview, while 28% indicated that this had occurred between 6 and 12 months prior to their interview. A further 14% stated that they had experienced discrimination on the ground of sexual orientation between 1 to 6 months prior to the interview and 4% had experienced this type of discrimination within a month prior to their interview. A further 2% claimed to have experienced this discrimination within the week of their interview.



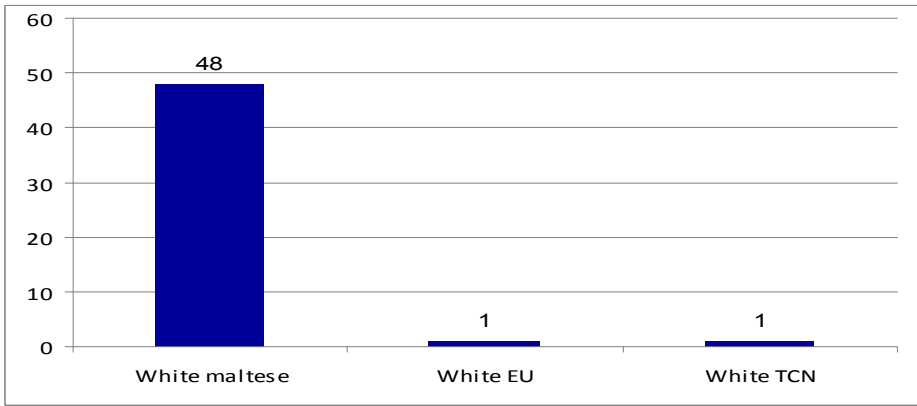
Timeframe of Discrimination

48% of interviewees claimed to profess the Roman Catholic religion while another 12% claimed to be Christian. 2% of the interviewees claimed to profess the Orthodox faith. On the other hand, 24% claimed to be agnostic, 12% to have no religion and another 2% to be atheist.



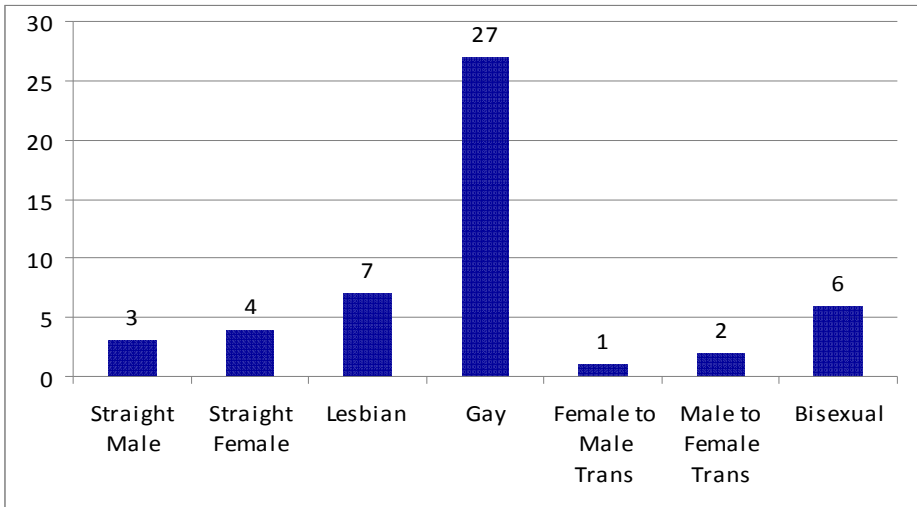
Religion of Interviewee

Interviewees were predominantly white Maltese (96%); a further 2% identified themselves as being white EU nationals and another 2% to be white third country nationals.



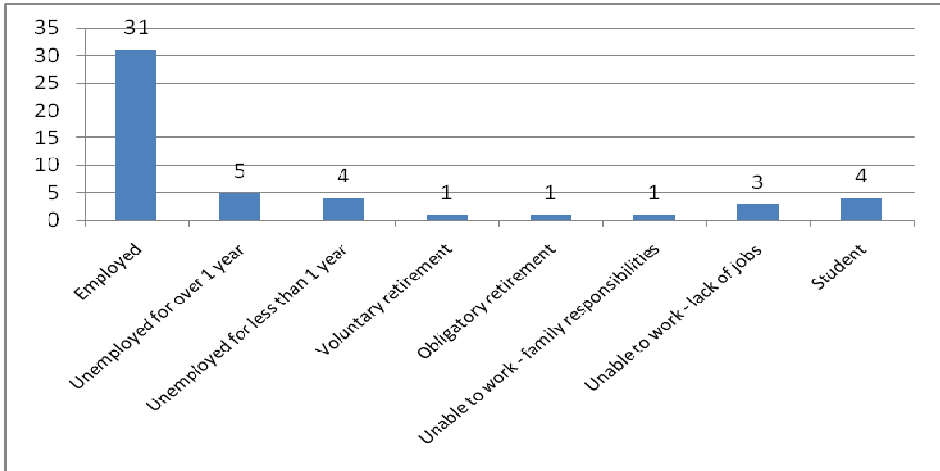
Race / Ethnicity of Interviewee

The sexual identity of the interviewees who claimed discrimination on the ground of sexual orientation included 54% who identified themselves as gay, 14% as lesbians, 12% as bisexuals, 8% as straight female, 6% as straight male, 4% as male to female transgender and 2% as female to male transgender.



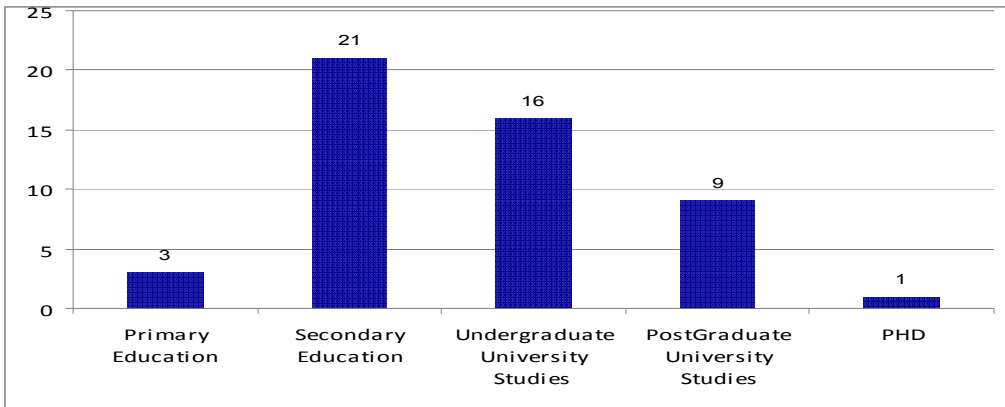
Sexual Identity of Interviewee

The majority of the interviewees claimed to be in employment at the time of the survey (62%). 10% indicated that they had been unemployed for over a year and another 8% claimed to have been unemployed for less than a year. 8% indicated that they were further their studies on a full time basis and 6% claimed that they were not employed as no jobs were available. 2% were either in voluntary retirement, or obligatory retirement or not working due to family responsibilities.



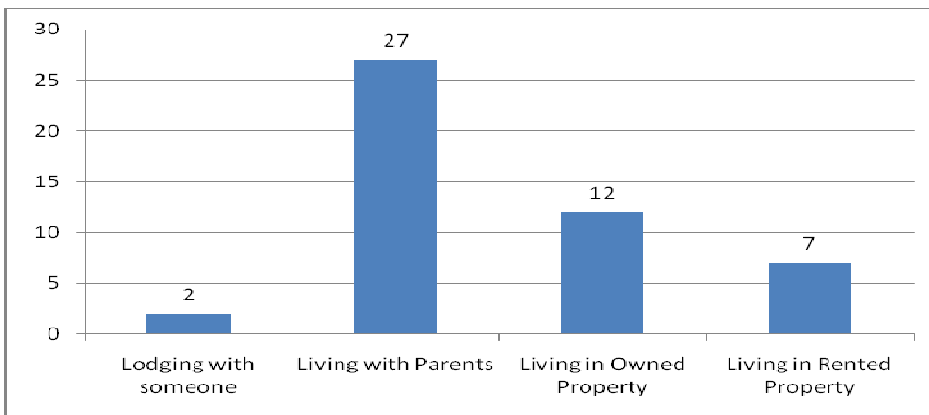
Employment Status

21% of the interviewees had completed secondary education as opposed to 6% who had only completed primary education. A further 32% claimed to have completed undergraduate university studies. Another 18% indicated that they had finalized a post graduate degree and 2% had completed their PhD.



Educational Background

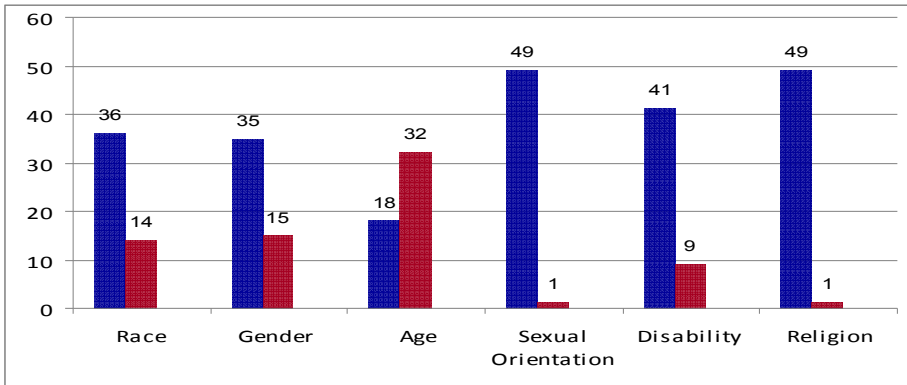
Most of the interviewees claimed to reside with their parents or a family member (27 interviewees), followed by those who resided in their own property (12 interviewees), in rented property (7 interviewees) or lodging with someone (2 interviewees).



Accommodation Status

Level of knowledge of what constitutes discriminatory treatment

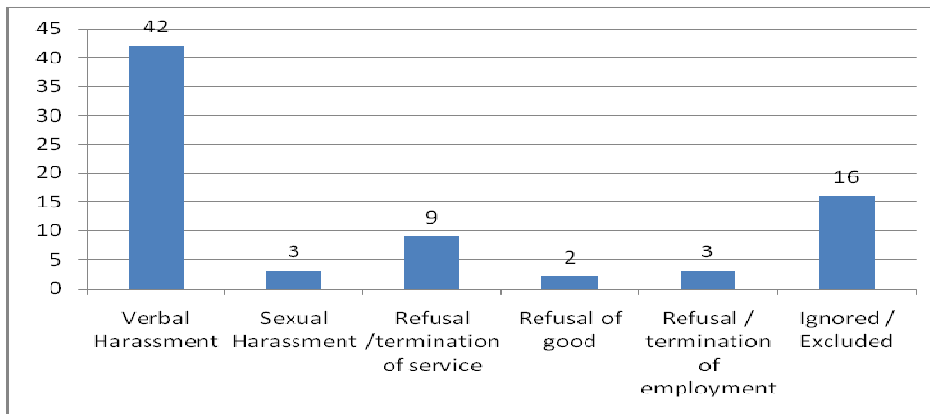
Interviewees who had experienced discrimination on the ground of sexual orientation equally identified the scenarios of discrimination on this ground as well as on the ground of religion, with 98% of the interviewees identifying these scenarios to be tantamount to discrimination. 82% identified the scenario of discrimination on the basis of disability to be so, while 72% identified the scenario of racial discrimination. Gender discrimination was recognized by 70% of the interviewees and only 36% recognized the scenario of age stereotyping to be tantamount to discrimination.



Race / Ethnicity of Interviewee

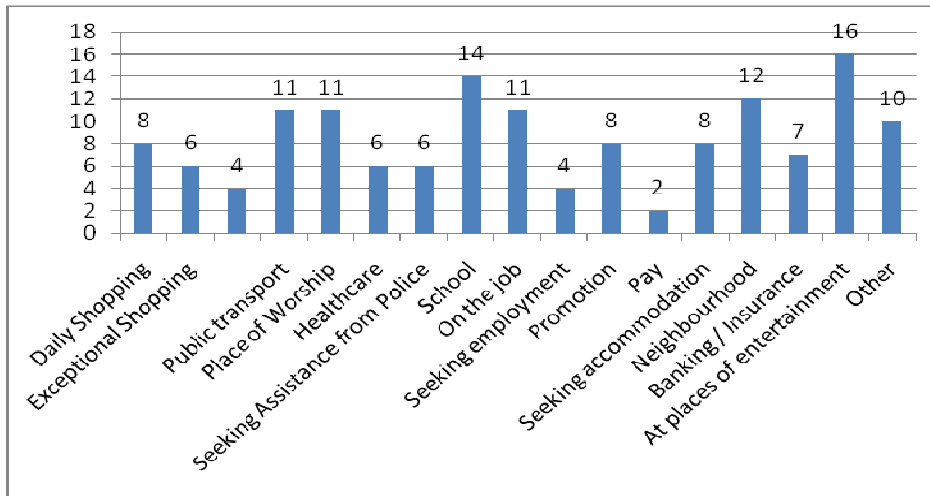
Type of and Area in which Discrimination was experienced

The majority of interviewees classified the type of discrimination as being verbal abuse (84%). 32% claimed to have experienced exclusion. 18% indicated that they had been refused a service or a service was terminated for them. In relation to supply of goods, 4% claimed that the supply of a good had been refused to them. Another 6% indicated that they had been refused employment or that employment had been terminated.



Type of Discriminatory Treatment

The sphere in which discrimination on the ground of sexual orientation was predominantly experienced was in places of entertainment (32%), in school (28%), in the neighbourhood (24%), on the job, close to a place of worship and in using public transport (22% each area), in promotions at work, in accessing accommodation and in shopping for daily needs (16%). Access to healthcare, shopping for exceptional objects and when seeking assistance from the police was indicated by 12% for each area. Access to employment and seeking information from government entities was indicated by 8% of the interviewees for each area and equal pay was indicated by 4%.



Context of Discrimination

When considering discrimination in school, the majority indicated that this was perpetrated by a student (13 interviewees), then by a teacher (3 interviewees) and only 1 interviewee claimed that the perpetrator was the head teacher.

In seeking employment the perpetrator that was identified most was the prospective employer (9 interviewees), and 3 interviewees indicated the ETC. However on the job the perpetrator most indicated was the supervisor (8 interviewees), the employer (6 interviewees), the Director (3 interviewees) and a colleague (1 interviewee). In relation to promotion opportunities at the place of work 4 interviewees perceived this to have been perpetrated by the Human Resources Manager and another 4 indicated the director. In terms of equal pay for work of equal value, 4 interviewees perceived the perpetrator to be the supervisor, 1 to be the Human Resources Manager, and another indicated the Director.

When seeking accommodation interviewees perceived the perpetrator to be the owner in 3 cases and the agency in another 2 of these cases. The bank was indicated by a further 3 interviewees.

In accessing banking facilities and insurances services interviewees had met with discrimination perpetrated by the manager (3 interviewees), the clerk (1 interviewee), through the imposition of a higher charge (1 interviewee), the charging of a higher premium (2 interviewees) and the submission for medical tests (4 interviewees).

Incidence of discrimination when close to a place of worship was perpetrated according to interviewees by passersby (3 interviewees), by a member of the congregation (6 interviewees), or by a priest (5 interviewees).

When accessing places of entertainment interviewees indicated that the perpetrator was the owner (9 interviewees), the security personnel (6 interviewees) or another customer (9 interviewees).

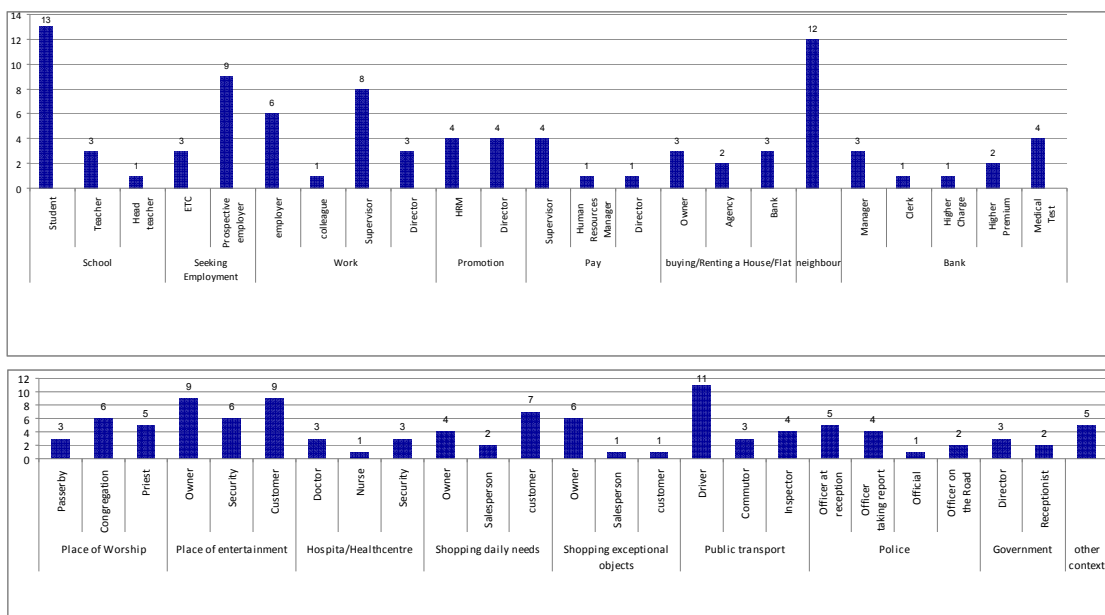
Healthcare was also indicated as an area in which discrimination was perceived. It was indicated that the perpetrator was a doctor (3 interviewees), a nurse (1 interviewee) or the security personnel (3 interviewees).

