

Performance Audit

Tackling Domestic Violence

Report by the Auditor General

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Performance Audit

Tackling Domestic Violence

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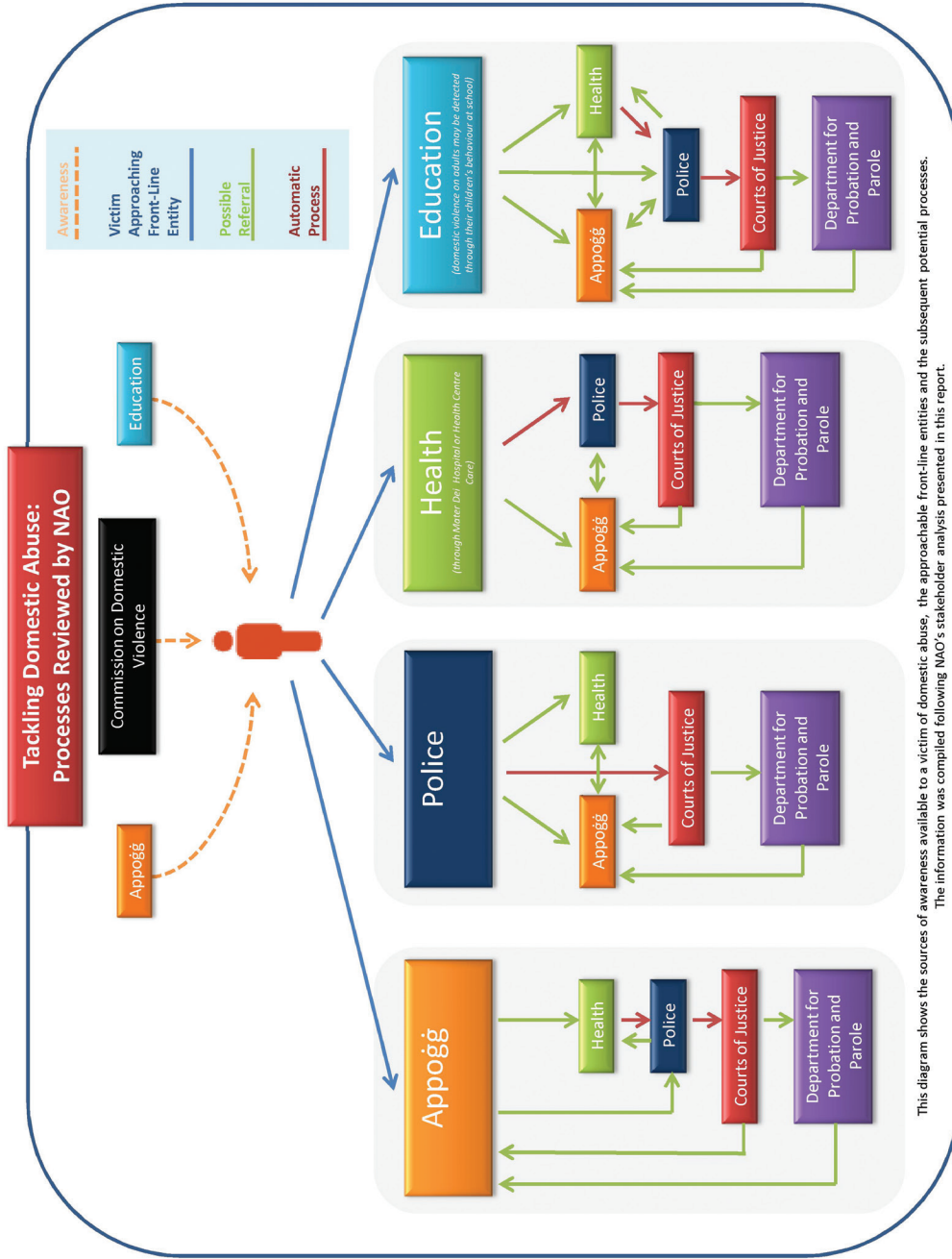
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List of Abbreviations

ABS	Anti-Bullying Service
ASAS	Anti-Substance Abuse Service
CDRT	Centre for Development, Research and Training
CDV	Commission on Domestic Violence
CCI	Court of Criminal Inquiry
CMCI	Court of Magistrates within the Criminal Inquiry
CMCJ	Courts of Magistrates as a Court of Criminal Judicature
CPS	Child Protection Services
CSS	Child Safety Services
DES	Directorate for Education Services
DPP	Department of Probation and Parole
DVU	Domestic Violence Unit
EPSS	Education Psycho-Social Services
EU	European Union
HoU	Head of Unit
FSWS	Foundation for Social Welfare Service
GES	Għabex Emergency Shelter
GT	Guidance Teacher
HCC	Health Centre Care
MDH	Mater Dei Hospital
MEDE	Ministry for Education and Employment
MEH	Ministry for Energy and Health
MFSS	Ministry for the Family and Social Solidarity
MHAS	Ministry for Home Affairs and National Security
MITA	Malta Information Technology Agency
MJCL	Ministry for Justice, Culture and Local Government
MP	Men's Programme
MSDC	Ministry for Social Dialogue, Consumer Affairs and Civil Liberties
NAO	National Audit Office
NGO	Non Governmental Organisation
NO	Nursing Officer
NPCP	National Policy on Child Protection
PHQ	Police Headquarters
PCSD	Personal, Career and Social Development
PIRS	Police Incident Reporting System
PO	Probation Officer
RSW	Residential Social Worker
SSP	Safe School Programme
SSW	Social Support Worker
SW	Social Worker
SWU	Social Work Unit
SSD	Student Services Department
SVPR	St. Vincent de Paul Residence
VS	Vice Squad

Figure 1: Reviewed Processes





Executive summary

Executive summary

This study is intended to provide a strategic perspective on the manner by which government operates to tackle domestic violence. To this end, the National Audit Office (NAO) reviewed the operations of seven entities which, in its opinion, are the primary government stakeholders dealing with this social challenge (Figure 1 refers). The reviewed entities are: the Commission on Domestic Violence (CDV); Appogg Agency; the Police Department; the Courts of Justice; the Department for Probation and Parole (DPP); the Health Department; and the Education Directorates.

From its review, NAO principally concludes that although a number of the reviewed government entities do work together on certain aspects of this social concern, no comprehensive framework exists on how all involved entities should work together to tackle this issue in a cohesive manner. Furthermore, this Office made observations on: the prevalent lack of allocated resources; the importance of awareness raising; the need of comprehensively kept and shared information; the value of harmonised training between the reviewed entities; the possibility of setting up a multi-disciplinary victim support team; the necessity to focus on the problem source (that is, the perpetrator); and the importance of an effective enforcement system.

Complementing the above observations, the following are NAO's salient identified concerns and corresponding recommendations on each of the reviewed entities.

Identified Concerns

Commission on Domestic Violence

1. While this Office commends the Commission's efforts to compile a **harmonised database** of information from different government departments on this social problem, NAO opines that CDV risks forgoing significant benefits if it fails to liaise with more government entities which possess valuable information in this regard (such as DPP, the Ministry of Education and Employment (MEDE) and the Courts of Justice).
2. This Office is concerned about the fact that Appogg, which in NAO's opinion is a primary stakeholder in this issue, **is not being represented on the Commission's Board**. It is this Office's considered opinion that the expertise harboured by the Agency can provide invaluable contribution to the Commission's work.
3. NAO acknowledges and shares CDV's concern on **the lack of adequate human and financial resources**. Such a situation may result in the Commission not being in a position to adequately fulfil its responsibilities, with obvious negative repercussions.

4. NAO is somewhat concerned about the **lack of comprehensive data** kept by the Agency. This concern is further compounded when one considers that information kept in electronic format (being the more practical and efficient means of data storage) is even less complete than its hard-copy counterpart, with particular reference made to the lack of electronically documented links between the victims and respective perpetrators.
5. This Office is also concerned by the fact that the Agency has had to resort to a **waiting list** to assist all its clients during the period under review. To this end, NAO fully supports Appoġġ's concerns about the shortage of adequately trained personnel to assist victims in their time of need, as failure to do so could potentially mean further abuse and degradation.
6. NAO also perceives as a significant shortcoming the **limited accommodation potential at GES**. The fact that this capacity is strained with the launch of successful domestic violence awareness campaigns means that the latter cannot be embarked upon freely without running the risk of not being able to accommodate an increased demand for this service.
7. Of the more significant concerns NAO has with respect to Appoġġ's *modus operandi*, is the fact that the Agency, through DVU and GES, is geared towards addressing abuse perpetrated against female victims, while **attending to male victims** is largely considered to be a distant secondary priority. While NAO fully acknowledges the fact that victims of domestic violence are principally female and commends the Agency's work with this category, research shows that a portion of the male population is also subjected to such abuse. To this end, NAO opines that Appoġġ, even more so it being the National Agency entrusted with tackling domestic violence, is obliged to actively cater for all potential victims, irrespective of their gender.
8. The **recorded attendance of Appoġġ's Men's Programme**, and more importantly the reported very low average amount of individuals who successfully complete this course every year, is a significant cause for concern. While the initiative is highly commendable, the fact that perpetrators attend it on a voluntary basis and that a considerable number of those attending do so to deceitfully re-acquire their victims' trust, heavily dilutes the potential benefits the programme is intended to provide.
9. Further compounding the latter concern is the fact that the programme formulated by the Agency to assist perpetrators of domestic abuse is specifically targeted at males, with no efforts being actively directed at tackling the problem of **female abusers**. In this Office's opinion, this situation is a significant shortcoming as it may potentially be marginalising a particular segment of domestic abuse victims by failing to tackle the source of their exploitation.
10. While this Office commends the Agency for its renewed efforts to carry out interdepartmental **training** with other government entities, it draws attention to the Agency's own training gaps, especially in view of emerging trends.
11. This Office acknowledges VS Officials' concern about the **prevalent shortage of personnel** across all of its squads, and especially for the scope of this study, the need for more personnel within the VS. Policing and following up the mentioned areas are of paramount importance for the stability and overall safety of society at large.
12. NAO acknowledges that, due to the sensitive nature of cases of domestic abuse, further challenges may be posed on the already limited human resources available.

One such challenge takes form in the **requirement of having both genders being adequately represented within the VS**, so that communication with both the respective victims and alleged perpetrators is better facilitated.

Courts of Justice

13. While this Office commends the Police Department in endeavouring to provide **training to all its Officers** on a variety of areas which include domestic abuse, it is somewhat concerned by the fact that a number of these employed personnel will have to forgo such tuition due to the exigencies of the Force.
14. This Office considers as a significant shortcoming the manner by which the Courts of Justice **keep documentation** relating to processed cases. Firstly NAO opines that, due to the manner by which documentation is kept by certain branches of the Courts of Justice, the extraction of information for statistical purposes is very difficult. Secondly, this Office also perceives major risks (such as not being able to recover important information in the case of damage) in not having such important documentation not comprehensively stored in electronic format.
15. The fact that defendants and plaintiffs have to wait in a relatively **small waiting area** with no effective means of how to separate the parties concerned, gives considerable cause for concern to this Office. Such a situation in which victims of domestic abuse have to wait for prolonged periods in the immediate presence of their alleged abusers, may cause unnecessary stress on the former.
16. NAO also perceives significant **risks in the teleconferencing arrangements** in place at CMCJ. This Office opines that the setup currently being employed by this Court detracts heavily on the benefits intended to be provided by this system, as plaintiffs wishing to testify by such means still have to be in close physical proximity to the defendants before and during the proceedings themselves.
17. The **lack of an adequate environment for minors** in the unfortunate circumstances in which these individuals have to testify against a close family member, is another cause for concern for this Office. NAO opines that such a situation may generate risks of these individuals becoming significantly distressed which may result in the distortion of their testimony, with obvious negative repercussions.

Department for Probation and Parole

18. This Office acknowledges DPP's concern on the limited options available to where POs can refer convicted perpetrators of domestic abuse to address their problematic behaviour. With this consideration in mind, NAO highly commends the Department in taking the **pilot-study initiative** to put together and make available to the individuals under their responsibility, an anger management course.
19. NAO is however concerned about the fact that, the overwhelming majority of home visits carried out by DPP are scheduled and consequently prior notice is given to the respective perpetrator. In employing such a practice, this Office perceives risks of convicted perpetrators deceptively refraining from their abusive behaviour during the period leading up to the **inspection visit** to skew results.
20. This Office perceives risks of DPP **carrying out inspections only during office hours**, as it may be the case that during this period the incidence (and consequently the immediate symptoms) of domestic abuse may be at its lowest.

21. This Office perceives risks of loss of potential benefits in having **HCC not compiling statistical information** on the injuries tended to and their potential source in electronic format. The lack of such documented information may cause HCC to forego certain knowledge on emerging trends and consequently not position itself in a position to render the best possible services to its clients. Similar concerns emerge on the fact that SWU do not keep such information in a comprehensively recorded electronic database.
22. NAO acknowledges and shares SWU's concern about the **lack of an adequate area within MDH premises for children** of patients hospitalised due to injuries sustained through domestic abuse. Having to resort to separating children from their respective parents to accommodate them in suitable institutions during an already distressing period, may lead to otherwise avoidable stress to all involved.
23. This Office also perceives risks of potential loss of benefit in **SWU not working more extensively with alleged perpetrators**. While communicating with such individuals to obtain a clearer picture on the domestic violence episode in question is a commendable practice, NAO perceives this as an opportune moment to introduce social work interaction with the alleged abusers with the intention of initiating the process to address their undesirable behaviour.
24. The expansion of the **programme delivered to Year 4 primary students** to the respective parents is, in this Office's opinion, highly commendable, as this can have a significant impact on the student's environment at home. NAO however shares DES's concern on the relatively low attendance registered for such an initiative, especially among parents who in MEDE's opinion would most benefit from such a programme.
25. NAO also acknowledges and commends the setting up of **inter-disciplinary teams** of professionals in each college to assist in the address of social matters within the education system. This Office however is concerned about the human resource shortage in this regard, seeing this shortcoming as a major limitation hindering the maximum potential benefits such a system could provide to the children attending state schools.
26. Similarly, NAO also perceives risks in the **lack of training** provided to staff employed with MEDE. Dealing with social challenges is unfortunately increasingly becoming part-and-parcel of the educator's role and this Office perceives the avoidable risk of domestic abuse cases not being identified in a timely manner or being handled inadequately by MEDE staff due to such lack of training, with obvious negative repercussions.
27. With respect to the data harmonisation project being undertaken by CDV, NAO strongly suggests that the former **explores further possibilities of working with additional government stakeholders** which may have valuable information on this social challenge. Additionally this Office also urges the Commission to persevere in collecting information from the Courts of Justice.
28. NAO also suggests that the Commission **retracts from its views about not having an Appogg representative appointed to its Board**, considering the valuable expertise and first-hand experience this Agency possesses. To this end, this Office recommends that CDV does not close such an avenue, but rather promote this option should it be consulted by the Minister when appointing Members to the Board.

Appoġġ

29. With respect to the insufficient human and financial resources issue, NAO recommends that CDV persists in making the necessary efforts so that **the required staff are engaged and further funds are secured** at the earliest possible opportunity, thereby putting itself in a better position to fulfil its assigned responsibilities.
30. In view of the less than complete information kept by Appoġġ, especially insofar as electronic format is concerned, this Office recommends that the Agency takes special care in **obtaining and adequately storing all relevant data** on its clients so that it could better tend to the latter. Additionally, this Office also urges Appoġġ to ascertain that adequate electronically documented links between the victim and respective perpetrator are in place so as to enhance ease of reference. When presented with this recommendation, Appoġġ Officials informed NAO that this suggestion was taken on board and currently, an internal exercise is underway to address this issue. NAO also urges the Agency to expedite the implementation of the case management software being developed by MITA.
31. NAO strongly urges Appoġġ to take the necessary steps to **eliminate the waiting list** being used by DVU due to lack of resources. This Office recommends that the Agency first conducts an internal review so that it may identify and address any inefficiencies in the manner by which the DVU operates. Should this review be insufficient to address this issue, NAO recommends that Appoġġ explores the possibility of relocating any underutilised resources from its other units. Failing both of the above recommendation, this Office encourages the Agency to recruit additional staff so that it may attend to all its clients in an adequate and timely manner.
32. The **capacity constraints at GES should also be addressed** at the earliest possible time. In order to address this issue, NAO perceives four distinct possibilities, namely, to expand the current premises, to relinquish the current premises and acquire a larger property which could accommodate larger volumes, to retain the current premises and acquire another property which would serve as a second shelter or to enter into agreements with other, underutilised accommodation facilities (possibly even within the private sector) to readily provide lodging to victims of domestic abuse.
33. NAO strongly recommends that the Agency revises its *modus operandi* so that it **better assists all victims of domestic abuse, irrespective of their gender**. Given that male victims of this societal challenge are also a reality, NAO urges Appoġġ to actively and specifically cater for this category of potential clients.
34. With respect to the low attendance registered in the MP, NAO encourages Appoġġ to explore possibilities by which to **increase perpetrators' interest** to attend and complete the entire programme.
35. This Office also strongly recommends that the Agency gives **due attention to female perpetrators**, even if these are less in number than their male counterparts, as these are also a reality which contributes to the overall problem.
36. While NAO once again commends the Agency in its efforts toward interdepartmental training with other government departments, it also urges the Agency to carry out an extensive internal review so that it continually **identifies any training gaps** which, if addressed, may prove significantly beneficial to Appoġġ itself and its clients. This is especially true in view of current emerging trends.