When accessing goods discrimination was perpetrated by the salesperson (2 interviewees) or by a customer (7 interviewees) when the goods were daily goods, and by the owner (6 interviewees), salesperson (1 interviewee) and customer (1 interviewee) when seeking exceptional goods.

The majority of interviewees the perpetrator of discrimination in public transport to the bus driver (11 interviewees), then the inspector (4 interviewees) and another commuter (3 interviewees).

The occurrence of discrimination when seeking assistance from police was seen as being perpetrated by the officer at reception (5 interviewees), officer taking report (4 interviewees), officer in charge (1 interviewee) and officer in the road (2 interviewees).

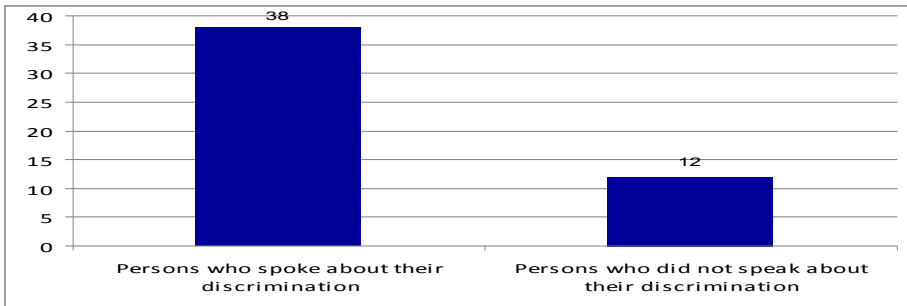
Discrimination in seeking information from a government department was perceived to be perpetrated by the director (3 interviewees) and the receptionist (2 interviewees).



Perpetrator

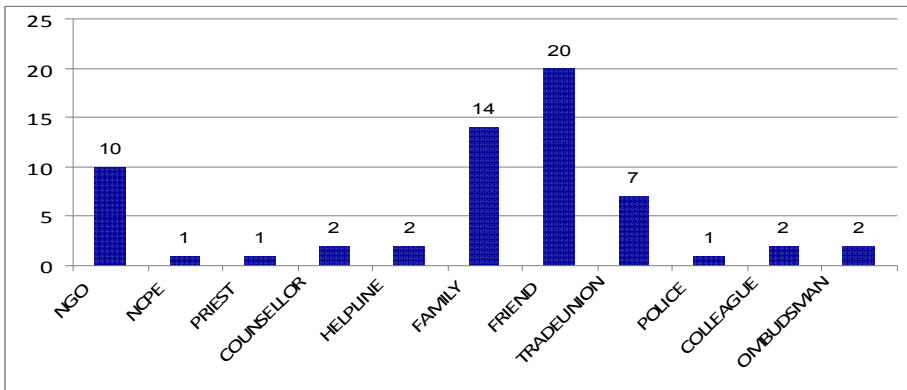
Sharing and Reporting of Experience of Discrimination

The majority of interviewees had shared their experience with someone else and results indicated that 76% had done so.



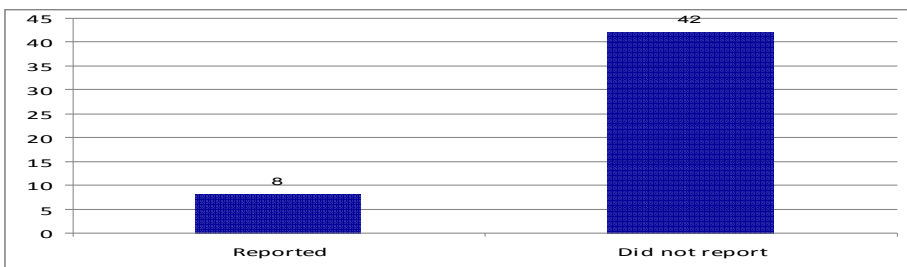
Talked of Experience

Of these the most had spoken of their experience with a friend (40%), with a family member (28%), with a NGO (20%), with a trade union (14%). Only 2% had spoken to the NCPE and the Police. 4% had in fact shared their experience with a counsellor, helpline, colleague or with representatives from the Ombudsman’s office.



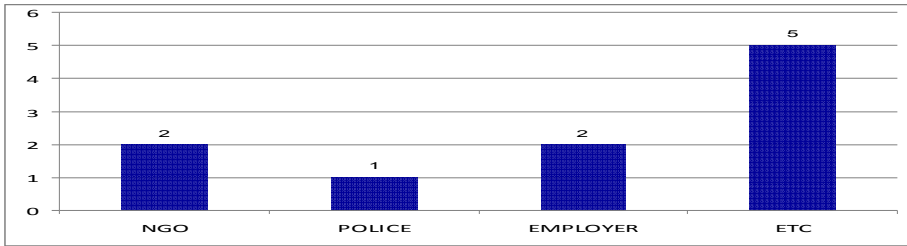
With who was experience shared

Of the interviewees who claimed to have been discriminated or witnessed discrimination on the ground of sexual orientation only 16% had reported the incident.



Reported Experience

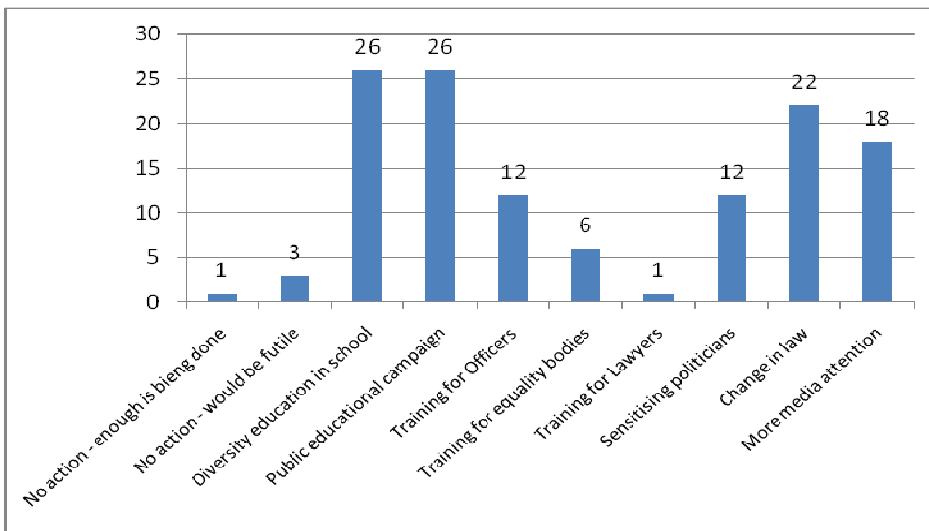
Of those who had reported the discrimination, a report was filed with the ETC (5 interviewees), with a NGO (2 interviewees), with the employer (2 interviewees) and with the police (1 interviewee).



Entities to which Report was presented

Recommended Measures

Interviewees who claimed to have experienced or witnessed discrimination on the ground of sexual orientation indicated that measures could be taken to empower victims to report their experience through the provision of diversity education in school (52%), holding of a public educational campaign (52%), a change in the law (44%), giving more media attention (36%), training for police and army officers and for public officers (24%) and sensitising politicians (24%). A further 12% indicated that training for employees of the equality bodies was required and 2% indicated a need for training of lawyers. 2% of the interviewees indicated that no action was necessary as enough was being made and 6% indicated no action to be taken as it would be futile.

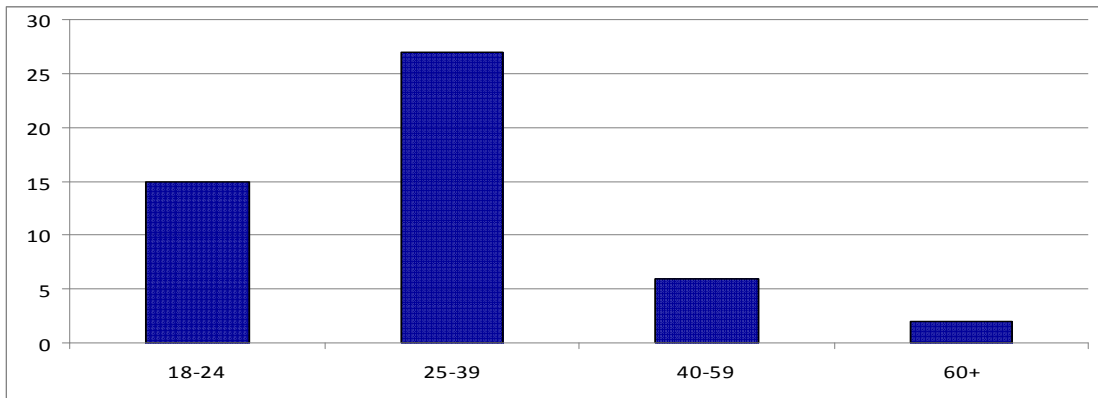


Recommended Measures

3.6 Age Discrimination

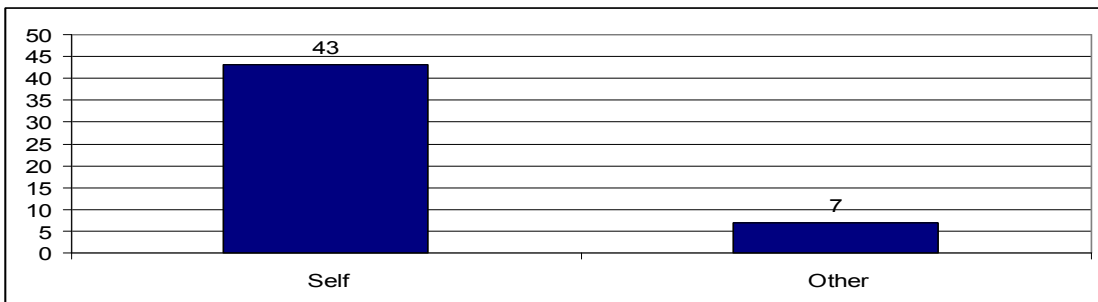
Identifying the interviewees

38% of the interviewees who claimed to have personally experienced or witnessed discrimination on the ground of age were of the age between 18 and 25 years. Another 38% were of the age between predominantly between 26 and 35 years, 20% of the age between 36 and 59 years and 4% were 60 years and above.



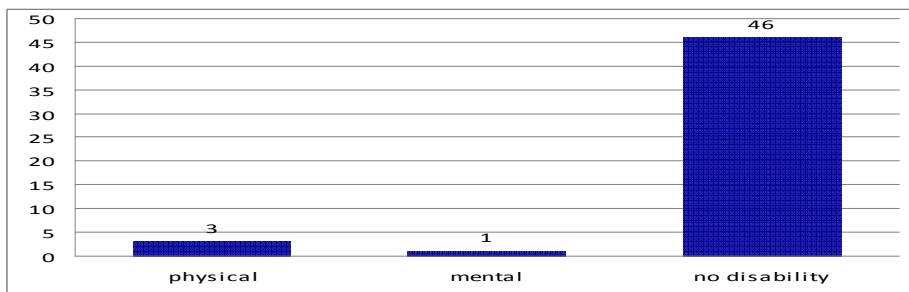
Age of Interviewees

The majority of interviewees claiming age discrimination had personally experienced such discrimination (86%), while (14%) claimed to have witnessed age discrimination being perpetuated against someone else.



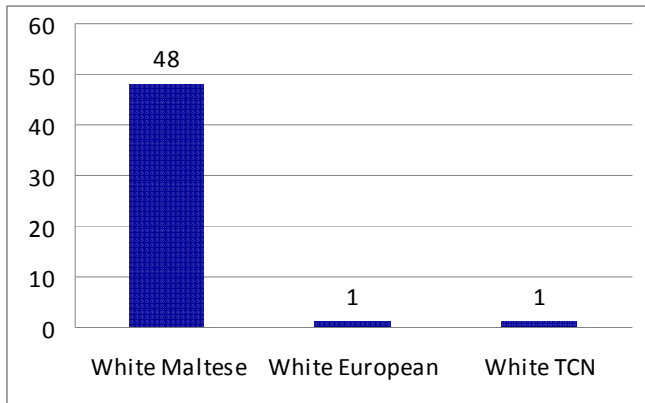
Experience of Discrimination

Of the interviewees 6% claimed to experience physical disability and 2% to experience mental disability.



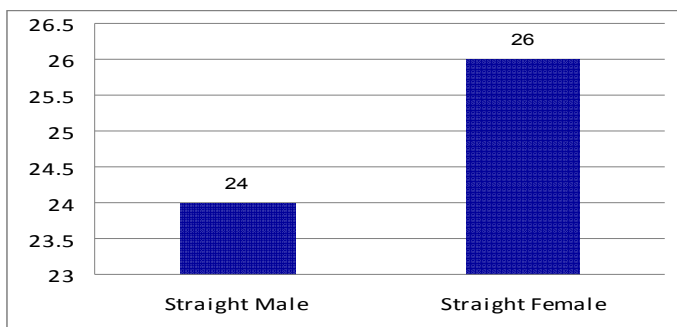
Type of disability

Furthermore of those interviewees who claimed to have experienced or witnessed age discrimination 96% indicated that they were white Maltese, 2% white European and another 2% white third country national.



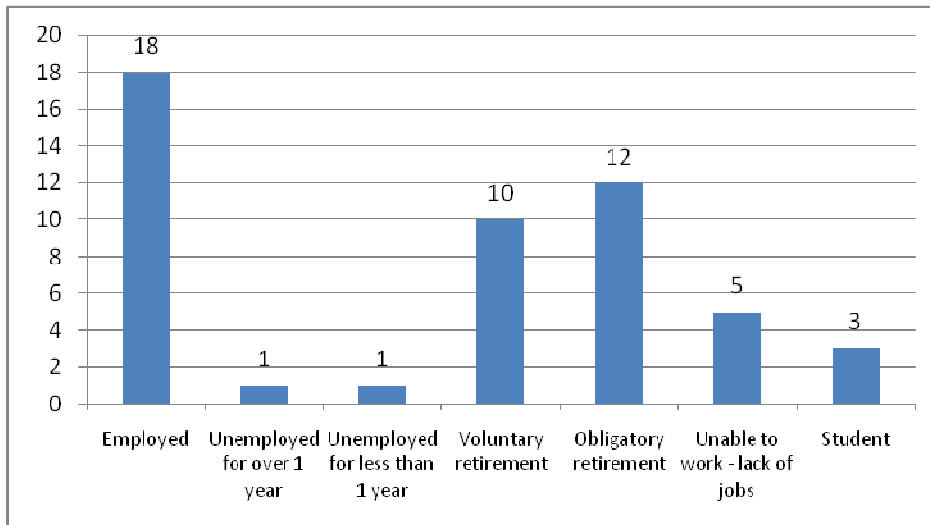
Race / Ethnicity of Interviewee

All these interviewees identified themselves to be heterosexuals, with 48% identifying themselves to be males and 52% females.



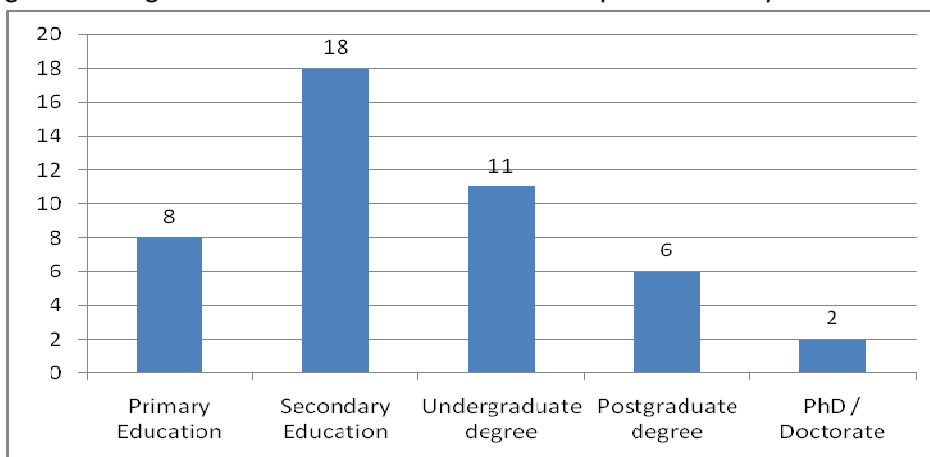
Sexual Identity of Interviewee

The majority of interviewees stated that they were in employment (36%), 24% was in obligatory retirement, 20% in voluntary retirement, 10% were unable to work due to lack of employment opportunities, 6% were following their studies and 2% were unemployed for over 1 year and an equal number unemployed for less than 1 year.



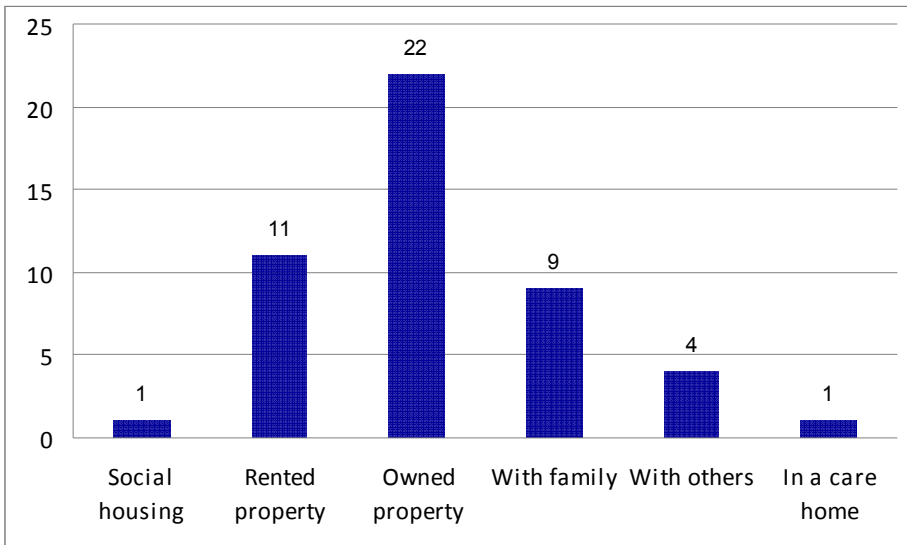
Employment Status

The education background of interviewees who claimed to have experienced discrimination on the ground of age included 36% who had completed secondary education, 22% who had attained an undergraduate degree, 16% who had finished primary education, 12% who had completed a post graduate degree and another 2% who had finished post secondary education.



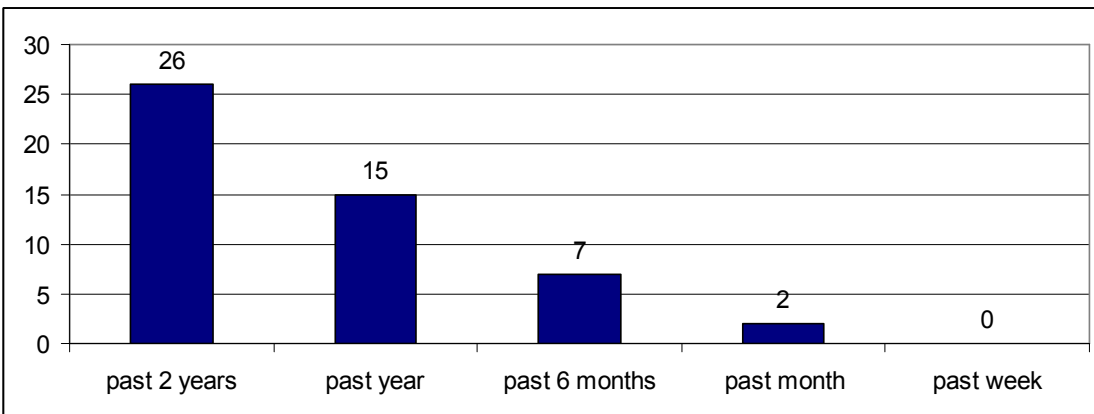
Educational Background

44% of the interviewees who claimed to have experienced discrimination on the ground of age stated that they resided in their own property, 22% that they resided in rented property, 18% of interviewees resided with family members, 8% with others and 2% residing in social housing and in care institutions.



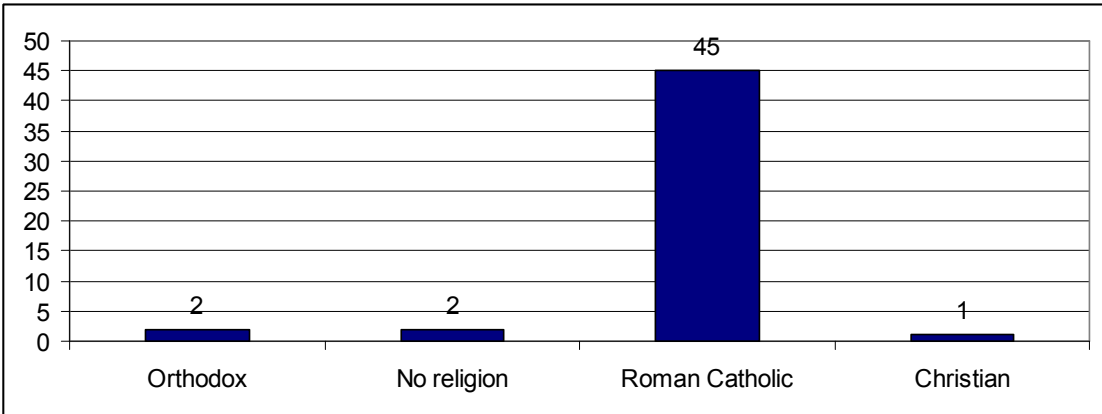
Accommodation Status

Of the interviewees 52% claimed to have experienced discrimination on the ground of age between 12 and 24 months prior to the interview, 30% between 6 and 12 months prior to the interview, 14% between 1 and 6 months prior to their taking the survey and 4% in the same month of the survey.



Timeframe of Discrimination

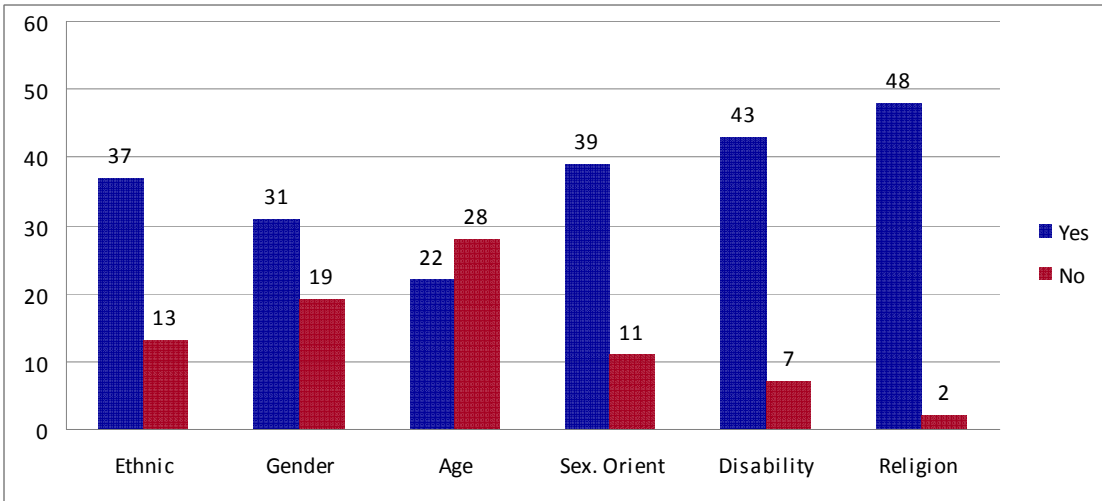
Interviewees claiming age discrimination predominantly professed the Roman Catholic religion (90%), however 4% professed the Orthodox religion, another 4% professed no religion and 2% indicated that they were Christian.



Religion of Interviewee

Level of knowledge of what constitutes discriminatory treatment

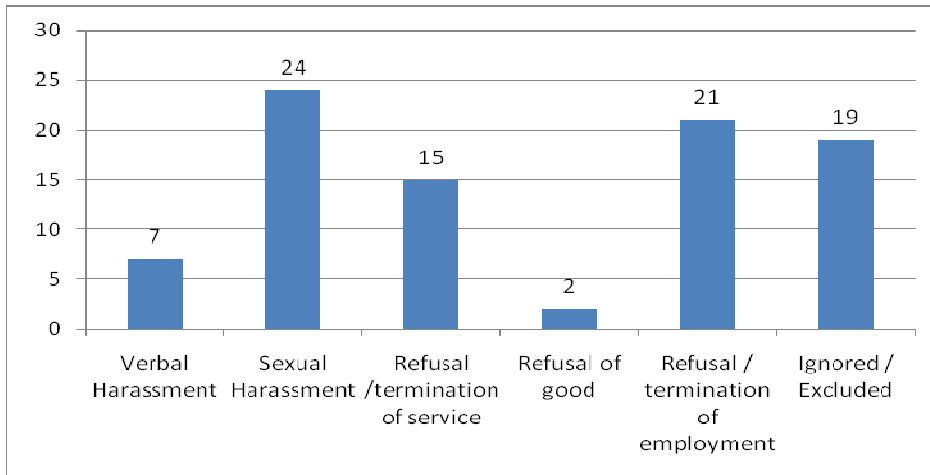
Interviewees who experienced or witnessed age discrimination were given the same 6 scenarios as other interviewees and were also asked to indicate whether in their opinion the behaviour mentioned in the scenario amounted to discrimination or not. Each ground of discrimination was separately covered by the scenarios. The scenario that was identified by most to be tantamount to discrimination was that of religious discrimination with 96% of the interviewees identifying this scenario as being so. The next scenario of discrimination that was recognised was that referring to disability discrimination (86%), then the scenario on the ground of sexual orientation (78%), followed by the scenario of discrimination on the basis of ethnicity (74%). The two scenarios of gender discrimination and age discrimination were the least recognised to be so, with only 62% identifying the scenario referring to different treatment on the ground of gender to be tantamount to discrimination and only 44% indicated that the scenario based on the age discrimination was tantamount to age stereotyping.



Identifying Discrimination

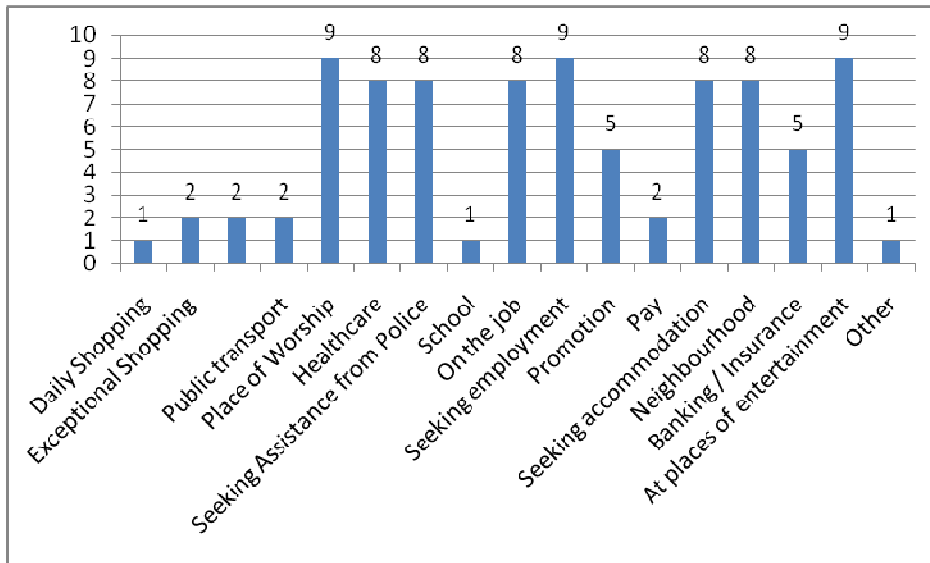
Type of and Area in which Discrimination was experienced

The interviewees were asked to classify their experience of discrimination and in doing so 48% stated that their experience was that of sexual harassment, closely followed by 42% of interviewees who claimed to have experienced discrimination through refusal or termination of employment. 36% classified the discrimination they had personally experienced or witnessed as having taken the form of exclusion, while 30% indicated that their experience was one whereby they had been refused a service or a service was terminated. 14% indicated that they had experienced verbal harassment and only 4% indicated that they had been refused a good.



Type of Discriminatory Treatment

In indicating the sphere in which the interviewees had experienced discrimination on the ground of age an equal number (9 interviewees for each sphere) indicated discrimination when seeking employment, when close to a place of worship, and when accessing a place of entertainment. Other areas which were indicated by 8 interviewees each sphere included that of discrimination while on the job, when seeking accommodation, in the neighbourhood, in accessing healthcare and when seeking assistance from the police. The areas of promotions on the job and obtaining loans or insurance cover were respectively indicated by 5 interviewees for each sphere. Discrimination through unequal pay, when shopping for exceptional objects, when accessing public transport and when seeking information from government entities was indicated by 2 interviewees for each area. 1 applicant indicated that discrimination was experienced at school and when shopping for daily needs.



Context of Discrimination

Interviewees were also asked to indicate whom they had perceived to be discriminatory in their regard in the different spheres in which they had personally experienced or witnessed discrimination. When indicating discrimination in school, 1 interviewee indicated that this was perpetrated by teacher.

When considering discrimination in seeking employment 2 interviewees claimed to have been discriminated by the ETC, and another 2 interviewees indicated that it was the employer. However while on the job, 5 interviewees indicated that they had been discriminated against by the director, and 1 interviewees indicated the supervisor as the perpetrator. When answering this question in relation to discrimination experienced in relation to promotion, 3 interviewees stated that they had been discriminated against by the Human Resources Manager, and 2 interviewees indicated the Director as the perpetrator. In relation to unequal pay only the director was indicated as the perpetrator by 2 interviewees.

Of those interviewees who had experienced ageism when shopping 1 interviewee indicated that they had been discrimination against by the shop owner, another by the salesperson and another interviewee indicated the perpetrator to be a customer. As for shopping for exceptional objects 1 interviewee indicated the owner and another the salesperson. In relation to public transport 1 interviewee perceived the perpetrator of the discrimination he/she had experienced as being the bus driver and another interviewee indicated this to be the inspector.

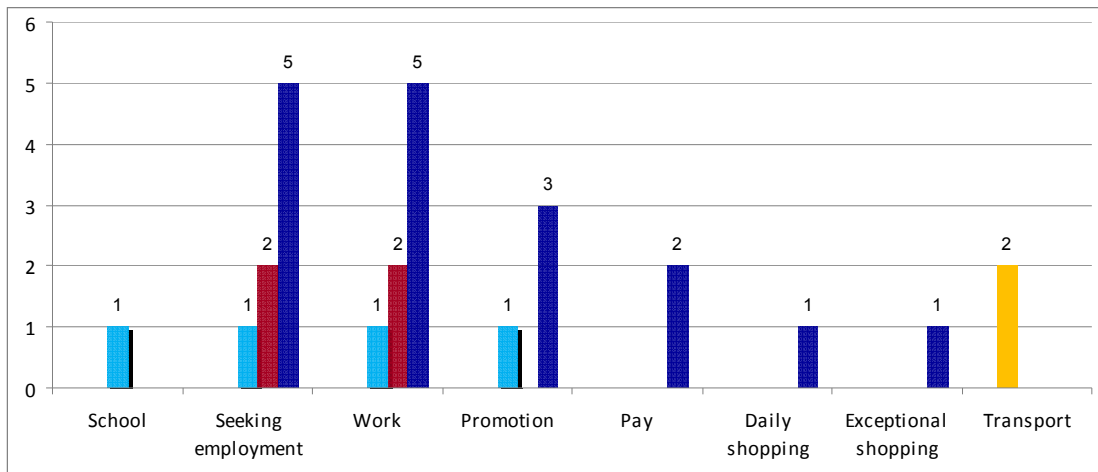
In seeking assistance from police, only 1 interviewee indicated that she/he was discriminated against by the officer in charge and another by the officer at reception. On the other hand in seeking information from government entities 2 interviewees indicated that they had been discriminated against by the director and another 2 by the clerk.

In relation to access to places of entertainment 1 interviewee indicated that he/she had been discriminated against by another customer.

When accessing banking and insurance services 1 interviewee claimed to have been discriminated by the manager and another 2 through the medical tests they were asked to undertake.

In healthcare interviewees indicated that they were discriminated against by another patient (4 interviewees), by the security personnel (3 interviewees), by the nurse (1 interviewee) and by the clerk (1 interviewee).

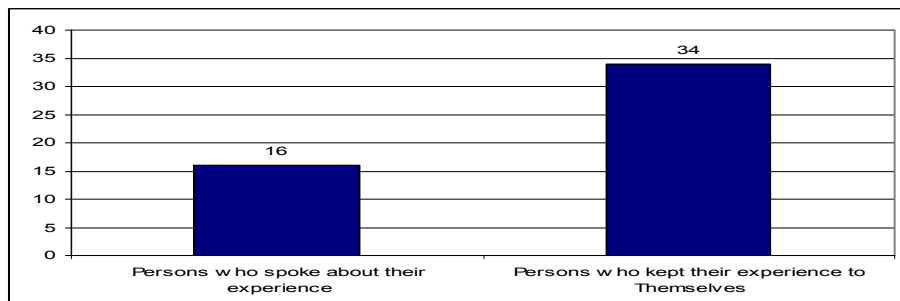
The severity of the discrimination experienced or witnessed by the interviewees was perceived to be most severe in relation to the area of access to employment and while on the job (5 interviewees for each category). This was followed by the area of promotion on the job (3 interviewees identified this category as the highest level of severity) and then in relation to unequal pay (2 interviewees identified this category as the highest level of severity).



Severity of Discrimination

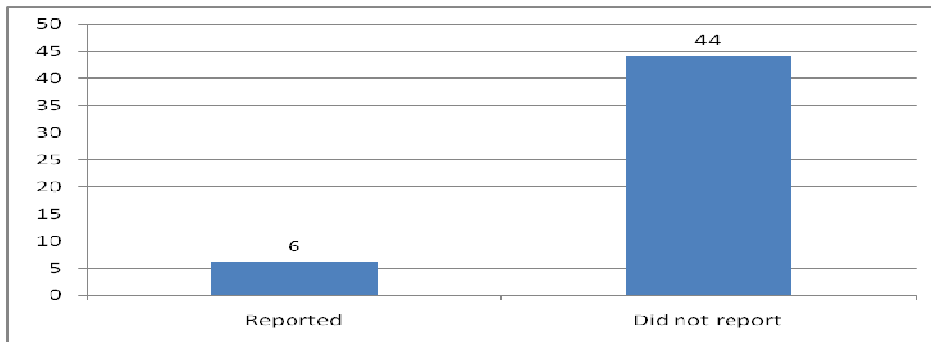
Sharing and Reporting of Experience of Discrimination

Of the interviewees who personally experienced or witnessed religious discrimination 68% did not speak to anyone of their experience.