37. With respect to the Police Department's concern that additional resources are required for it to fulfil its duties in an efficient and effective manner, NAO recommends that the Force embarks on an **internal exercise to determine whether inefficiencies in its modus operandi prevail**. Should this still fall short of providing the Department with the required resources to adequately shoulder its assigned responsibilities, NAO suggests that the Police Force engages in the recruitment of new Officers to fill the identified gaps.
38. Further to the previous recommendation, NAO also urges the Police Department to take into account certain sensitivities pertaining to particular areas of responsibility when deploying its Officers, such as **ascertaining adequate representations of both genders within the VS** to facilitate communication with both victims and alleged perpetrators of domestic abuse.
39. NAO strongly recommends that Police Officers who are entrusted with processing cases of domestic abuse, are **adequately and regularly trained** in this area of expertise.
40. This Office strongly urges the Courts of Justice to **engage in a full scale review on the manner by which it keeps the documentation** relating to the cases it processes. NAO suggests that a comprehensive electronic database is set up so that such important information becomes much more easily accessible. Such an electronic format will also serve as a safety measure in case of damages to the hard copy documentation. In addition, NAO also recommends that an IT system is introduced by which all members of the judiciary, and their respective staff, can input all necessary information during proceedings immediately in electronic format, thus creating a easily accessible data trail of all processed cases.
41. With respect to the relatively small area within which both defendants and plaintiffs are expected to wait prior to being admitted to the courtroom, NAO suggests two possible measures. The first is that **alternate arrangements to the small waiting area** are made so that the defendants and plaintiffs are separated during the waiting time leading to their respective hearing. Should such an arrangement be logistically difficult to manage, NAO suggests that the Courts of Justice consider communicating with the Police Department to have a **uniformed officer being permanently stationed** in the area in question during proceedings, rather than assigned to carry out random checks.
42. This Office also recommends that the Courts of Justice review the logistical considerations governing the manner by which they make **use of teleconferencing** for testimony purposes. NAO recommends that the Courts of Justice evaluate their options and make the necessary arrangements so that the teleconferencing option can be carried out in a location which is, in actuality, distant from the Court room itself and consequently from the respective alleged abuser.
43. NAO also recommends that the Courts of Justice consider the possibility of converting a part of its **premises to be more suited to accommodate minors** in the unfortunate eventuality that these have to provide their testimony. Alternatively, the recommendation made earlier of having teleconferencing arrangements in a location which is distant from the actual courtroom, also applies to this scenario.

*Department
for Probation
and Parole*

44. With respect to DPP's proactive approach towards **providing rehabilitation services** to convicted perpetrators of domestic abuse under their responsibility, NAO encourages the department to continuously explore other areas with potential for further guidance to such individuals.
45. NAO also suggests that DPP **revisits its practice of generally giving prior notice of upcoming inspections** to the supervised individuals. In so doing, the Department could induce a sense of constant caution within the convicted perpetrators under their care due to an element of the unexpected in such visits.
46. This Office additionally recommends that the time at which **inspection visits are carried out is not restricted only to office hours** but extended to all hours. In so doing, DPP may capitalise on the currently unattended timeframe which presents a significant risk for the perpetration of domestic abuse.

*Health
Department*

47. NAO encourages both HCC and SWU to ascertain that **more comprehensive statistical information** is kept on tended-to cases. In so doing, emerging trends can be identified which could put these two departments in a better position to provide the best possible service to their respective patients.
48. In view of SWU's concern of having no adequate space for children of hospitalised domestic abuse victims within MDH premises, this office suggests that a **feasibility study** is carried out to determine whether such an arrangement is possible and manageable.
49. With respect to perceived benefits which could be acquired through **additional work with alleged perpetrators**, NAO urges SWU to weigh its options so it may put itself in a position of strength to capitalise on such an opportunity. As a starting point, this Office suggests that SWU engages in an internal review to determine whether its allocated resources are optimally engaged and, if inefficiencies are identified and rectified, the conserved man-hours may then be utilised in this regard. If, following such an exercise, the Unit would opine that its resources are deployed at maximum efficiency and effectiveness, NAO suggests it presents its case to MDH management so that the latter would consider procuring additional man-hours from Appogg' for such a function to be put to operation.

*Education
Directorates*

50. This Office strongly recommends that MEDE endeavours to hold regular **programmes similar to that delivered with Primary Year 4 students**, with secondary school attendees, without requiring specific requests from the respective schools. Given that such programmes may also prove to be invaluable to parents, NAO also encourages MEDE to further explore possibilities on how to better reach these individuals.
51. **Shortage of required professionals** in such a sensitive area is, in NAO's opinion, cause for grave concern. In view of the particular shortage in the availability of junior psychologists, NAO suggests that MEDE and the University of Malta establish a solution to increase the number of students taking up relevant courses. NAO also urges MEDE to expedite the recruitment process to fill all identified gaps in its staff complement.
52. NAO also strongly recommends that MEDE carries out an internal exercise in which **training gaps** for its employees are identified and addressed in the shortage possible time, while providing staff with the required training material.

Chapter 1

Introduction

Chapter 1 – Introduction

This first chapter portrays the nature and extent of domestic violence, thereby putting to the fore the materiality of this audit subject. Following this, the definition of this social concern, which this report uses as its basis, is presented. The audit’s scope, objectives and methodology ensue, followed by the limitations encountered by the audit team in compiling this study. A synopsis summarising the report structure closes off this introductory chapter.

1.1. A Contextual Backdrop

- 1.1.1. Domestic violence, by its very nature, is a largely hidden problem and traditionally considered to be a private matter between family members. The perception on this issue however, has since shifted considerably and is presently considered to be a social concern, as well as a punishable crime.
- 1.1.2. The very private nature of this social problem however still makes it almost impossible to accurately gauge its extent and spread within the local community. Studies attest that abuse committed between family members or intimate partners, can still be attributed to a significantly low rate of reporting to relevant authorities. To name but one, the New South Wales Auditor-General’s Performance Audit Report issued in 2011, entitled ‘Responding to Domestic and Family Violence’, attests that *“two in three victims of violence do not go to the Police”* and of the cases of domestic abuse which lead to the death of the subjected victim *“only one in ten victims were known by Police to be in an abusive relationship in the year before their deaths.”* In view of this consideration therefore, while the analysis presented in subsequent parts of this report is based on reported cases, the National Audit Office (NAO) contends that, in reality, this social challenge is more widespread in the local community than what is reported to and by the reviewed entities.
- 1.1.3. The above assertion is further strengthened by the 2012 report compiled by the local Social Affairs Committee, in which this Parliamentary Committee declared that there is no compilation of information which collates a comprehensive picture of this social challenge. It goes on in saying that although different government stakeholders do keep separate compilations on information for their own use (which information is presented in analysed format in subsequent parts of this report), a holistic national database of all these records does not, as yet, exist.
- 1.1.4. It is also worth noting that, as research shows, domestic and family violence is suffered somewhat disproportionately by women and consequently a broad support

for a gender-based approach exists (that is, specifically targeting female victims and male perpetrators). The European Union (EU) Barometer Special Report 344, entitled 'Domestic Violence against Women Report' published in 2010 states that *"one European woman in four experiences domestic violence at some point in her life, and between 6-10% of women suffer domestic violence in a given year"*. Furthermore, *"one respondent in four across the EU knows a woman among friends or in the family circle who is a victim of domestic violence"*.