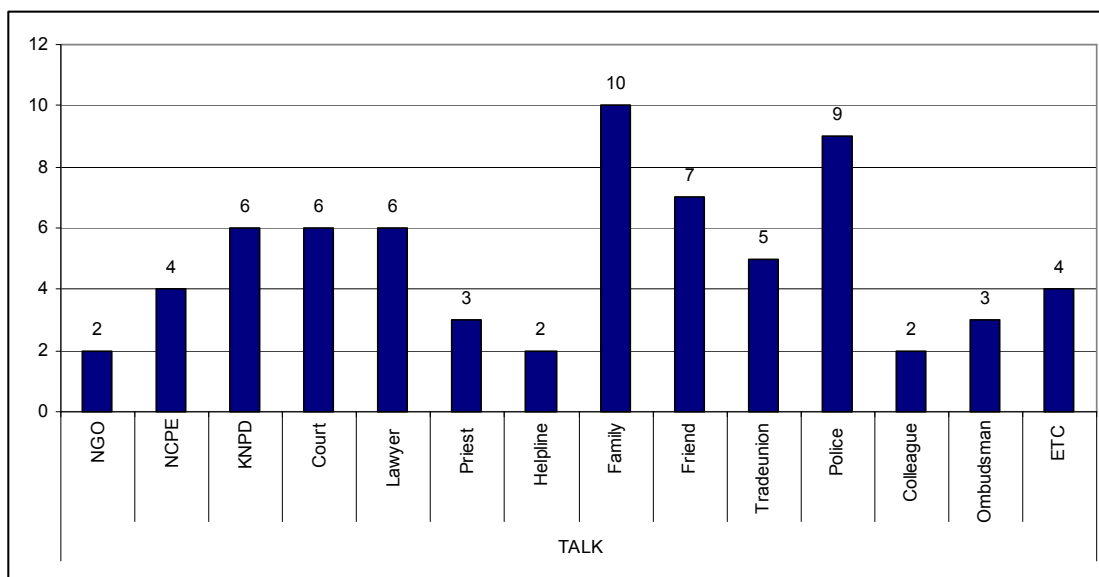
Talked of Experience

Moreover 88% claimed not to have filed an official report. The remaining 12% had filed a report with the Office of the Ombudsman.



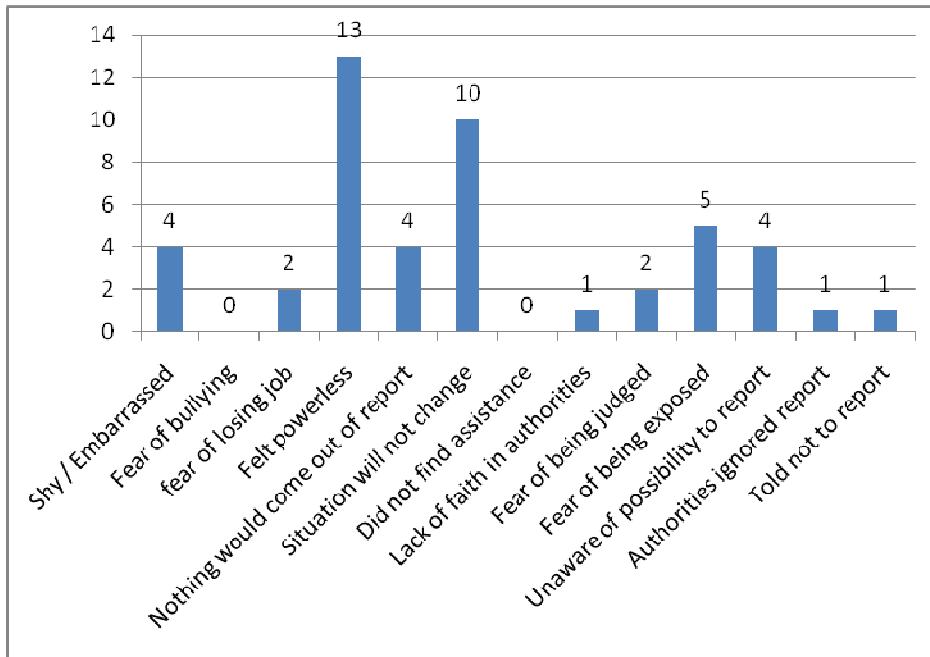
Reported Experience

Those who did speak of their experience, that is 32% of all interviewees, mainly turned to family member (20%). 12% each turned to either Kummissjoni Nazzjonali Persuni b'Dizabilitia, or the court or a lawyer. 14% shared their experience with a friend and 18% claimed to have done so with the police. 8% of the interviewees had discussed their case the ETC and another 8% with the NCPE. 6% had spoken to a priest and an equal amount had spoken to a representative from the Office of the Ombudsman. 4% had approached a nongovernmental organisation, used a helpline or spoke to a colleague.



With who was experience shared

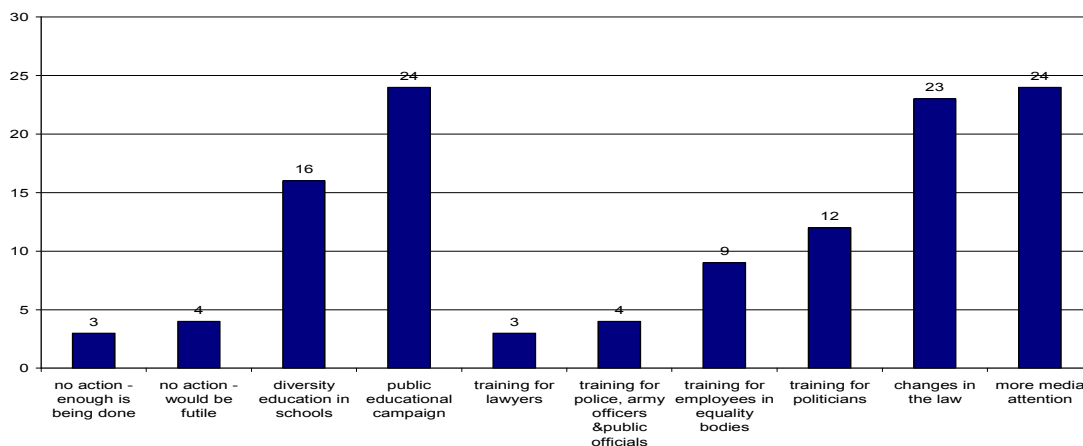
From the 88% of interviewees who chose not to present a report 13 interviewees indicated that they felt powerless and another 10 interviewees thought the situation would not change. Another 5 feared being exposed and 4 interviewees either felt embarrassed, or thought nothing would come out of their report or were not aware of the possibility to report.



Reasons for not reporting

Recommended Measures

Interviewees who experienced religious discrimination were also asked to indicate a maximum of three measures through which victims could be encouraged to report incidents of religious discrimination. The measures which found most support were the holding of a public educational campaign (48%), equally indicated by a request for more media attention (48%), followed closely by changes in the law (46%). 24% considered that sensitising of politicians was required, 18% sought training for employees of equality bodies and 8% training for police, army and public officers. 6% indicated training for lawyers. Those who indicated that no action should be taken either thought that enough was being done (6%) or that any action would be futile (8%).



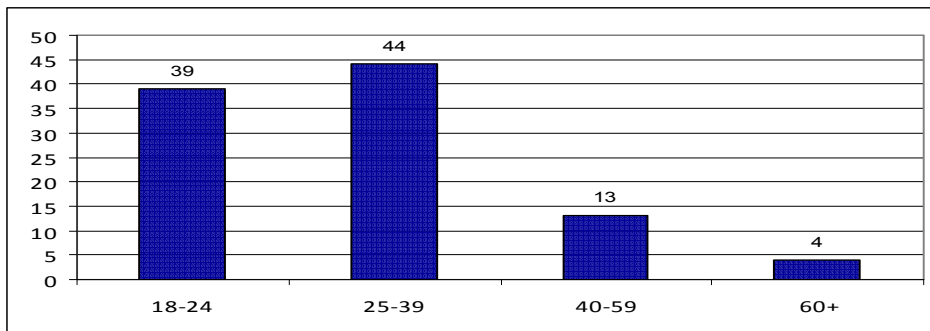
Recommended Measures

3.7 Multiple Discrimination

Identifying the Interviewees

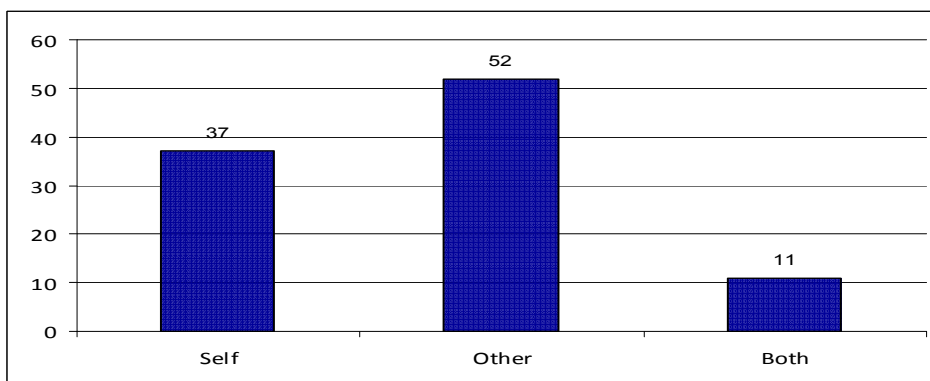
The survey was carried out with one hundred persons who claimed to have experienced multiple discrimination. For the purpose of this survey multiple discrimination was taken to refer to those situations in which an individual experiences discriminatory treatment on more than one of the recognized six grounds of discrimination under the EU Equality Directives.

44% of the interviewees who claimed to have experienced multiple discrimination were between the age of 25 and 39 years; 39% were of between 18 and 24 years of age; 13% were between 40 and 59 years of age and another 4% were above 60 years of age.



Age of Interviewees

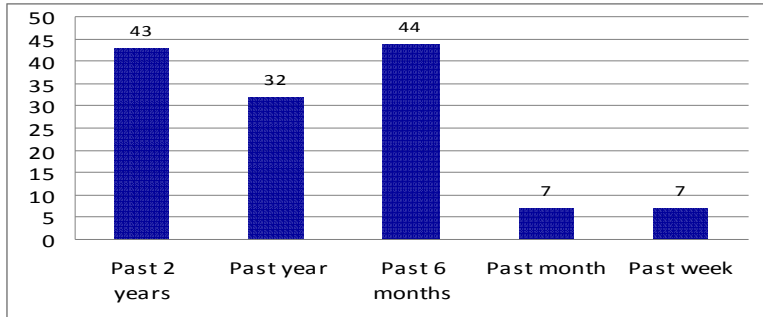
In their majority interviewees claimed that they had witnessed discrimination and not personally experienced discrimination at first hand. In fact, 52% claimed to have witnessed another person being subjected to multiple discrimination, 37% stated that they had personally experienced discrimination on multiple grounds and another 11% claimed to have both witnessed discrimination and personally experienced discrimination on multiple grounds.



Experience of Discrimination

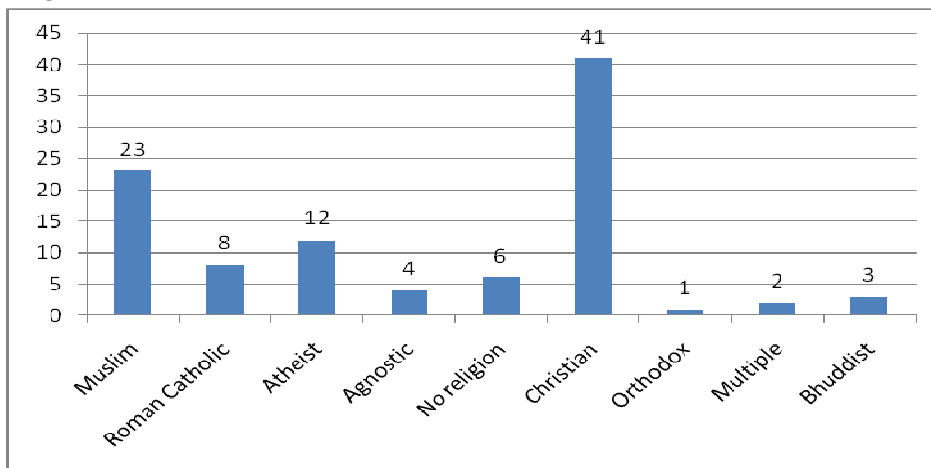
A sizable amount of interviewees indicated that they were referring to incidents of discrimination which had occurred between 1 and 6 months prior to their interview (44%), while another 43% claimed that this had occurred between 12 and 24 months prior to the interview. Another 32% stated that they had

experienced discrimination on multiple grounds between 6 to 12 months prior to their interview. Those interviewees who indicated that they had experienced multiple discrimination in the month prior to the interview or in the week prior to the interview amounted to 7% for each category.



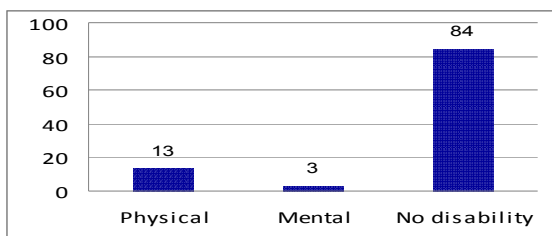
Timeframe of Discrimination

In their majority interviewees identified themselves to be Christians, with 41% indicating their religion to be a Christian religion and a further 8% indicating to profess the Roman Catholic faith. A further 23% indicated that they professed the Muslim religion, another 1% indicated their religion to be Orthodox and 3% indicated that they were Buddhist. 2% of the interviewees indicated multiple religions or belief, 12% claimed to be atheist and 4% indicated that they were agnostic. A further 6% claimed to have no religion.



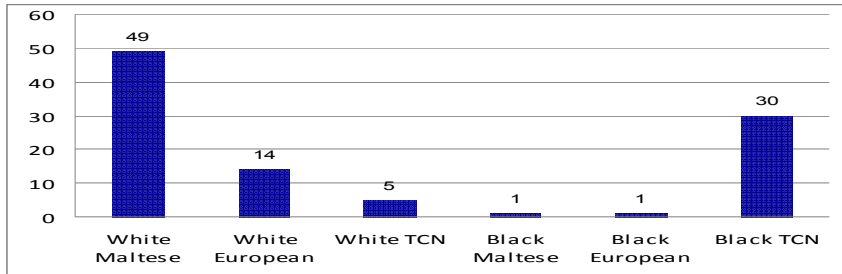
Religion of Interviewee

84% of the interviewees classified themselves as experiencing no disability, while 13% stated that they experience a physical disability and a further 3% a mental disability.



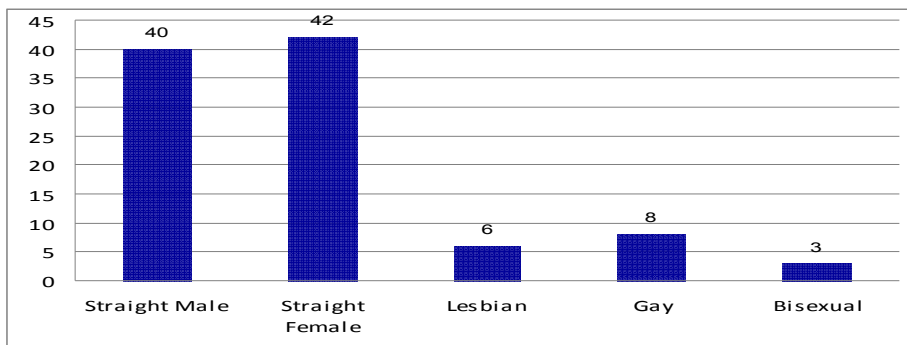
Type of disability

Of the interviewees who claimed multiple discrimination 49% indicated that they were white Maltese, 30% to be black third country nationals, 14% to be white Europeans, 5% to be white third country national, and those who indicated to be black Maltese or black European nationals amounted to 1% for each category.



Race / Ethnicity of Interviewee

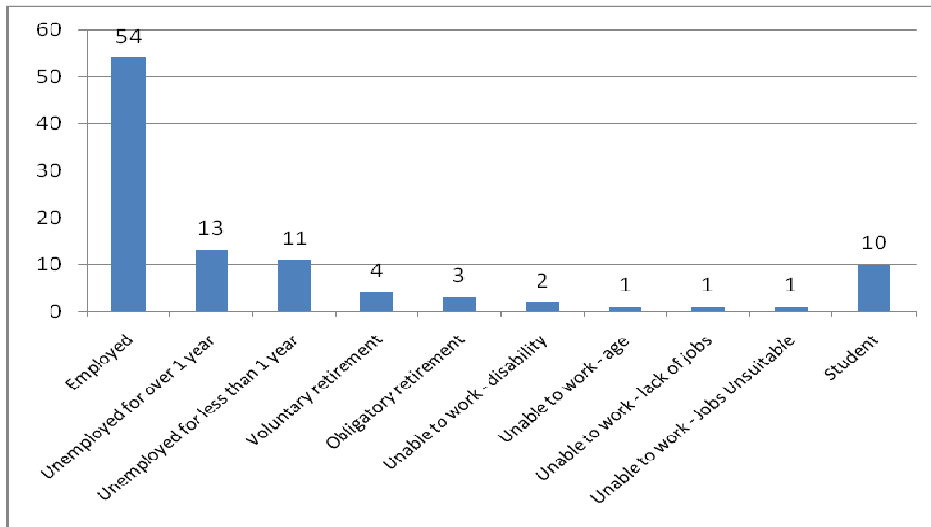
The majority of the interviewees identified themselves to be straight females (42%) or straight males (40%). 8% of interviewees identified themselves to be gay, a further 6% to be lesbian and another 3% as being bisexual.