1.1.5. With this consideration in mind, various programmes and initiatives (both locally and on an international level) are undertaken to provide guidance on the best way to address this problem. Not least of these is the Council of Europe Convention on Prevention and Combating of Violence against Women and Domestic Violence (better known and herein referred to as the Istanbul Convention), which was ratified by Malta in 2014. This Convention is intended to give direction to its signatories on how to:

- a) *"protect women against all forms of violence, and prevent, prosecute and eliminate violence against women and domestic violence;*
- b) *contribute to the elimination of all forms of discrimination against women and promote substantive equality between women and men, including by empowering women;*
- c) *design a comprehensive framework, policies and measures for the protection of and assistance to all victims of violence against women and domestic violence;*
- d) *promote international co-operation with a view to eliminating violence against women and domestic violence;*
- e) *provide support and assistance to organisations and law enforcement agencies to effectively co-operate in order to adopt an integrated approach to eliminating violence against women and domestic violence."*

Sourced from ACT XIX of 2014 of the Laws of Malta

1.1.6. Additional research however also shows that, although as shown above, domestic abuse is generally ascribed as a problem of violence against women, male victims and female perpetrators are also a reality. The 'Crime Statistics, Focus on Violent Crime and Sexual Offences, 2012/13' report compiled by the Office of National Statistics UK in 2014, found that, for the period under its review, *"there were 7.1% of women and 4.4% of men who reported having experienced any type of domestic abuse"* while *"30.0% of women and 16.3% of men had experienced any domestic abuse since the age of 16"*. A similar proportion between the gender of victims of domestic abuse is indicated in the aforementioned New South Wales Auditor-General's Performance Audit Report issued in 2011, which states that, of all cases of domestic abuse reported to the Police, 66% would feature female victims whereas 34% would relate to male sufferers. This report also identifies that 70% of domestic abuse cases are perpetrated by male abusers, while the remaining 30% of incidents would feature female perpetrators.

1.1.7. In view of the above considerations, while this Office acknowledges the fact that domestic abuse is more prevalently perpetrated against women, a broader approach was taken into the compilation of this study, thereby integrating all available information on such abuse irrespective of the gender of both the victims and perpetrators. With this set focus, government's efforts to tackle this social concern was assessed through the review of seven government entities which NAO opines have the primary role in addressing the domestic violence problem in Malta.

1.2. Defining Domestic Violence

1.2.1. For the purposes of this report, the definition of domestic violence as cited in local legislation applies. More specifically, the Domestic Violence Act (Chapter 481 of the Laws of Malta) refers to domestic violence as:

“ . . . any act of violence, even if only verbal, perpetrated by a household member upon another household member and includes any omission which causes physical or moral harm to the other; "household member" includes:

- (i) persons married or formerly married to each other;
- (ii) persons living in the same household as the offender or who had lived with the offender within a period of one year preceding the offence;
- (iii) persons whose marriage has been dissolved or declared null;
- (iv) parents and their children;
- (v) other adults sharing the same household;
- (vi) persons who are, or have been, formally or informally engaged with a view to get married;
- (vii) persons who are related to each other either by consanguinity or affinity up to the third degree inclusively;
- (viii) persons having or having had a child in common;
- (ix) the child conceived but yet unborn of any one of the persons mentioned in paragraphs (i) to (viii), both inclusive; . . . ”

Sourced from Chapter 481 of the Laws of Malta

1.2.2. The research, analysis and conclusions compiled by this Office are all oriented around and based on this legal definition.

1.3. Audit Scope and Objectives

1.3.1. As made evident throughout this report, domestic abuse is a multi-faceted social concern, and consequently requires the intervention of a number of government departments for its comprehensive address. While NAO understands that more entities may have an involvement (even if an indirect one) in tackling this issue, the entities selected for this Office’s review are the ones which NAO opines have the greater stake in addressing this challenge. More specifically, this study includes a review on the roles of the Commission on Domestic Violence (CDV), Appogg, the Police Department, the Courts of Justice, the Department of Probation and Parole (DPP), the Health Department, and the Education Directorates.

1.3.2. Through the review of these selected entities, NAO assessed whether the provided services are presenting the respective users with adequate assistance and remedy to the problem in question, as well as ensuring that the taxpayer is provided with good value service for the public funds invested. The study also encompasses a review of whether the audited entities are sufficiently resourced to adequately shoulder their assigned responsibilities as well as whether these same resources are utilised in an efficient, effective and economic manner. Additionally, this review also examined the manner by which the audited departments cooperate with each other in addressing this issue. Statistical information on cases handled by the reviewed entities is also presented in various parts of this report to give an indication of the extent of this social problem within the local community.

1.3.3. This study is purely a performance evaluation of the reviewed operations. To this end, assessment on the financial compliance of the reviewed entities was scoped out.

1.3.4. While parts of this report do feature in-depth analysis of particular issues related to domestic violence, NAO’s exercise was mainly intended to provide a strategic

perspective on the manner by which the reviewed government entities operate to fulfil their respective assigned responsibilities. To this end, NAO perceives further opportunity for more in-depth review on each one of the audited entities and does not exclude the possibility of future studies to this effect.

1.3.5. It is important to note that this study is solely concerned with the manner by which the audited entities address the domestic abuse challenge. As a consequence, other social programmes and initiatives taken by these entities but which are unrelated to the concern at hand, were largely scoped out of the Office's review. Additionally and for the sake of manageability, even though some references are made on domestic violence perpetrated against minors, this study principally focuses on such abuse committed against adults (that is, individuals of more than eighteen years of age). During its research, this Office came to the conclusion that the dynamics and considerations surrounding abuse against minors and adults may differ significantly. While scoping this particular study to cover the latter group, NAO does not discount the possibility of a fully fledged audit on the former in the future.

1.3.6. While analysis on the operational considerations of the audited entities is as at June 2015, information extracted by the audit team for informational and statistical purposes covers two full calendar years, that is 2012 and 2013.

1.4.1. This study is the result of the implementation of various methodologies for the collection and compilation of data as well as subsequent analysis. During the initial stages of the audit, the audit team carried out preliminary research by delving into foreign and local reports pertinent to the subject area, media articles and parliamentary questions, local and international statistics, as well as relevant legislation and directives.

1.4.2. After acquiring a general overview of the issues surrounding the audited area, a detailed issue analysis exercise was carried out from which a comprehensive audit plan emerged, grounding the audit team's approach to the task at hand. Subsequently, the necessary fieldwork was carried out and relevant findings extracted for the audit team's analysis.

1.4.3. One of the principal research tools utilised during the fieldwork stage of this study was a series of in-depth semi-structured interviews with all involved stakeholders. The aim of these meetings was mainly for the audit team to obtain a clear picture of the '*modus operandi*' of the interviewed entities. More specifically, information was principally solicited on a number of factors, such as the respective roles and services being offered by each audited entity, the availability of resources and facilities, collaborations with other stakeholders, campaigns carried out to generate awareness as well as any prevailing extraneous challenges acting as an impediment on the quality and level of service.

1.4.4. These meetings were often accompanied by detailed requests for documented information, so that further analysis could be compiled by the audit team. Of the more prominent of such requests, was that for statistical information which could be used by the audit team to present as much of a clear picture as possible on the nature and extent of this social challenge. It is worth noting that, during the course of its fieldwork, the audit team found that no cohesive and comprehensive database is available which features the input of all involved government stakeholders. To this end, NAO endeavoured to obtain separate compilations of information from the different audited entities and after pertinent analysis, presented them in this report. It is also important to note that, due to the palpable sensitivity of such information,

1.4. Methodology

this Office ensured complete protection of personal details relating to individuals listed in these compilations and only reported on categorisations rather than on individual cases.

- 1.4.5. While most of the required data was made readily available to this Office in electronic format, some of the requested information was only kept in hard-copy format by the respective entities. In such instances the audit team had no alternative but to manually produce copies of such information and input the required data in electronic format for analysis.
- 1.4.6. During the course of its fieldwork, the audit team also carried out a number of site visits to obtain a more precise insight on the area under review. More specifically, such observations were acquired on two separate occasions during court proceedings as well as on a visit at the Ghabex Emergency Shelter (GES).
- 1.4.7. Following the collection of the required data, an in depth analysis of audit findings was carried out. The draft report presenting NAO's findings, conclusions and related recommendations, was forwarded to the respective auditees for their feedback, prior to publication of this report.