Sexual Identity of Interviewee

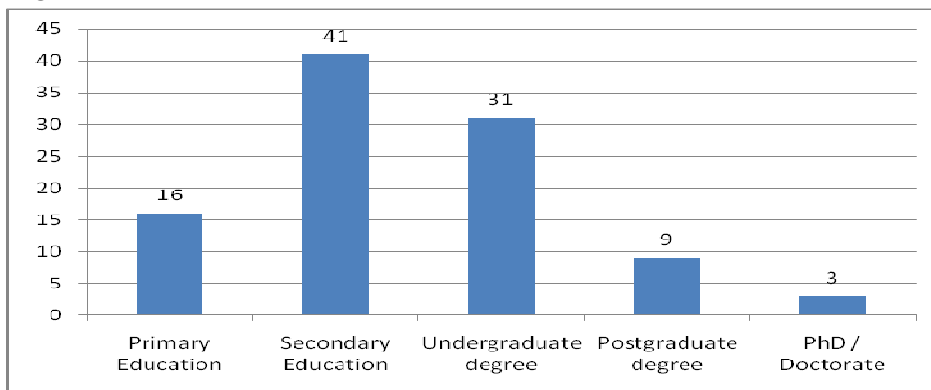
A sizable majority of interviewees were in employment at the time of the interview (54), with the remainder being divided into 13 who indicated that they were unemployed for over 1 year, 11 as being unemployed for less than 1 year, 4 were in voluntary retirement, 3 in obligatory retirement, and 10 were pursuing their studies.

Those who declared that they were unable to work due disability amounted to 2, while an interviewee each indicated lack of jobs that suited their abilities, lack of jobs in general and lack of openings for their age.



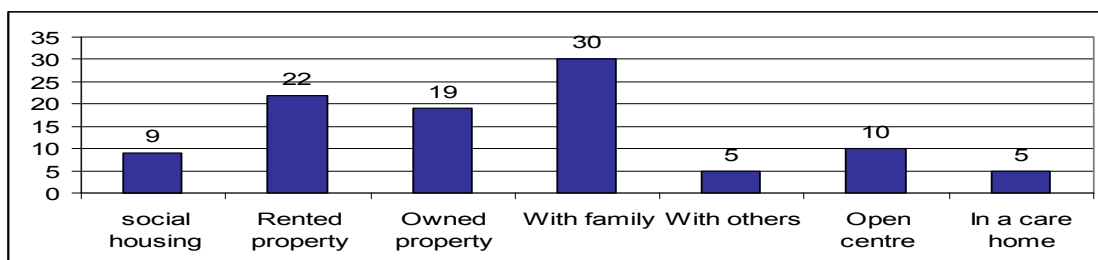
Employment Status

41% of these interviewees had completed secondary education, 31% had finished undergraduate studies, and another 16% had completed primary education. A further 9% had obtained a postgraduate degree and 3% had a doctorate or a PhD.



Educational Background

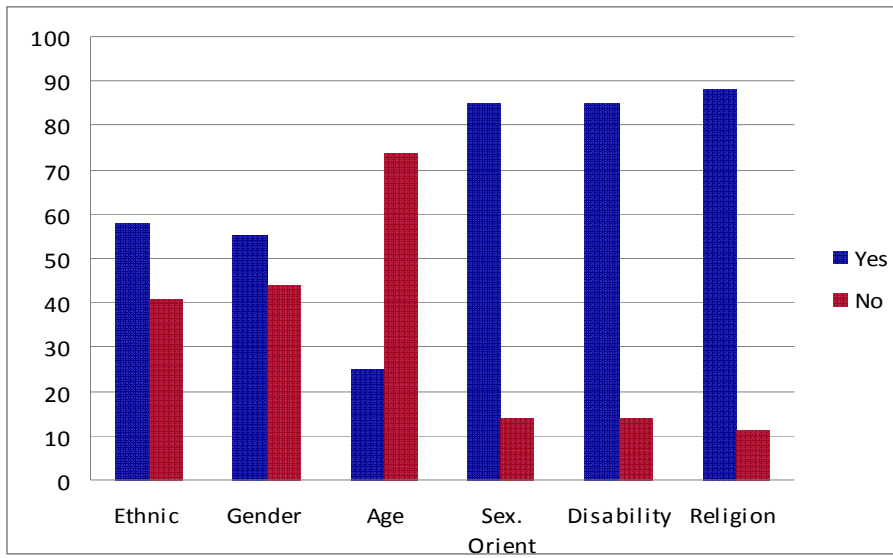
The majority of the interviewees who claimed to have experienced multiple discrimination resided with family or relatives (30%). Another 22% indicated that they resided in rented property and 19% in their own property. 10% resided in an open centre and 9% in social housing, while 5% resided with others or in a care home.



Accommodation Status

Level of knowledge of what constitutes discriminatory treatment

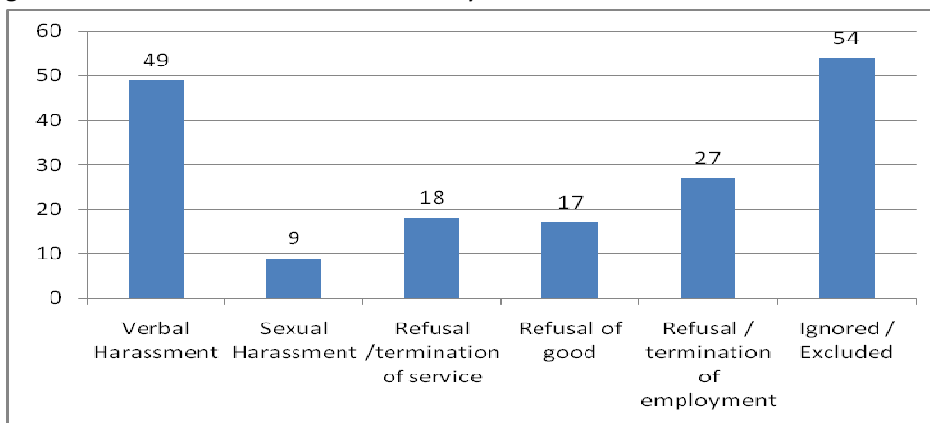
Interviewees who had experienced discrimination on the multiple grounds were also asked to indicate if six scenarios provided in their opinion amounted to discrimination. In this regard, interviewees recognized mostly the scenario dealing with religious discrimination (88%). This was closely followed in recognition by the scenario of disability (85%) and that of sexual orientation (85%). The scenario of stereotypes on the basis of old age was the least identified to amount to discrimination (25%). The scenario of discrimination on the ground of ethnicity was recognized to be such by 58% and that of gender discrimination was recognized by 55%.



Experience of Discrimination

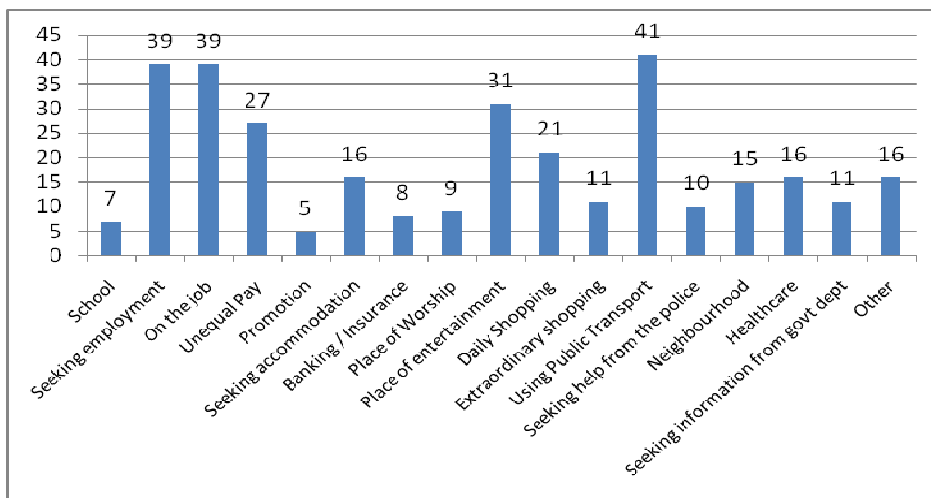
Type of and Area in which Discrimination was experienced

Interviewees were asked to classify their experience of discrimination and treatment of exclusion (54%) and verbal harassment (49%) were the two categories which were indicated by a sharp majority of interviewees. Refusal or termination of employment was experienced by 27% of interviewees, and 18% experienced a refusal or termination of a service. A further 17% experienced a refusal of supply of a good. Sexual harassment was claimed by 9%.



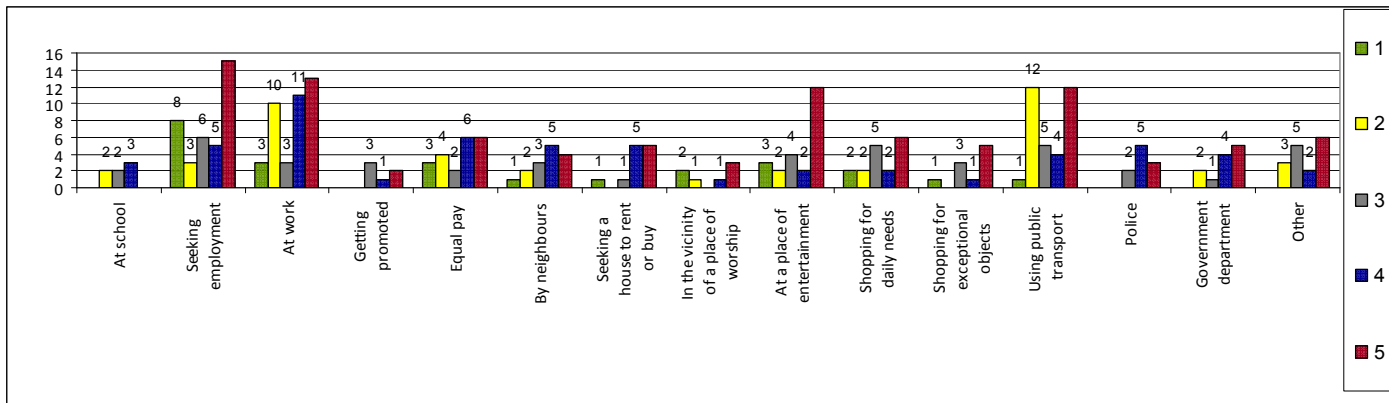
Type of Discriminatory Treatment

The main areas in which interviewees experienced discriminatory treatment were when using public transport (41%), in seeking employment and while on the job (39% each area), in accessing places of entertainment (31%) and in unequal pay (27%). Other areas were also indicated, with 21% claiming to have experienced multiple discrimination when shopping for daily needs, 16% when seeking accommodation and when using healthcare services, 15% in the neighbourhood, 11% when shopping for exceptional items and when seeking information from a government entity, 10% when seeking assistance from the police, 9% when close to a place of worship, and 8% when seeking banking facilities or insurance cover. The areas which were least indicated were those of education with 7% claiming to have experienced multiple discrimination in schools, and 5% experienced discrimination in promotions at work.



Context of Discrimination

The severity of the discrimination experienced by the interviewees was indicated to have been the most severe when seeking employment (15%), while on the job (13%), at a place of entertainment (12%) and when using public transport (12%). Other areas for which interviewees also claimed to have experienced what they perceived to be severe discrimination was in relation to promotion (2%), in the neighbourhood (4%), when seeking accommodation (5%), in the vicinity of a place of worship (3%), when shopping for daily needs (6%), when shopping for exceptional items (5%), when seeking assistance from the police (3%), and when seeking information from government entities (5%).



Severity of Discrimination

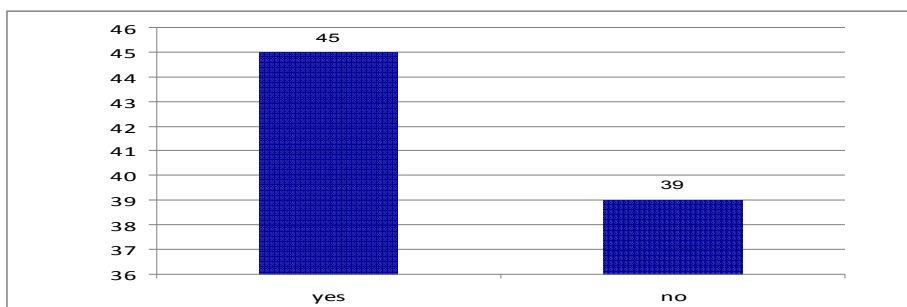
Interviewees indicated the perceived perpetrators of the discrimination in the different areas to be the following:

- In the area of education 5% claimed that students were the perpetrators, 2% indicated the teacher as the perpetrator, 6% indicated the Head teacher and another 5% perceived the perpetrator to be the guidance teacher.
- When seeking employment 32% of interviewees indicated that the perpetrator of the discrimination was the prospective employer while another 8% claimed that this was the ETC.
- While on the job the perceived perpetrators were colleagues (20%), supervisors (18%), the directors (11%) and clients (9%).
- In the area of promotions on the job 4% of interviewees perceived the perpetrator to be the supervisor and 1% indicated the director.
- In relation to unequal pay 13% of the interviewees indicated that the perpetrator was perceived to be the Human Resources Manager, 9% the supervisor and 4% the Director.
- When seeking accommodation the owner was perceived as the perpetrator by 11% of the interviewees, while the agency was indicated by 2%.
- 15% of the interviewees indicated that the perpetrator in their regard had been a neighbour.
- When seeking banking facilities or insurance cover, 2% of the interviewees perceived the perpetrator to have been the manager and 1% indicated the clerk. In this regard 4% claimed to have been discriminated against in relation to medical testing that was required.
- In the vicinity of a place of worship 3% claimed to have been discriminated against by a passer-by and 2% by a priest. A further 4% claimed that the perpetrator was a member of the congregation.
- In places of entertainment interviewees had perceived discrimination to have been perpetrated by the security officers (12%), other clients (11%) and the owner of the venue (9%).
- In relation to healthcare 8% had perceived the discrimination to be perpetrated by the doctor, 4% by the nurse, 3% by the secretary or another patient and 2% by the medical centre's security personnel.

- In relation to shopping and the supply of daily needs 11% perceived the perpetrator to be the salesperson, and 6% indicated the owner or a client. When shopping for exceptional objects 9% indicated another client as the perpetrator, 7% the salesperson and 4% the owner.
- In relation to public transport the majority of interviewees had perceived discriminatory treatment by the bus driver (29%), 9% by another commuter and 2% by an inspector.
- When seeking assistance from police 6% indicated that the perpetrator was the officer taking the report, 4% the officer in charge, 3% the officer at reception or the officer in the street.
- In seeking information from government entities 7% of the interviewees indicated that they had perceived the perpetrator of discrimination to be the secretary of the entity, 3% the receptionist and 2% the director.

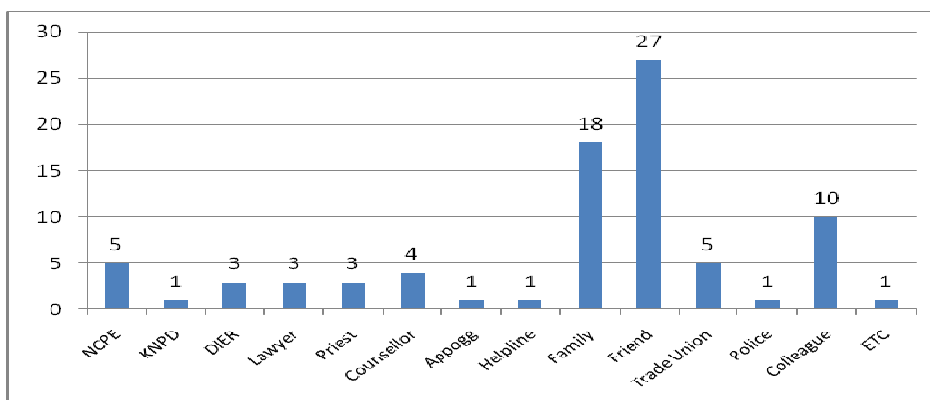
Sharing and Reporting of Experience of Discrimination

Of the interviewees who had personally experienced or witnessed instances of multiple discrimination 45% stated that they had shared their experienced with someone.



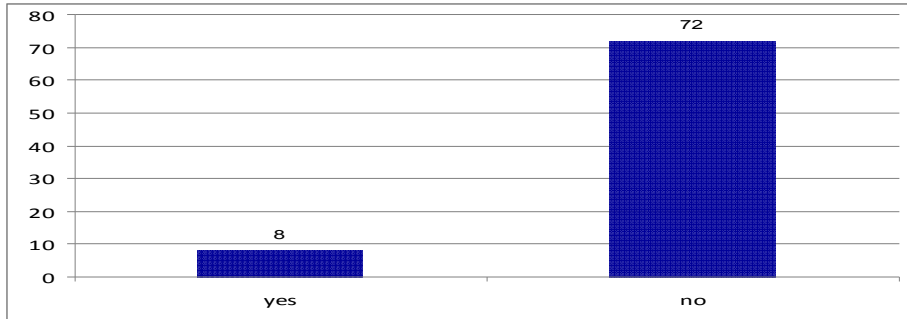
Talked of Experience

Predominantly interviewees shared their experience with a friend (27%), or with a family member (18%). 10% had spoken to a colleague and 8% had spoken to a nongovernmental organization. 5% of interviewees had spoken to the NCPE or to a trade union, while 4% had shared their experienced with a counsellor. Only 3% of the interviewees had spoken to the DIER, or to a lawyer or a priest. Furthermore only 1% had spoken to the Kunsill Nazzjonali Persuni b'Dizabilita, Appogg, a helpline, the Police and the ETC.



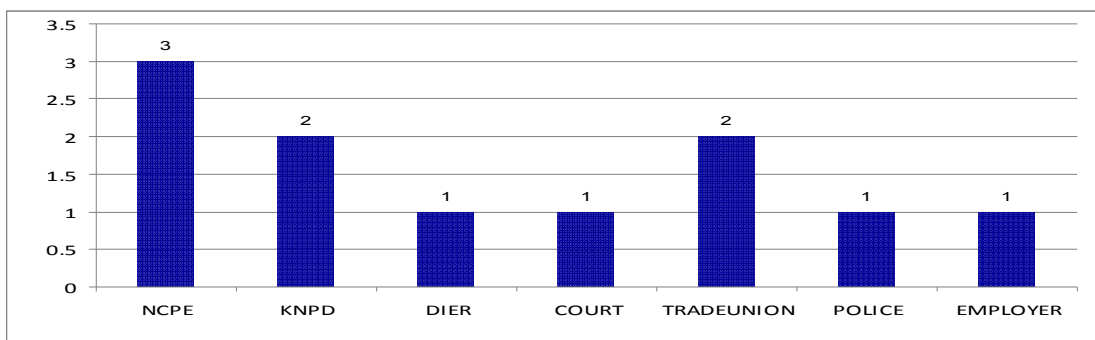
With who was experience shared

Furthermore when interviewees were asked if they had presented an official report in relation to their experience only 8% claimed to have done so, with a few who had presented a report to more than one agency.