1.5. Limitations to the Study

- 1.5.1. During the progression of this study, the audit team encountered a number of challenges and limitations which hindered it in its analysis of the issue at hand. The first of these challenges was that the compiled statistical information into which parts of this analysis is rooted, only represents individuals who are, in some way or form, on record as being subjected to or suspected of perpetrating domestic abuse. This means that this Office could not take into account victims subjected to such violence who have as yet not approached any of the reviewed government entities. With this consideration in mind, this Office acknowledges the fact that the underlying problem can, in reality, be significantly more widespread.
- 1.5.2. As stated earlier, the domestic violence problem is a vastly multi-faceted one and consequently requires a considerable number of entities with different expertise for it to be addressed. It is this Office's opinion that the input and operation of each reviewed entity are of sufficient materiality to each merit a dedicated fully fledged audit. While this report reviewed in detail certain aspects and operational processes of the reviewed entities, the audit team largely focused on providing a high level analysis of how the reviewed entities work to tackle this problem. In so doing, NAO identified potential areas for improvement in each entity's internal processes and by which interdepartmental collaboration is carried out.
- 1.5.3. Due to the immediately evident sensitive nature of the subject at hand, NAO did not pursue the personal details of involved individuals for statistical information. This decision meant that the audit team largely redirected the focus of this report on reported incidents rather than on the respective persons beset by this social problem. This implies that, with very restricted exceptions, statistical information presented in this study refers to cases rather than persons, meaning that the same individuals could be involved in multiple incidents.
- 1.5.4. Due to the significantly voluminous statistical information processed during the progression of this audit, data from the reviewed entities was forwarded to NAO in already compiled electronic format, with the only exception of information collected from the Courts of Justice. In the case of this latter reviewed entity, the audit team methodically copied and transposed in electronic format all the required statistical information from hard-copy documents. Given the secondary nature of the data

collected from the other reviewed entities however, NAO asserts that the veracity, completeness and accuracy of its analysis is largely dependent on the integrity of the forwarded information.

- 1.5.5. It is also important to point out that the reviewed Court cases are limited to cases of domestic abuse processed by the Malta Courts of Magistrates as a Court of Criminal Judicature. The cases heard at the Gozo Courts were scoped out.
 - 1.5.6. As stated earlier in this report, the dynamics involved in domestic violence perpetrated against adults and that committed against minors differ significantly. In fact, Appoġġ has two distinct Units dedicated to address each one of these two fields. While NAO fully acknowledges the very serious implications that domestic abuse on minors bears with it, the Office opted to focus this audit on adults in order to limit its scope and render it more manageable.
 - 1.5.7. This Office acknowledges the possibility that other government and non-government entities may have a role and consequently a stake in the address of this social problem. The reviewed entities however are the ones within government which NAO considers as principal to this issue.
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- 1.6.1. **Chapter 1: Introduction** – This first chapter portrays the nature and extent of domestic violence, thereby putting to the fore the materiality of this audit subject. Following this, the definition of this social concern, which this report uses as its basis, is presented. The audit’s scope, objectives and methodology ensue, followed by the limitations encountered by the audit team in compiling this study. A synopsis summarising the report structure closes off this introductory chapter.
 - 1.6.2. **Chapters 2 to 8** – In these seven chapters (each entitled with the name of the respective entity it analyses) the report presents analysis on operational considerations of each reviewed entity, namely: the Commission on Domestic Violence; Appoġġ; the Police Department; the Courts of Justice; the Department of Probation and Parole; the Health Department and; the Education Directorates. Where applicable, statistical information is also presented to provide further insight on the extent of this social problem. Conclusions and recommendations on the operational considerations of each reviewed entity are presented at the end of each respective chapter.
 - 1.6.3. **Chapter 9: Tackling Domestic Violence: a Cohesive Approach** - This final chapter presents NAO’s views and recommendations on how the problem of domestic violence in Malta could be cohesively and holistically addressed by the reviewed entities in as much of an efficient and effective manner as possible.

1.6. Report Structure



Chapter 2

Commission on Domestic Violence

Chapter 2 - Commission on Domestic Violence

2.1. Background

- 2.1.1. The Commission on Domestic Violence (CDV) was set up on the 1st March 2006 and is regulated by Article 3 of the Domestic Violence Act (Chapter 481). Its primary role consists of advising the Minister responsible for Social Dialogue, Consumer Affairs and Civil Liberties (MSDC) on all aspects of the domestic violence issue.
- 2.1.2. Being a consultative and coordinating body more than anything else, CDV does not operate in direct contact with domestic violence victims but rather aims at increasing awareness and understanding about the concern at hand. The initiatives undertaken by the Commission principally focus on campaigns, aimed towards providing educational messages, prevention and information on how one can get help. NAO was further informed that CDV is also responsible for compiling data relating to this social concern, carrying out research and policy work on domestic abuse at both a national level and within international forums, as well as liaise with NGOs who provide a service to victims of domestic violence.

2.2. CDV Board

- 2.2.1. The Commission is tasked with chairing a board intended at coordinating efforts between government departments to better tackle this social challenge. The current Board, which was appointed in May 2013, comprises CDV's Chairperson, acting as the Board's Chair, as well as nine Members. CDV representatives informed NAO that both the Chairperson and Members of this board were appointed directly by the then Minister for Family and Social Solidarity (MFSS), as at that time CDV fell under this latter Ministry's responsibility. CDV however informed NAO that Appoġġ (which Agency's role will be discussed in detail later in this report) is not represented on this board, as the Commission opines that its involvement at a regulatory level would be self-defeating, seeing that they are also the operating arm in tackling this social challenge. In addition, CDV have also stated that, although Appoġġ does fall under the former's remit of responsibility, the Commission feels that it is not adequately kept informed of the Agency's operations.
- 2.2.2. This board meets almost once a month to discuss operational and awareness initiatives to be taken by itself and other government stakeholders, intended at further addressing this social challenge. Minutes of these meetings were forwarded to NAO for review.

2.3. CDV's Initiatives

Harmonisation of Data

Awareness Campaigns

2.4. Resources

2.3.1. In addition to leading the above-mentioned board, CDV also endeavours in carrying out a number of projects, with the aim of addressing domestic abuse in Malta. Of the more notable of such initiatives is the project entrusted to CDV to harmonise data on domestic violence. This project is intended to be finalised by end 2015 and aims at building a seamless database from information provided by the Police Department, Appoġġ and the General Hospitals (all of which will be discussed in greater detail in subsequent parts of this report). CDV representatives informed NAO that this information was collected for the first time in May 2013 and the Commission is currently in the process of harmonising this data. CDV further stated that an attempt was made to collect such data from the Courts of Justice (which will also be discussed in detail later on in this report) but such information was not readily available and consequently had to be scoped out from the Commission's exercise.

2.3.2. One of the more effective measures by which domestic abuse is addressed is by means of awareness campaigns intended at educating both individuals who are directly affected by this social challenge as well as the population at large. To this end, CDV embarks upon a number of initiatives to raise awareness about the issue at hand. CDV informed NAO that the former carries out a number of seminars, distributes information material, promotes its message at a number of local activities as well as uses the media to raise awareness.

2.4.1. CDV expressed concern to NAO over the significant lack of human resources it has at its disposal. At the time of writing of this report, the Commission consisted of a Chairperson, a Research Analyst and a Research Officer, who are assisted with an allocation of man-hours per week (depending on the exigencies of the Commission) of a secretary employed with the Ministry.

2.4.2. CDV asserts that this shortage of staff is a main cause for concern for the Commission as it feels it does not have the required capacity to adequately shoulder its responsibilities. The Commission further elaborated that, although an EU Funds Officer was expected to be assigned to CDV to work on application proposals and EU funding opportunities (in view of the EU funding Programming period 2014-2020), this deployment did not materialise as at time of writing of this report. The Commission additionally informed this Office that, even if such an EU funds Officer was assigned, the Commission would still be short of personnel and would require an Executive Officer to carry out day-to-day administrative tasks and other clerical duties.

2.4.3. The Commission further informed NAO that necessary legal amendments are required so that certain Maltese Laws reflect the recently ratified Istanbul Convention (Chapter 532) since, at the time of writing of the report, the former are not conformant with the Convention. To this end, CDV asserts that another full time Officer to facilitate the implementation process of the Istanbul Convention and its auditing mechanisms would also be required.

2.4.4. Furthermore, CDV expressed concern on the limited funds it is allocated with to cover its operations. NAO was informed that, in the Commission's opinion, these funds are by no means sufficient for it to fully fulfil its obligations and such a situation is putting considerable strains and limitations on CDV's operations.

2.5. Conclusions

- 2.5.1. NAO commends CDV on the **initiatives and projects** it coordinates to raise awareness on domestic violence. In exposing, publicising and educating on this social problem, NAO opines that the Commission may be encouraging and incentivising individuals suffering from such abuse to start addressing their situation. This Office also perceives benefits of these measures reaching out to the population at large, with the latter becoming better informed on the issue at hand. This could possibly enable the identification of early symptoms of domestic abuse and provide valuable knowledge to the general public on what services are available should such abuse be witnessed.
- 2.5.2. While this Office also commends the Commission's efforts to compile a **harmonised database** of information from different government departments on this social problem, NAO opines that CDV risks forgoing significant benefits if it fails to liaise with more government entities which possess valuable information in this regard. As subsequent parts of this report attest, the DPP as well as the Ministry of Education and Employment (MEDE) are two examples which could enhance CDV's database.
- 2.5.3. Additionally, as stated by CDV itself, the Courts of Justice also possess important information on the issue at hand. While NAO recognises the fact that this information may not be easily extracted due to it being stored only in hard copy format (which issue is discussed in greater detail in subsequent parts of this report as is the relevant information extracted and analysed by NAO), this Office opines that in **scoping this data out** of this exercise will leave the Commission with a less than complete product.
- 2.5.4. This Office is however concerned about the fact that Appoġġ, which in NAO's opinion is a primary stakeholder in this issue, **is not being represented on the Commission's Board**. It is this Office's considered opinion that the expertise harboured by the Agency can provide invaluable contribution to the Commission's work. In addition, NAO opines that CDV's argument that Appoġġ cannot partake in the Commission's decision making process does not hold water. Given that the nature of the Commission is not that of a regulatory body but rather as a consultative one, this Office perceives no conflict of responsibility as quoted by CDV.
- 2.5.5. NAO acknowledges and shares CDV's concern on **the lack of adequate human and financial resources**. Such a situation hinders the Commission in not being in a position to adequately fulfil its responsibilities, with obvious negative repercussions.

2.6. Recommendations

- 2.6.1. This Office recommends to CDV to carry out **effectiveness assessments on the awareness campaigns** it carries out. While the benefits of such initiative are undisputed, NAO suggests that the Commission carries out such vetting so it may fine tune its programmes in order to continuously improve its already positive position for transmitting its messages ever further and more effectively.
- 2.6.2. With respect to the data harmonisation project being undertaken by CDV, NAO strongly suggests that the former **explores further possibilities of working with additional government stakeholders** which may have valuable information on this social challenge. Additionally this Office also urges the Commission to persevere in collecting information from the Courts of Justice.
- 2.6.3. NAO also suggests that the Commission **retracts from its views about not having an Appoġġ representative appointed to its Board**, considering the valuable expertise and first-hand experience this Agency possesses. To this end, this Office recommends that CDV does not close such an avenue, but rather promote this option should it be consulted by the Minister when appointing Members to the Board.

2.6.4. With respect to the insufficient human and financial resources issue, NAO recommends that CDV persists in making the necessary efforts so that **the required staff are engaged and further funds are secured** at the earliest possible opportunity, thereby putting itself in a better position to fulfil its assigned responsibilities.



Chapter 3

Appogg

Chapter 3 - Appoġġ

3.1. Background

3.1.1. 'Aġenzija Appoġġ', (hereinafter referred to as Appoġġ), is the National Agency tasked with safeguarding and promoting the well being of children, families and the community, through the development and provision of psycho-social welfare services. Together with CDV (discussed in detail in the previous chapter), Appoġġ is regulated by the Domestic Violence Act (Chapter 481) and falls within the Foundation for Social Welfare Service's (FSWS) portfolio, which in turn falls under the responsibility of MFSS. At present, the Agency provides over 40 services, all focusing on children, families and adults in vulnerable situations and/or at risk of social exclusion.

3.1.2. Of the above mentioned services offered by Appoġġ, three main services are aimed at addressing the domestic violence challenge in Malta, more specifically the Domestic Violence Unit (DVU), GES, and the Men's Services. These services are discussed in detail in the following parts of this chapter.

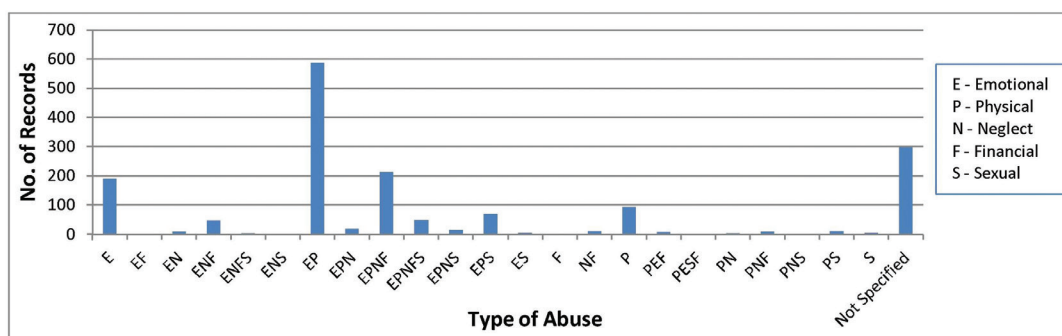
3.2. Statistical Information kept by DVU

3.2.1. The next part of this chapter presents an overview of the cases handled by DVU during the years 2012 and 2013 according to data forwarded to this Office by the Agency itself. It is important to note that the quoted records refer to service periods and not to different individuals. In other words, one individual may have approached Appoġġ more than once in a year with a domestic violence problem, and this would consequently be reflected in a corresponding number of records in Appoġġ's database.

3.2.2. The information forwarded to NAO by Appoġġ featured 830 records for the year 2012, and another 837 for 2013. Of the total 1,667 records forwarded to this Office, NAO noted that 1,624 cases related to female individuals, while the remaining 43 were males. During this two-year period a total of 853 cases were closed, meaning either that Appoġġ determined that the situation has been resolved, or that the victim in question decided to discontinue benefitting from the Agency's services. Within the scoped period, 266 claims were not accepted for further consideration by Appoġġ. NAO was informed that the reasons for not accepting a claim varied, namely due to the service user either facing challenges which are not within DVU's remit (e.g. substance abuse) and consequently being referred to another appropriate service, being no longer interested in the service or being difficult to locate (that is, lost contact). Of these disqualified claims, 249 featured female claimants while the remaining 17 were male. The forwarded data also showed that 225 and 214 records were active as at end 2012 and 2013 respectively.

- 3.2.3. During its review of the forwarded information, NAO also noted that 761 and 732 records related to individuals with whom the Agency worked for only one service period during 2012 and 2013 respectively following an initial meeting at the point of first contact. In 31 and 51 instances during 2012 and 2013 correspondingly, Appoġġ opened two service periods in each year with the same individual; opened three service periods with one client in 2012 and with one victim in 2013; and in 2012 the Agency opened four service periods with one of its clients.
- 3.2.4. Through pertinent analysis of the forwarded data, NAO could also determine that, during the two-year scoped period, it took the Agency an average of 31 days to meet with their clients following the first contact. On this latter point Appoġġ explained that, while a first meeting is largely always held at the time of first contact, a waiting list had to be compiled for these cases to be favoured with follow-up counselling sessions, depending on the urgency of each case. The data forwarded to NAO featured 33 and 74 records put on the waiting list (discussed in greater detail in subsequent parts of this Chapter) as at end 2012 and 2013 respectively.
- 3.2.5. It is also worth noting that, although some individuals are referred to the Agency for assistance by third parties (including the Police and the Courts of Justice, the role of which will be discussed in greater length later in this report), a considerable number of individuals contact Appoġġ on their own initiative. More specifically, 822 out of the 1667 records found in the forwarded data, relate to instances in which Appoġġ's clients approached the Agency themselves rather than being referred by third parties. Of the 845 remaining records, while 119 do not specify who referred the respective victims to the Agency, NAO noted a wide spectrum of sources from which such referrals originate, including NGOs, other government departments, professionals and private individuals.
- 3.2.6. Domestic violence encompasses a variety of abuse perpetrated against an intended victim. Figure 2 illustrates the nature of abuse during the scoped two-year period for the records forwarded to NAO by Appoġġ. As can be observed in this illustration, the different types of abuse are not always exclusively perpetrated on their own, but can sometimes be conjoined with others. In fact, the most frequently reported category of abuse (580 records within the scoped period) pertains to the emotional-physical type. On the other hand, Table 1 presents the perpetrator – victim relationship in these same recorded instances.
- 3.2.7. While the data forwarded by Appoġġ (from which NAO extracted the above information) gave a good indication of the domestic violence situation in Malta, this Office notes that the Agency does not keep a fully comprehensive database in this regard. As can be seen from the previous statistical information, a significant number of records have fields which were left unspecified. When queried about this, the Agency's Officers replied that in certain instances it would be somewhat difficult to solicit all information from a victim due to the vulnerable psychological state they would be in.