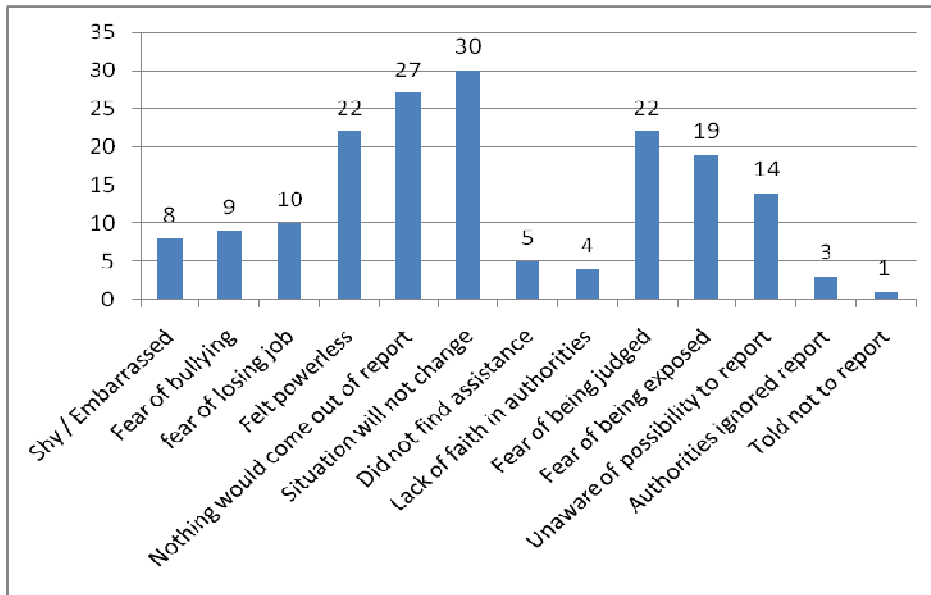
Reported Experience

Of those who had presented an official report, 3% had done so with the NCPE, 2% with Kunsill Nazzjonali Persuni b'Dizabilita, another 2% with a trade union, and 1% with the Department for Industrial and Employment Relations, or the court, or the police or with their employer.



Entities to which Report was presented

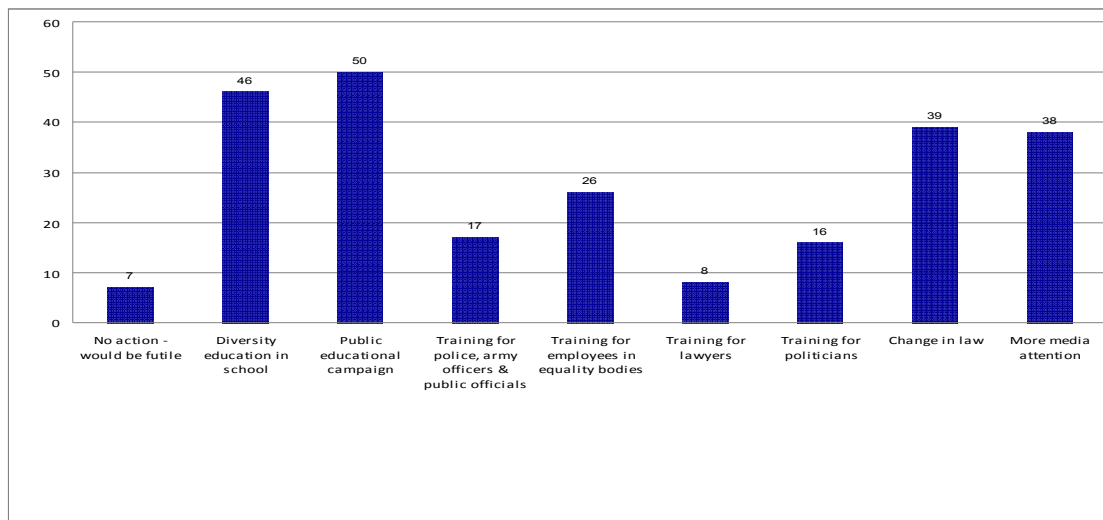
Those interviewees who had not reported their experience of discrimination indicated that they had not done so because they felt the situation would remain the same (30), or they felt that nothing would come out of the report (27), or because they felt powerless (22). 22 had not presented a report out of a fear of being judged, 19 out a fear of being exposed, 8% out of shyness or embarrassment. 9 of the interviewees felt that should they report they would be bullied and another 10 feared that they would lose their job. 1 indicated that they were told not to report and a further 5 claimed not to have found assistance to report. 14 had failed to report because they were unaware of the possibility to report, and another 4 did not report out of lack of trust in authorities. A further 3 indicated that they had reported but the authorities ignored their report.



Reasons for not reporting

Recommended Measures

50% of the interviewees indicated their preference of a public educational campaign as a measure of empowering victims of discrimination to officially report their experience. The second preferred measure was to have diversity education in schools (46%). On the other hand, 39% indicated that this is to be done through a change in the law and another 38% claimed that more media attention would assist to empower victims. Training for a number of stakeholders was indicated as a preference by the interviewees in the following sequence: 26% indicated training for employees of equality bodies, 17% training for police, army and public officers. 16% claimed that sensitizing politicians was required and 8% indicated training for lawyers. A further 7% claimed that no action was to be taken as it would be futile.



Recommended Measures

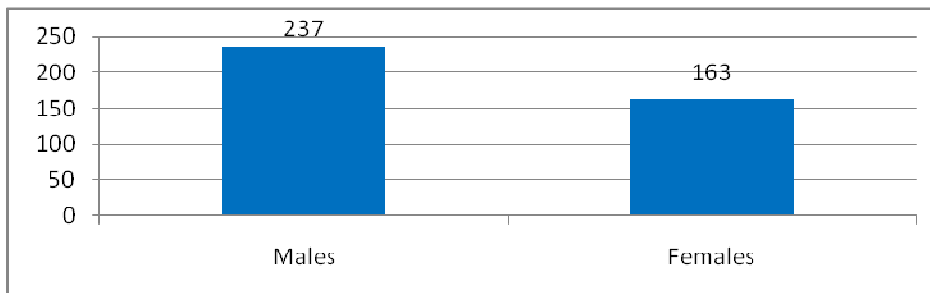
4 Gender Perspective of Underreporting of Discrimination Incidents on the grounds of disability, age, sex, sexual orientation, race and ethnic origin, religion and for multiple grounds

The aim of this chapter is to analyse the data provided by the victims or witnesses of discrimination who participated in the survey divided into male and female so as to obtain a gender perspective of the results. For this purpose the data collected for each of the six grounds of discrimination as well as for multiple discrimination has been brought together and the findings are represented according to gender.

Identifying the interviewees

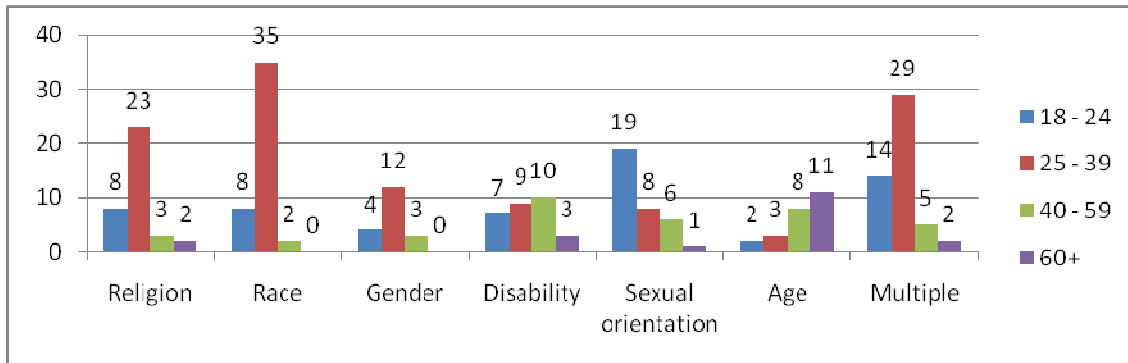
Interviewees were made up of 237 males and 163 females. They were classified into age brackets which were grouped as: 18 to 24 years, 25 to 39 years, 40 to 59 years and 60 years and above.

From among the male interviewees 62 were of the age between 18 and 24 years, 119 between the age of 25 and 39 years, 37 between the age of 40 and 59 years and 19 were above 60 years of age. From among the female interviewees 60 were of the age between 18 and 24 years, 46 between the age of 25 and 39 years, 37 between the age of 40 and 59 years and 20 were above 60 years of age.



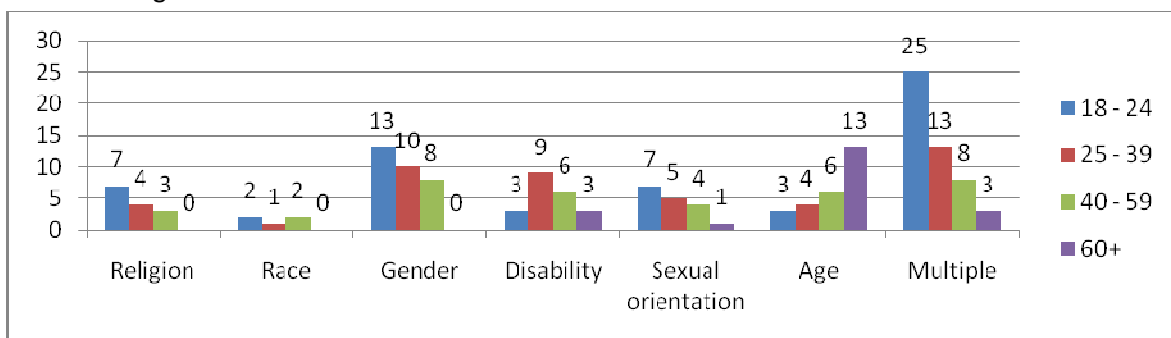
Gender Classification of Interviewees

When each gender is considered in age brackets according to the ground of discrimination they claimed to have experienced, the findings indicate that discrimination on the ground of religion was claimed by men predominantly by those in the age bracket of 25 to 39 years. The majority of those claiming racial discrimination also fell within this age bracket. Gender discrimination was claimed by men who, in their majority, were also within the age bracket of 25 to 39 years. Discrimination on the ground of disability was rather evenly claimed by the first 3 age brackets. On the other hand, discrimination on the ground of sexual orientation was claimed by a majority of men who were between 18 and 24 years of age. Ageism was however claimed by a small majority of men who are over 60 years of age. Yet multiple discrimination was claimed predominantly by the second age bracket, that is between 25 and 39 years and then by the first age groups between 18 and 24 years.



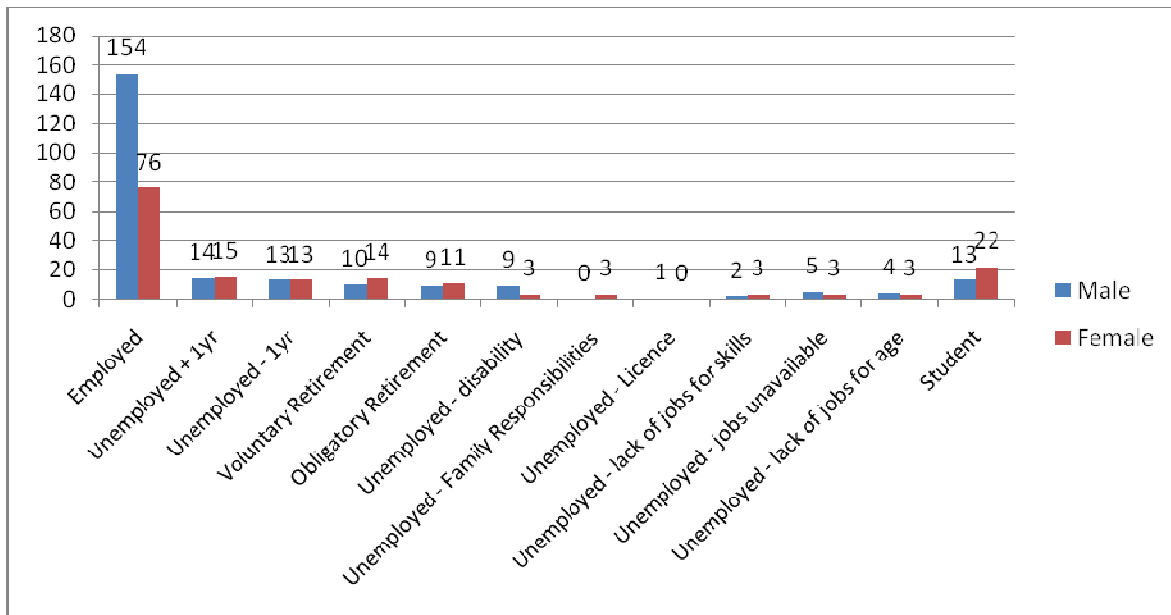
Age Brackets of Interviewees (Males)

Discrimination on the ground of religion was claimed by a majority of females in the age bracket of 18 to 24 years, while that of race provided a somewhat equal result for the groups of 18 to 24 years, 25 to 39 years and 40 to 59 years. When considering gender discrimination, the results between these same age groups were also very similar. Yet more female participants between the ages of 25 and 39 years claimed discrimination on the ground of disability than from the other age groups. On the other hand, discrimination on the ground of sexual orientation was claimed by a slight majority of females who were between 18 and 24 years of age with the other age groups obtaining close results. Ageism was again claimed by a good majority of females who are over 60 years of age. Yet multiple discrimination was claimed predominantly by the first age bracket that is between 18 and 24 years and then followed by the second age bracket.



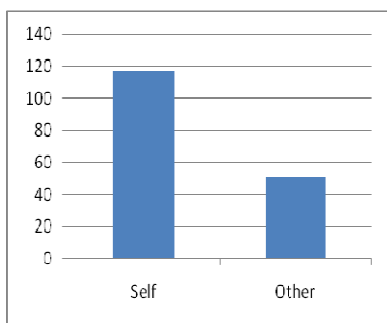
Age Brackets of Interviewees (Females)

Most of the interviewees from both the male and female categories claimed to be in employment at the time of the survey, but while 64.9% of males claimed to be employed only 46.6% of females claimed to be in employment. None of the male interviewees claimed to be unemployed due to family responsibilities while 3 female interviewees claimed this. A gender difference could also be noted when considering voluntary retirement. 8.6% of female interviewees claimed to have voluntarily retired while only 4.2% of male interviewees indicated to have this employment status.

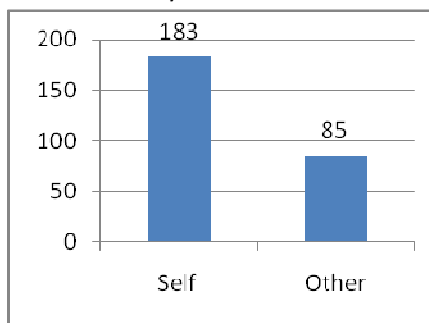


Employment Status

A somewhat close percentage of female interviewees (71.8%) to male interviewees (77.3%) claimed to have been the direct victim of the discriminatory incident mentioned in their survey.



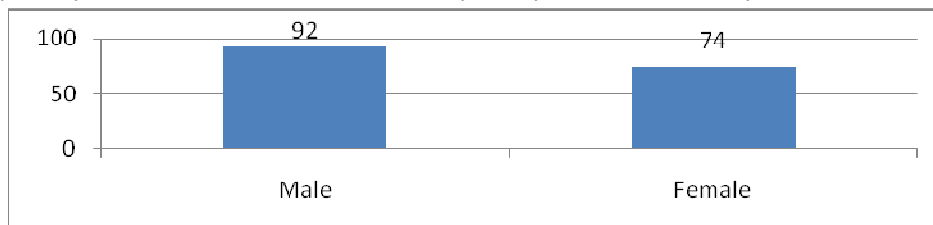
Type of Victim (Females)



Type of Victim (Males)

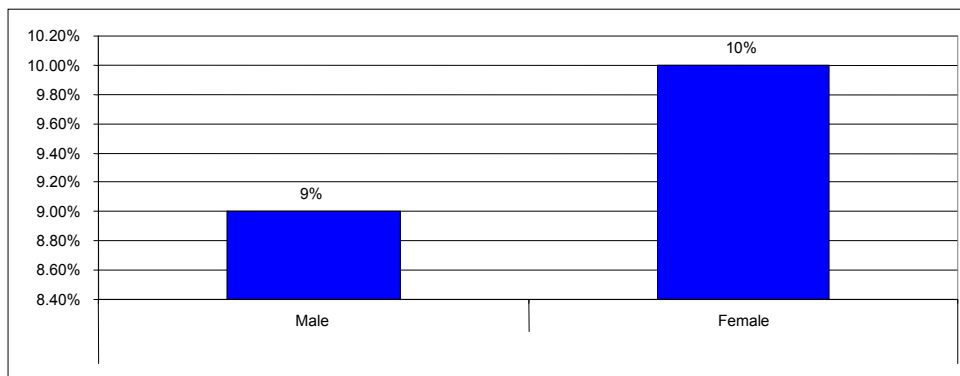
Sharing and Reporting of Experience of Discrimination

When considering whether they had talked of their experience with someone else only 166 interviewees from 400 interviewees had in fact talked to someone. These represented 38.8% of all the males who participated and 45.4% of females who participated in the survey.