Figure 2: Recorded Types of Abuse during 2012 and 2013



Source: Information forwarded by Appoġġ

Table 1: Perpetrator's relation to victim

Perpetrator	Qty	Perpetrator	Qty	Perpetrator	Qty
Boyfriend	45	Brother	1	Carer	1
Child (<i>unspecified gender</i>)	39	Daughter	2	Daughter's Boyfriend	1
Employer	1	Ex-Boyfriend	4	Ex-Husband	5
Ex Partner (<i>unspecified gender</i>)	6	Family (<i>unspecified relation</i>)	29	Father	14
Father and Boyfriend	1	Friend	1	Human Trafficker	1
Husband	558	Husband and Sons	1	Mother	12
Mother's Partner	3	Both Parents	10	Partner (<i>unspecified gender</i>)	99
Sibling (<i>unspecified gender</i>)	10	Sister	2	Son	2
Uncle	2	Wife	5	Not Specified	812

Source: Information forwarded by Appoġġ

3.2.8. Furthermore, during meetings with Appoġġ representatives, NAO was informed that the vast majority of Appoġġ's information is not electronically recorded and consequently kept in manual format (that is, hard copies of documents in files). Social Workers (SW) from the DVU and other Officers assigned to work with perpetrators (which will be discussed in greater detail in subsequent parts of this chapter) do liaise with each other to try and tackle the situation in as much of a holistic manner as possible. To this end, while cross-references are kept between hard-copy files pertaining to the victim and the perpetrator respectively, the same cannot be said for data kept in electronic format. This latter information is stored in a largely separate manner, with no easily accessible link between victims and perpetrators and, NAO was informed, the information stored in electronic format was not as comprehensive as that kept manually. The same situation prevails insofar as links between different services are concerned. While references can be found in the physical files on whether a victim has availed of shelter services or not, such information cannot be found in electronic format. Appoġġ has however also informed NAO that in view of this lack of consolidated electronic databases, meetings with Malta Information Technology Agency (MITA) were held in which it was agreed that the latter should design and implement a case management software for all departments encompassed by FSWS and not only for departments within Appoġġ. At the time of writing of this report, this system was still at design stage.

- 3.3.1. Set up in September 1994, the DVU is the first point of contact for incoming domestic abuse victims. This Unit is manned by six full time SWs who are responsible to assist and provide necessary counselling to victims calling in at the Agency. During discussions with their clients, these SWs endeavour to determine the type and extent of the alleged abuse, so that a way forward can be planned for the benefit of their clients. NAO was informed that DVU's SWs main responsibilities include carrying out a comprehensive risk assessment of both victim and children involved, social work interventions, intensive safety planning, ongoing empowerment to victims, information sharing about legal aspects, notifying victims of further available services and discussing care plans (way forward) with the service user.
- 3.3.2. The Agency's 179 helpline also serves as a first point of contact to victims of domestic abuse with Appogg . This service which is available on a 24/7 basis, is manned wholly by volunteers and runs under the supervision of Appogg Officials. Two volunteers are deployed to the service at any one time, who are specifically trained on the best way to approach clients and on how to act in different situations, particularly in cases in which clients call in seeking urgent shelter accommodation. In this latter case, these volunteers are directed to liaise with all available shelters (both the one run by Appogg and others run by the Church, as well as Non Governmental Organisations (NGO)) and provide immediate assistance. While not being SWs themselves, these volunteers are trained to provide immediate advise to callers and any assistance they may require (such as calling the Police if the case so merits). A SW is then notified of the case so that adequate follow-up is pursued. At the time of writing of the report, NAO was further informed that a new service was introduced, whereby a dedicated direct line between the Police Control Room and 179 personnel was established. This measure is intended to provide the immediate services of an Appogg SW, upon the client's request, when the latter contacts the Police.
- 3.3.3. During meetings with NAO, DVU Officers expressed concern on the very limited human resources at their disposal. As can be seen in the presented statistical information, the number of interventions this Unit carries out with clients every year is substantial. For this reason, Appogg contends that the six SWs engaged within the DVU are considerably stretched and cannot give the necessary attention to every individual seeking assistance. The Agency expressed additional concern on the fact that, these already limited resources are further stretched following successful awareness campaigns due to a subsequent sudden increase in the demand for services. In addition, NAO was also informed that two SWs are required to attend Court sessions (which will be discussed in greater detail later on in this Chapter) to provide any necessary assistance during these proceedings, which task presents further challenges on their already tight schedules.
- 3.3.4. In view of these shortages, SWs are directed to prioritise (through the utilisation of a risk assessment tool) between the different cases they handle, thereby offering immediate assistance to those they deem to be in a high-risk situation while putting others, with an established relatively low-risk case, on the waiting list. DVU Officers however also stated that this situation is far from desirable as it may be sending the wrong message to domestic violence victims who are still reluctant to contact the Agency. Such individuals may be scared to take such a step due to potential repercussions they may face from their abuser and consequently, the very real possibility of being assigned to a waiting list rather than being assisted in a timely manner may cause these victims' initiative to falter. While an initial meeting is largely always held when a client approaches the Agency, an average duration of 31 days was calculated to elapse between this first contact and subsequent follow-ups. During meetings with Appogg representatives, NAO was informed that although individuals whose case is assigned lower priority and consequently placed on this waiting list are

given limited assistance, they could expect as long as three months to be attended to in a comprehensive manner. NAO was additionally informed that the Agency sometimes even loses contact with victims who would have already contacted the DVU, but who would lose the incentive in seeking further assistance following a relatively lengthy period on Appoġġ's waiting list. Appoġġ representatives however also elaborated that, should the situation of clients assigned with low priority deteriorate significantly, the Agency allocates the necessary resources to assist them more promptly. During meetings with NAO, Appoġġ Officials stated that at least, two additional full time SWs are required for the Agency to be in a position to do away with a waiting list and for it to be in a better position to provide a more holistic service to its clients.

- 3.3.5. Insofar as resources are concerned, the Agency also expressed concerns on the premises from which they operate. During meetings with Appoġġ representatives, NAO was informed that on numerous occasions, domestic violence victims coming in to seek the Agency's support have expressed distress on the state of the Agency's premises. During meetings with Appoġġ representatives and during visits carried out, NAO was informed that most individuals would not feel that the building is sufficiently welcoming and some even go as far as considering it somewhat intimidating. It is however important to note that, following this Office's visits to the Agency's premises, the latter informed the former that efforts have been made to refurbish the counselling rooms in an attempt to make them more hospitable.
- 3.3.6. In reviewing the forwarded information, NAO noted that the overwhelming majority of victims approaching the Unit are female, with males accounting to a mere 2.6% of the forwarded records. When queried about this, DVU informed NAO that this could be the result of a number of considerations. First and foremost, although as presented in Chapter 1, studies show that male victims of domestic abuse are a reality, the majority of victims of such violence are invariably female. Furthermore, DVU representatives asserted that it is typically much more difficult for a male victim to accept the fact that he is being abused, mainly due to cultural issues and prevailing social expectations. To this end, apart from the aforementioned fact that male victims are fewer in number, one also has to consider that the percentage of these who actually seek assistance is significantly lower than their female counterparts.
- 3.3.7. In view of the above observation, NAO enquired whether DVU was adequately geared towards assisting male victims should these approach the Unit. In response, DVU Officials stated that while Appoġġ never turns down anyone (be it male or female) who solicits their assistance, the Agency is much more geared towards helping female victims as these are the more prevalent. Appoġġ representatives asserted that, in adopting a gender-based approach to tackle this social problem, the requirements of the Istanbul Convention would be satisfied. They further elaborated that this Convention, which was ratified by Malta in 2014, does not oblige signatories to provide services which are specifically targeted at male victims.
- 3.3.8. Appoġġ Officials also stated that, in their opinion, domestic violence on males can generally be considered to be of a less dangerous nature. They explained that with males being typically physically stronger than their female counterparts, this gives them the opportunity to evade a potentially dangerous situation much more easily. DVU representatives went on in stating that this consideration should also be coupled with the fact that male victims tend to be adequately financially independent, giving them an edge over their female counterparts, in the sense that it is much easier for them to get out of such a detrimental situation and start over. Appoġġ Officials also asserted that, unlike their female counterparts, domestic abuse on males would generally not be an ongoing occurrence but rather a periodic one, commonly accompanying separation proceedings. To this end, DVU representatives opine that,

in this case, the nature of abuse would not be intended to assert power and control over the victim and consequently poses considerably lower risks than what can typically be experienced in a vice-versa scenario. Furthermore, during a meeting with NAO, an external consultant engaged by Appogg to supervise the Men's Programme (MP), opined that it is not necessary for the Agency to provide such a service for male victims. Instead the consultant suggested that these victims are directed towards other forms of support, such as the services of a qualified psychologist. Furthermore, NAO observed that all of DVU's SWs are female. When queried about this, DVU Officials stated that female victims would generally feel more at ease to work with a female SW as, at that vulnerable stage in their life, a male SW may represent the source of her troubles and prove to be a counter-productive measure. They further informed this Office that male SWs were engaged by DVU in the past, but these were replaced as they were not deemed to be ideal to adequately assist female victims. NAO however notes that, with this setup, a male victim approaching the DVU will not benefit from a similar configuration.