Talked of Experience

When considering the number of interviewees who claimed to have reported their experience only 41 of 400 interviewees had in fact reported their case. Of these 10% were female and 9% were male.



Reported Experience

Findings as to the causes which stopped interviewees from sharing or reporting their experience also provided interesting results from a gender perspective. More female interviewees claimed to have been told not to report, found no assistance, were not aware of possibility to report or had their report dismissed than male interviewees. On the other hand, more males claimed a fear of being judged, embarrassment, bullying, fear of being exposed, powerless or had their report ignored. A significant majority of male interviewees claimed that nothing would come of their report, while more female interviewees indicated that they lacked faith in authorities.

	Male	Female
Told not to report	1	10
No assistance found	11	51
Not aware of possibility to report	12	14
Report dismissed	12	14
Fear of being judged	20	11
Embarrassment	20	10
Bullying	20	3
Report ignored	22	0
Lack of faith in authorities	26	37
Fearing of losing job	39	28
Fear of being exposed	40	30
Powerless	43	1
Situation will not change	63	5
Nothing would come out of Report	82	1

Reasons for not sharing or reporting experience

Context within which discrimination was experienced

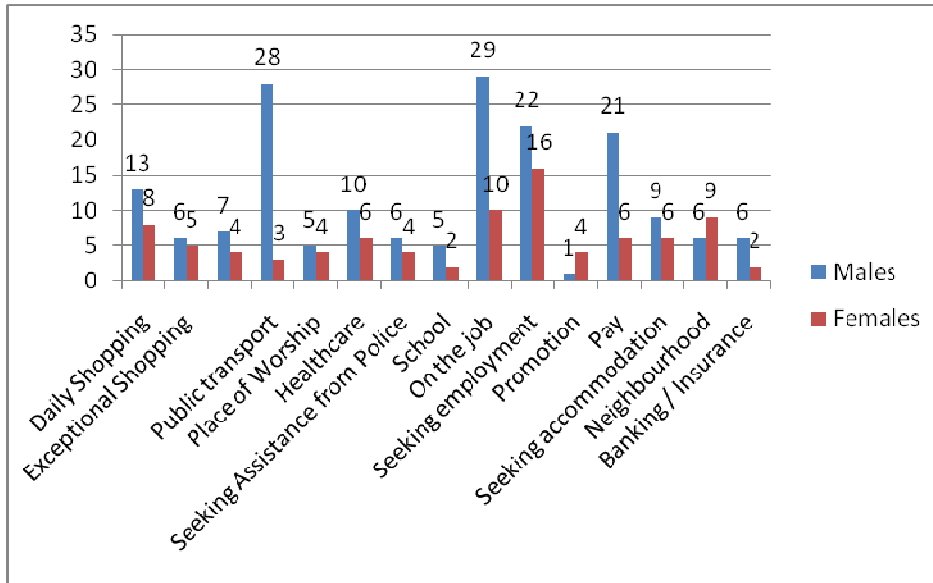
When considering the gender perspective of the context in which discrimination was claimed, the analysis is carried out on each ground of discrimination researched.

Racial discrimination was claimed by 15 men against 2 females in relation to daily shopping and by 3 men and no females in relation to exceptional shopping. 8 men against 1 female felt discriminated when seeking information from government entities. Discrimination when using public transport was claimed by 42 men against 3 females. No female interviewee claimed discrimination when close to a place of

worship but this was claimed by 3 men. 11 men and no female interviewees claimed they had been discriminated against on this ground in healthcare. Again only men (12) claimed they had been discriminated against on this ground when seeking assistance from police. Racial discrimination in school was claimed by 3 men and no females. In the sphere of employment 35 men against 4 females claimed racial discrimination while on the job; 22 men against 2 females when seeking employment; 10 men against 2 females in relation to promotions and 34 men against 4 females in relation to equal pay. Racial discrimination when seeking accommodation was claimed by 29 men and 2 females. While 9 men and 2 females claimed racial discrimination in the neighbourhood. 1 man and no female claimed racial discrimination in relation to banking and insurance services.

When considering the gender perspective of the context in which discrimination was claimed, the analysis is carried out on each ground of discrimination researched.

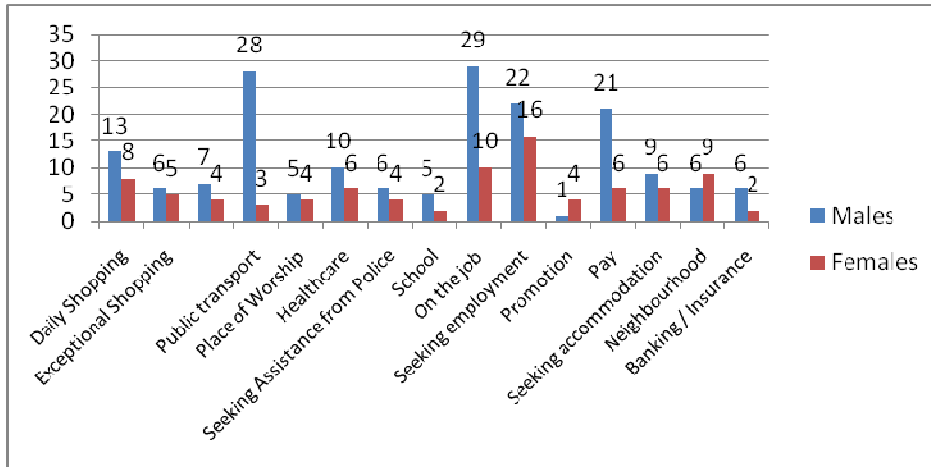
Racial discrimination was claimed by 15 men against 2 females in relation to daily shopping and by 3 men and no females in relation to exceptional shopping. 8 men against 1 female felt discriminated when seeking information from government entities. Discrimination when using public transport was claimed by 42 men against 3 females. No female interviewee claimed discrimination when close to a place of worship but this was claimed by 3 men. 11 men and no female interviewees claimed they had been discriminated against on this ground in healthcare. Again only men (12) claimed they had been discriminated against on this ground when seeking assistance from police. Racial discrimination in school was claimed by 3 men and no females. In the sphere of employment 35 men against 4 females claimed racial discrimination while on the job; 22 men against 2 females when seeking employment; 10 men against 2 females in relation to promotions and 34 men against 4 females in relation to equal pay. Racial discrimination when seeking accommodation was claimed by 29 men and 2 females. While 9 men and 2 females claimed racial discrimination in the neighbourhood. 1 man and no female claimed racial discrimination in relation to banking and insurance services.



Context of discrimination – Racial Discrimination

On the other hand, the findings of the survey on religious discrimination indicates that discrimination was experienced by 9 men against 4 females in relation to daily shopping while no discrimination was claimed in exceptional shopping. Neither was religious discrimination claimed when seeking information from government entities. However 3 men and 4 females claimed religious discrimination when using public transport and 1 man against 2 females when close to a place of worship. Religious discrimination was not claimed in healthcare but 1 man and no females claimed he had been discriminated against when seeking assistance from police. In school religious discrimination was claimed by 4 men and 6 females.

Religious discrimination in the sphere of employment was claimed by 19 men and 1 female while on the job; by 1 man against 1 female when seeking employment and by 11 men against 1 female in relation to equal pay. No experience of religious discrimination was claimed in relation to promotions. 1 male interviewee claimed discrimination when seeking accommodation and another male interviewee in relation to banking and insurance service. No religious discrimination as claimed within the neighbourhood.

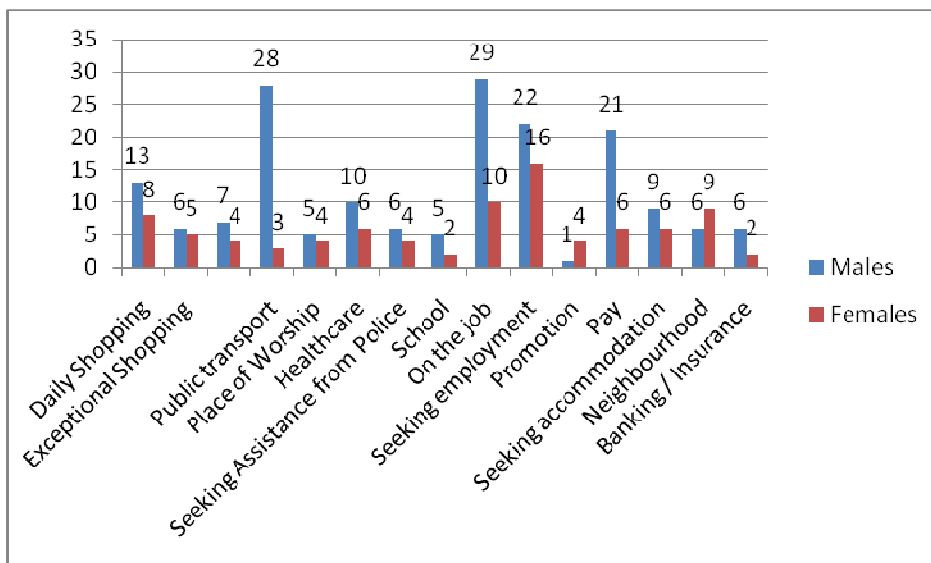


Context of discrimination – Religious Discrimination

Ageism was claimed by 1 female but no males in relation to daily shopping and by 1 man and 1 female in relation to exceptional shopping. 2 men claimed ageism when seeking information from government entities and 1 female claimed discrimination on this ground in relation to public transport. Findings indicate that none of the interviewees claimed ageism when close to a place of worship. Age discrimination in healthcare was claimed by 2 men and 2 females. Only 1 male claimed ageism in school and another male when seeking assistance from police.

In the sphere of employment 7 men and 1 female claimed ageism while on the job; 7 men and 2 females when seeking employment; 5 men and no female interviewees in promotions and 2 men and no females claimed discrimination on this ground in relation to equal pay.

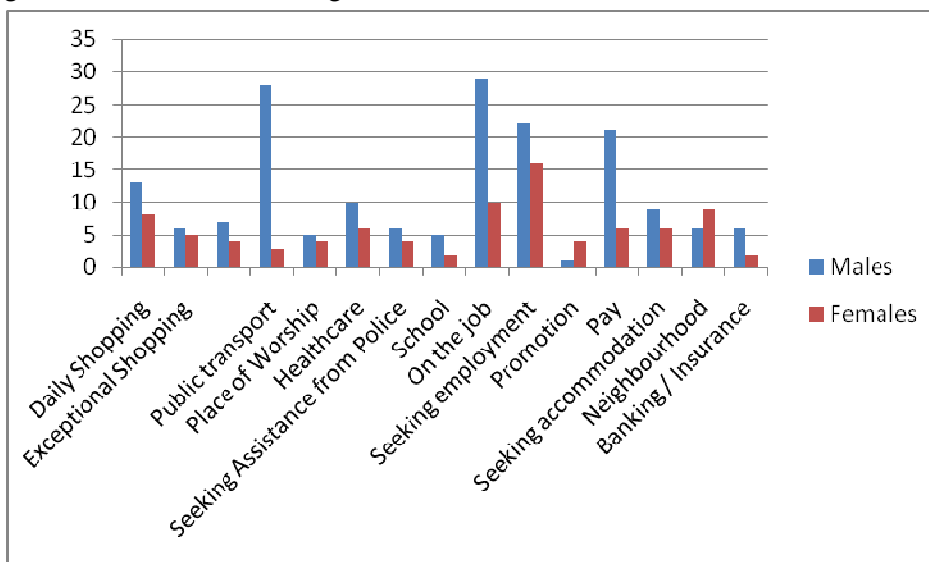
There were no claims of discrimination on this ground when seeking accommodation or within the neighbourhood, but 2 men and 1 female did claim ageism in relation to banking and insurance services.



Context of discrimination – Age Discrimination

The results of the surveys on gender discrimination show that discrimination was experienced by 3 men against 2 females in relation to daily shopping and by 1 man and in relation to exceptional shopping. 1 man and 1 female claimed gender discrimination when seeking information from government entities but 1 man and no female claimed gender discrimination in relation to public transport. 2 men and 2 females claimed gender discrimination when close to a place of worship and gender discrimination in healthcare was claimed by only 1 man. On the other hand, 2 men and 1 female felt discriminated on the basis of their sex when seeking assistance from police and 5 men against 2 females in school.

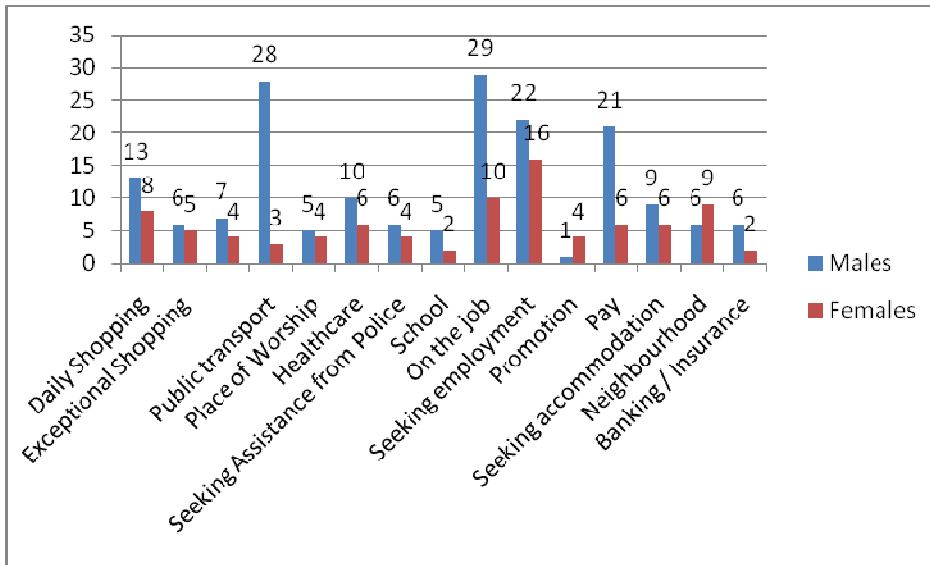
In the sphere of employment 11 men against 13 females claimed to have been discriminated against on the ground of their gender while on the job; 4 men against 9 females when seeking employment; 5 men against 8 females in relation to promotions and 4 men against 5 females in relation to equal pay. 1 female and no males claimed discrimination on this ground when seeking accommodation and 3 men against 4 females in the neighbourhood. Only 1 female claimed discrimination on this ground in relation to banking and insurance services.



Context of discrimination – Gender Discrimination

The results for a gender perspective of the context in which discrimination on the ground of sexual orientation occurred indicate that 4 men against 4 females claimed to have experienced discrimination in relation to daily shopping and 1 man only in relation to exceptional shopping. 3 men and 1 female claimed this discrimination when seeking information from government entities and 9 men against 2 females felt discrimination in using public transport. Discrimination on the ground of sexual orientation was claimed by 8 men against 3 females when close to a place of worship. 4 men and 2 females felt discriminated in healthcare and 4 men claimed discrimination on this ground when seeking assistance from police. A further 12 men and 2 females claimed discrimination on the ground of sexual orientation in school.

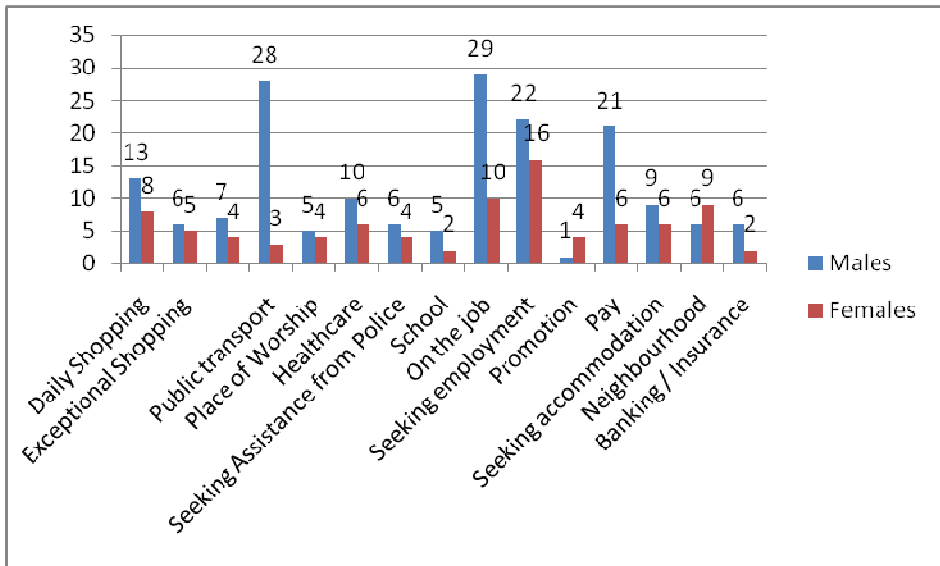
In the sphere of employment 6 men against 5 females claimed discrimination on the ground of sexual orientation while on the job; 2 men and 2 females when seeking employment; 5 men and 3 females in relation to promotions and 1 man as well as 1 female in relation to equal pay. In accessing accommodation 7 men and 2 females claimed discrimination while 8 men and 4 females claimed discrimination in the neighbourhood. A further 7 men and 1 female claimed discrimination in relation to banking and insurance services.



Context of discrimination – Sexual Orientation Discrimination

Disability discrimination was indicated by 4 men and 6 females in relation to daily shopping and by 4 females but no males in relation to exceptional shopping. Only 1 female claimed disability discrimination when seeking information from government entities but 3 men and 4 females claimed disability discrimination in relation to public transport. 1 female but no males claimed discrimination on this ground when close to a place of worship and there were no claims of disability discrimination in healthcare. 1 male but no females claimed discrimination on this ground when seeking assistance from police. Disability discrimination in school was indicated by 7 men and 1 female.

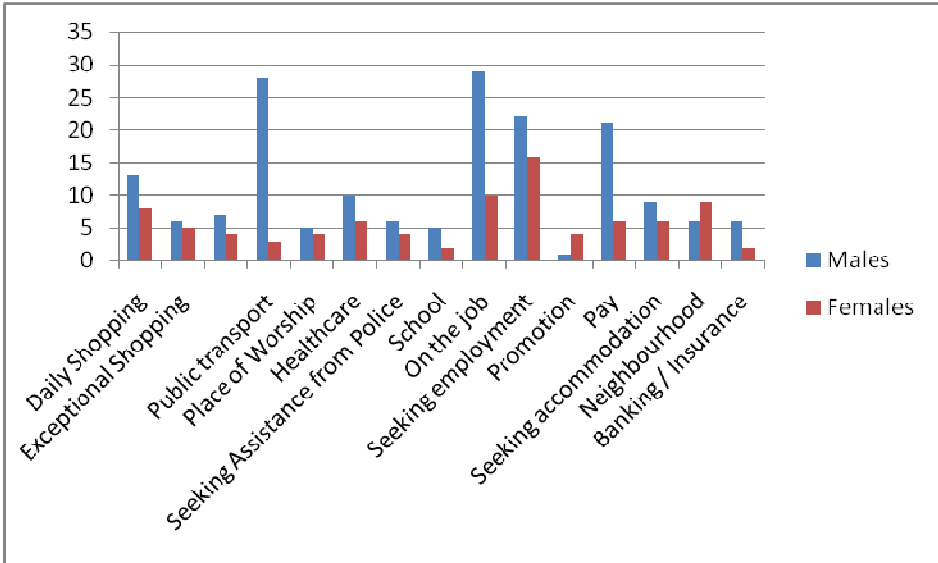
In the sphere of employment, discrimination on the ground of disability was claimed by 3 men against 7 females while on the job; 1 man against 4 females when seeking employment; 2 men against 2 females in relation to promotions and a further 1 men against 2 females in relation to equal pay. No claims of discrimination were indicated when seeking accommodation, but 2 men and 1 female claimed discrimination in the neighbourhood. Only 1 male claimed disability discrimination in relation to banking and insurance services.



Context of discrimination – Disability Discrimination

When considering multiple discrimination the surveys indicate that this discrimination was experienced by 13 men against 8 females in relation to daily shopping and by 6 men against 5 females in relation to exceptional shopping. 7 men and 4 females claimed multiple discrimination when seeking information from government entities and 28 men against 13 females in relation to public transport. A further 5 men against 4 females claimed to have experienced multiple discrimination when close to a place of worship and 10 men against 6 females in healthcare. 6 men and 4 females claimed multiple discrimination when seeking assistance from police, while 5 men and 2 females when in school.

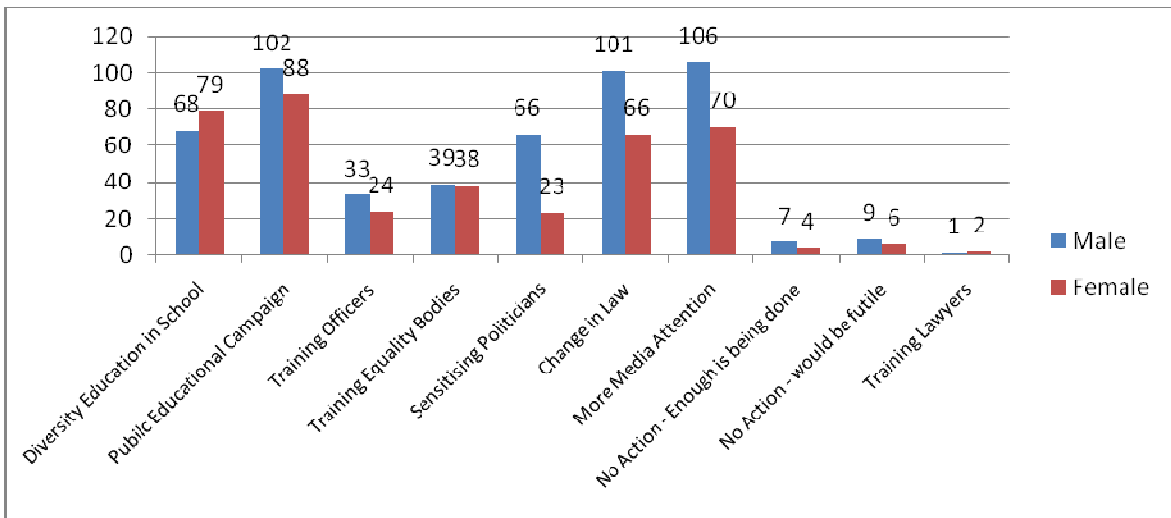
In the sphere of employment, 29 men against 10 females claimed to have experienced multiple discrimination while on the job; 22 men and 16 females when seeking employment; 1 man and 4 females in relation to promotions and 21 men against 6 females in relation to equal pay. 9 men and 6 females claimed multiple discrimination when seeking accommodation and 6 men against 9 females claimed this experience in the neighbourhood. A further 6 men and 2 females claimed multiple discrimination in relation to banking and insurance services.



Context of discrimination – Multiple Discrimination

Recommended Measures

Interviewees selected a number of measures which in their opinion would empower victims of discrimination to report their experience. The main recommendations were: more media attention (106 males, 70 females), public educational campaign (102 males, 88 females), change in law (101 males, 66 females) and diversity education in school (68 males, 79 females).



Recommended Measures

5 Recommendations

When considering the outcomes of the qualitative interviews and the survey the following would seem to address at least some of the causes for underreporting incidences of discrimination through the official channels. It is recognised that a victim is to be allowed to freely decide whether to present an official report or not, however it is fair to expect that stakeholders such as the designated equality bodies and those who offer measures of redress provide information that would allow a victim to undertake an informed decision. Such information is to be accessible and easily understood, making the victim aware of what is involved in the process of reporting as well as the assistance that one may find should a decision to report be taken.

For this purpose, recommendations have been divided into those that are targeted at (i) reaching the victim, (ii) empowering the victim, (iii) addressing the stakeholders and (iv) driving the point home.

Reaching the victim

A number of interviewees have indicated that they were not aware of the entities that could provide them with assistance or redress or that although aware of these entities felt that it would be for nothing or thought these were difficult to access. The research indicates that discrimination has been experienced in education, employment, shopping, finding accommodation, in the neighbourhood, in use of public transport, when approaching police and public officers, in places of entertainment and also in places of worship. Most of these are in fact found within the locality itself.

If one were to focus on the designated equality bodies these generally operate only through their offices, which although are both physically centrally located, yet are perceived to be an authority that is distant. Often members of the public find it easier to contact an entity when this is found within their own neighbourhood. In this regard, offices of local councils, offices of government departments, health centres, also village or town organisations are felt by the residents to be closer to them and more approachable.

Where the designated equality bodies to establish a presence within these local offices, they could become more accessible to victims. This would also provide the equality bodies with more visibility and direct contact. A presence could be established physically by having an equality desk or by disseminating information through these local entities. Information may be disseminated either through the making available of promotional materials at these local entities or actually establishing events at the locality jointly with local entities.

Materials providing basic information on what the equality bodies can do to assist victims, which situations are covered, what the different measures of redress entail and contact details are important. However information needs to be targeted to specific groups and designed according to what attracts that specific group. Alternatively, some basic information can be written in simple understandable form that would provide general information and contact details.

The areas in which discrimination has been found to take place in the survey and which do not have a local presence could be reached by the equality bodies and the entities providing redress by creating links with such entities even through (where appropriate) the appointment of contact points.

Change can take place 'bottom up' with members of the public calling for equal treatment. In this regard, therefore, training those in authority (such as employers, officers, service providers) is not effective unless it is carried out simultaneously with raising the awareness of the members of the public. Training the public can not only take place through the use of the media and publicity, but also through mediums that create physical contact. Meetings and activities with local and non local entities would therefore seem to assist in increasing awareness.

Empowering the Victim

A victim who knows that he/she has been discriminated against may still not report the incident and consequently while reaching out to the victim measures to empower the victim to stand up to the discrimination are also required. Creating networks between entities that provide support to victims will not only assist the victims to cope with their experience, especially since quite a number of interviewees have indicated the experience to have been severe, but also empower them to deal with the experience and to take action.

Networks to provide support and assistance can be established with other relative government entities or agencies, nongovernmental associations and also private entities. In creating such a network, the victim may be assisted by persons who are knowledgeable, capable and are able not only to understand the experience of the victim but also to guide him/her through the process. A network will also provide a referral system whereby the victim is referred to that entity with the network which best suits the needs of the victim.

Equality bodies in particular could facilitate the connection between victim and redress mechanism not only be facilitating initial contact but also by assisting the victim in making the report and representing him/her in the steps that need to be followed in the redress procedures. Often some measures of redress do not require legal assistance but that of persons who are knowledgeable in the field.

A sizable number of interviewees have proposed the introduction of diversity education in schools. This measure would not only reach victims of a young age who will have a multiplier effect upon their family members but will also help to develop a culture of respect.

Stakeholders

Establishing a link with stakeholders, even if informal but one that is followed upon regularly, will address those who have been identified by the interviewees as perpetrators of discrimination. This

could be for the purpose of disseminating material and information, especially on good practices, as well as establishing a direct link for the provision of training and assistance to the stakeholders.

Stakeholders identified in the survey include not only those who occupy the high ranking posts within the entity, but also those who are generally more in contact with members of the public. In fact the identified perpetrators of discrimination within these entities are diverse. Training on the job to all levels of staff is therefore seen as a positive way not only of addressing issues within their own known scenario but also provides those within the entity the message that those in command are also taking equality and non-discrimination seriously.

The media has been indicated by the interviewees to play a big role in empowering victims. Equality bodies can promote positive stories and good practice through various forms of media. Where visual media is used, this does not necessarily require the presence of a representative from an equality body but the use of experiences and scenarios that are presented as being intertwined within for example the drama category.

Stakeholders can also be assisted through the provision of draft equality policies tailor made for different sectors including media and production houses, disciplinary forces, healthcare, public transport authority, estate agents and schools.

Driving the point home

Strategic litigation is still rather lacking in the field of discrimination and while this may be viewed as being costly and lengthy yet litigation provides the interpretation of legal principles into practical scenarios. This could in turn provide the equality bodies and those with whom they network with further tools to assist victims.

Equality bodies are also encouraged to make more use of their knowledge and experience and to use this to undertake an equality mainstreaming exercise of draft or proposed legislation and policy. This would assist in the sensitisation of politicians.

Diversity, discrimination and equality are big terms and refer to many scenarios and issues. Focusing on the general issues could not be as effective as focusing on selected issues at one time. A yearly action plan focusing on particular issues could provide to be more efficient than actions that aim at raising awareness only on the general rules.

Bibliography

Legislation

1. Treaty of Amsterdam amending the treaty on European Union, the Treaties establishing the European Communities, Official Journal C 340, 10 November 1997; <http://eur-lex.europa.eu/en/treaties/dat/11997D/htm/11997D.html>
2. Maastricht Treaty, Treaty of the European Union, Official Journal C 191, 29 July 1992; <http://eur-lex.europa.eu/en/treaties/dat/11992M/htm/11992M.html>
3. Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation; Official Journal L 303, 02/12/2000, P.0016 – 0022; <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32000L0078:en:HTML>
4. Directive 2006/54/EC of the European Parliament and Council of the 5 July 2006 on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation (recast), Official Journal L 204, 26/07/2006, P. 0023 – 0036; <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2006:204:0023:01:EN:HTML>
5. Council Directive 2004/113/EC of 13 December 2004 implementing the principle of equal treatment between men and women in the access to and supply of goods and services, Official Journal L 373, 21/12/2004 P. 0037 – 0043; <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32004L0113:EN:HTML>
6. Council Directive 2000/43/EC of 29 June implementing the principle of equal treatment between persons irrespective of racial or ethnic origin; Official Journal L 180, 19/07/2000, P. 0022 – 0026; <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32000L0043:en:HTML>
7. Council Directive on implementing the principle of equal treatment between persons irrespective of religion or belief, disability, age or sexual orientation presented by the Commission, <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2008:0426:FIN:EN:PDF>
8. Equality for Men and Women Act, Chapter 456 of the Laws of Malta; www.mjha.gov.mt
9. Employment and Industrial Relations Act, Chapter 452 of the Laws of Malta, www.mjha.gov.mt
10. Equal Treatment in Employment Regulations Legal Notice 461 of 2004 as amended, www.mjha.gov.mt
11. Equal Treatment of Persons Order Legal Notice 85 of 2007, www.mjha.gov.mt
12. Access to Goods and Services and their Supply (Equal Treatment) Regulations, 2008 Legal Notice 181 of 2008, www.mjha.gov.mt
13. Equal Opportunities (Persons with Disability) Act Chapter 413 of the Laws of Malta, www.mjha.gov.mt

Research Studies

1. Eurobarometer Survey “Discrimination in the EU in 2009” 7% of respondents were discriminated in the 12 months prior to the survey interview; www.ec.europa.eu/public_opinion/archives/ebs/ebs_317_en.pdf
2. EU-MIDIS, European Union Minorities and Discrimination Survey, Main Results Report, European Union Agency for Fundamental Rights, 2009; http://fra.europa.eu/fraWebsite/attachments/eumidis_mainreport_conference-edition_en.pdf
3. EU-MIDIS, European Union Minorities and Discrimination Survey, Data in Focus Report/ Muslims, European Union Agency for Fundamental Rights, 2009; http://www.fra.europa.eu/fraWebsite/attachments/EU-MIDIS_MUSLIMS_EN.pdf
4. FRA, Homophobia and Discrimination on Grounds of Sexual Orientation and Gender Identity in the EU Member States, Part I: Legal Analysis, 2008; Report for Malta authored by members of the Organisation for the Promotion of Human Rights, http://www.fra.europa.eu/fraWebsite/material/pub/comparativestudy/FRA_hdgso_part1_en.pdf
5. FRA, Homophobia and Discrimination on Grounds of Sexual Orientation and Gender Identity in the EU Member States, Part II: The Social Situation, (Updated Version), Report for Malta authored by Marceline Naudi, http://www.fra.europa.eu/fraWebsite/attachments/FRA_hdgso_report-part2_en.pdf
6. FRA, Homophobia, transphobia and discrimination on grounds of sexual orientation and gender identity, 2010 Update, Comparative legal analysis, <http://www.fra.europa.eu/fraWebsite/attachments/FRA-LGBT-report-update2010.pdf>
7. FRA, Racism, ethnic discrimination and exclusion of migrants and minorities in sport: A comparative overview of the situation in the European Union, October 2010; http://www.fra.europa.eu/fraWebsite/attachments/Report-racism-sport_EN.pdf
8. FRA, Towards More Effective Policing Understanding and Preventing Discriminatory Ethnic Profiling: A Guide; 2010, http://www.fra.europa.eu/fraWebsite/attachments/Guide_ethnic_profiling.pdf
9. EU-Midis, European Union Minorities and Discrimination Survey, 2010, data in Focus Report, Rights Awareness and Equality Bodies, Strengthening the fundamental rights architecture in the EU III; http://www.fra.europa.eu/fraWebsite/attachments/EU-MIDIS_RIGHTS_AWARENESS_EN.PDF

10. FRA, Anti-Semitism Summary overview of the situation in the European Union 2001 – 2009, April 2010 (Updated Version), http://www.fra.europa.eu/fraWebsite/research/publications/publications_per_year/pub_cr_antisemtism_update_2010_en.htm
11. FRA, Incident report on violent attacks against Roma in Italy, 2008, http://www.fra.europa.eu/fraWebsite/research/publications/publications_per_year/2008/incident_report_en.htm
12. FRA, Annual Report 2007 – Report on Racism and Xenophobia in the Member States of the EU, June 2007; http://www.fra.europa.eu/fraWebsite/research/publications/publications_per_year/2007/ar2007_part2_en.htm
13. FRA, Trends and Developments 1997-2005: Combating Ethnic and Racial Discrimination and Promoting Equality in the European Union; July 2007; http://www.fra.europa.eu/fraWebsite/research/publications/publications_per_year/2007/pub_tr_trendscombatingdiscrimination_en.htm
14. FRA, Annual Report 2006, Inadequacy of data on racist crime for 2006, http://www.fra.europa.eu/fraWebsite/research/publications/publications_per_year/previous_publications/ar2006_part2_en.htm
15. Sexual Orientation discrimination in Malta, A report on discrimination, harassment and violence against Malta's gay, lesbian and bisexual community, Malta Gay Rights Movement, 2003; <http://www.maltagayrights.net/files/sexual-orientation-discrimination-in-malta.pdf>
16. Transphobic Hate Crime in the European Union, May 2009, A Research project sponsored by ILGA-Europe and Press for Change, http://www.pfc.org.uk/files/Transphobic_Hate_Crime_in_EU.pdf
17. Human Rights Watch Report, January 2008, <http://www.hrw.org/en/reports/2008/01/30/world-report-2008>
18. Achieving Equality – Improving Confidence, Equality and Diversity Strategy for Fife Constabulary, 2010 – 2013, Consultation Questions, www.fife.police.uk/docs/div_conword1.doc
19. Doing a successful research project, New York, NY: Palgrave MacMillan, Davies, M.B. (2007)

Schedule of Attachments

Document A	-	Quantitative Questionnaire in English
Document B	-	Quantitative Questionnaire in Maltese
Document C	-	Quantitative Questionnaire in Amharic
Document D	-	Quantitative Questionnaire in Somali
Document E	-	Quantitative Questionnaire in French
Document F	-	Quantitative Questionnaire in Tigrinia
Document G	-	Qualitative Interview Guide
Document H	-	Questionnaires answered by participants