- 3.3.9. During meetings with NAO, Appogg Officials identified external challenges that they have to contend with in carrying out their responsibilities. The first of these identified concerns revolves around the reality that in such situations it is the victim who is constrained to leave home and not the perpetrator. The Agency opines that such a state of affairs is unjust and only serves to put more stress and pressure on an individual who is already being subjected to significantly detrimental treatment. In view of this situation, Appogg Officials are inclined to suggest that the alleged perpetrator should be the one to leave the household if a victim feels she cannot live under the same roof, even before a Court hearing is held. Given that this is not likely to happen without external intervention, Appogg representatives assert that Police Officers receiving complaints or official reports, should act immediately to remove the reported perpetrator from the premises.
- 3.3.10. The Agency also expressed concern over the possible dilution of attention from Police Officers in the case of individuals who repeatedly file reports of domestic abuse, perceiving it as a waste of their time, particularly when the complainant would have a history of repeatedly forgiving the alleged perpetrator and not going through with the case in Court. This, Appogg Officials opine, may be significantly counterproductive to the overall cause as the people who repeatedly file such reports may be the ones who are in most need of attention and decisive action. Furthermore, Appogg representatives stated that although this may seem as unreasonable behaviour, more often than not, this is an integral part of the process for the victim to break out of the situation.
- 3.3.11. The Agency's SWs are also of the opinion that sentences handed down in Court (which Institution's role in this societal challenge is discussed in greater detail later in this report) may not be entirely serving as sufficient deterrent to prevent perpetrators from repeating their offences.
- 3.3.12. During meetings with NAO, Appogg representatives additionally pointed out their concern of their SWs being occasionally instructed to provide personal details during Court proceedings. This, the Agency's Officials asserted, causes significant distress to their SWs as in such instances they would be openly exposed to potentially dangerous perpetrators. NAO was informed that, unfortunately, it is not an uncommon occurrence for such SWs to be subjected to threats by some of the accused perpetrators.
- 3.3.13. Appogg Officials also informed this Office that they feel that the approaches taken by different Government entities in tackling this societal challenge, is widely divergent. To this end, NAO was informed that the Agency used to offer training to the Police

3.4. Għabex Emergency Shelter

Force, however this initiative was discontinued, due to an ineffective outcome. At the time of writing of this report, NAO was however further informed that communication between the Agency and the Police Force has recently been exchanged and that efforts are underway so that reciprocal training programmes are held between the two entities. Appoġġ representatives also stated that, the Agency has been carrying out training for medical students, to Heads of Schools, counsellors and guidance teachers (GT).

3.3.14. Apart from providing training to other government entities, Appoġġ Officials also opine that training to their own staff is required, especially in view of emerging concerns. One such arising trend is the phenomenon of minors perpetrating domestic abuse on their parents/carers. In fact, Appoġġ Officials indicated that, as at June 2015, the Agency was handling 95 active cases of such nature.

3.4.1. Għabex Emergency Shelter (GES) is intended to provide temporary residence to domestic violence victims who would have been forced to leave home to distance themselves from abusive behaviour and would consequently require immediate protection. During meetings with NAO, Appoġġ Officials stated that it is not an uncommon occurrence that first contact with Appoġġ to avail of this service is made after the respective client has already left home, putting the individual in question in a particularly vulnerable position. GES (which is the only government run shelter in the country) has a capacity of a total of fourteen beds. When queried if this number is deemed adequate, Appoġġ Officers stated that this capacity is generally sufficient for the demand typically experienced throughout a normal year. This Office was however also informed that the capacity of GES can be somewhat strained when positive responses are registered following the launch of domestic violence awareness campaigns (Table 2 presents campaign initiatives undertaken by Appoġġ during the scoped period). Appoġġ Officials stated that, in fact, during the period between March and September 2013, GES and other shelters run by NGOs (with which Appoġġ liaises to manage accommodation arrangements) were both full following a successful domestic abuse campaign and were consequently not able to accommodate any more incoming clients. This bitter-sweet reality on one side encourages Appoġġ as it confirms success of any launched campaigns, but also gives cause to grave concern as the Agency has to ascertain that it is adequately resourced to accommodate a sudden increase in clients requesting its services, especially so in the case of GES. Appoġġ Officers affirmed that the Agency would have a serious problem on its hands should it experience a sudden increase in demand for shelter accommodation and to this end, it is sometimes constrained to refrain from launching such campaigns. In the eventuality that the premises is fully occupied and a new client approaches the Agency asking for shelter, Appoġġ Officials informed this Office that they never decline such requests due to the extremely vulnerable state of the individual at that time, more so if the person in question is accompanied by children. In such instances, beds are temporarily set up in any available space within the premises, until alternative arrangements can be made with other shelters run by the Church or NGOs.

3.4.2. One Residential Social Worker (RSW) is permanently deployed at GES to provide its residents with the necessary professional help to guide them through their predicament. This RSW is responsible for the daily requirements of the residents, including educational, medical, physical and emotional needs. The RSW is also assigned to assist each resident integrate with the rest of the residents and staff at the shelter, help them to abide to the rules of GES and endeavour to instil a sense of community between all residents. The RSW is also responsible to liaise with DVU on any updates, progress or emerging concerns regarding each resident in the shelter. Additionally, the RSW is also responsible for general GES record keeping, updating

residents' files, formulating a care plan for each client, making sure that residents are progressing according to their respective care plan as well as supporting and empowering the residents.

- 3.4.3. Nine support workers are also assigned to GES so the residents are never left unaccompanied, including during night hours and on weekends. These support workers are responsible to listen and intervene as necessary with the residents' daily pressing issues, assist the RSW in the compilation of information on each resident, make sure that the resident is reminded and encouraged to follow the care plan agreed upon with the RSW; remind the residents of any important appointments that they might have (such as medical appointments or job interviews) as well as supporting the residents emotionally and preparing them to return to the community. Appoġġ has informed NAO, that these workers are directed to get the residents involved as much as possible in these tasks to further instil in them a sense of responsibility and independent living. All these Officials operate under the direction of a Service Area Leader.
- 3.4.4. According to information forwarded by Appoġġ, during 2012 and 2013, GES provided accommodation in 43 and 71 instances respectively. Of these, 35 and 61 were individuals who sought GES's services only once in 2012 and 2013 correspondingly. On the other hand, there were 4 domestic abuse victims who sought shelter at these premises on two separate occasions during 2012, as was the case with 5 clients in 2013.

Table 2: Domestic Violence Awareness Campaigns during 2012 and 2013

Media Used	2012	2013
Television	19	22
Radio	15	5
Articles/Interviews	4	2
Press Releases	2	1
Leaflets	Distribution of leaflets about domestic violence, services available, and the Domestic Violence Act to public places such as Local Councils, Health Centres, Access Community Resource Centres, etc	

Source: Information forwarded by Appoġġ

- 3.4.5. During meetings with NAO, Appoġġ stated that emphasis is made on the fact that GES is a temporary remedy intended at extracting domestic violence victims from a potentially dangerous situation and providing them with a healthy environment in which they can manage the psychological turmoil which invariably emanates from such a difficult experience. To this end, the Agency endeavours to limit an individual's stay at these premises to no longer than three months. This Office was further informed that, while individuals benefitting from this service generally find alternate, longer term, arrangements by the time this period expires, others would require an extended stay, especially in the case of foreigners with no family support structure. This is reflected in the data forwarded by the Agency, from which NAO calculated an average 36-night stay by GES's incoming clients during the two-year scoped period, with a range of between 0 and 274 nights¹. Appoġġ informed NAO that, during their time at the shelter, the residents are persistently empowered to learn new skills and to become more independent so that they could move on to the next step, which

¹ As mentioned later in this report, GES also accommodates a number of minors due to a shortage of such accommodation. It is important to note that in these cases, the three month period is not applied.

could either be a healthier, settled life within the community or seek residence in a longer-term shelter (referred to as a second-stage shelter) managed by an NGO or the Church.

- 3.4.6. Appoġġ Officials also expressed concern on the fact that the beds available at GES are allocated in only four rooms, that is, three rooms with four beds each and another room with two. This means that people, coming in from various types of challenging environments, have to be crammed together in very limited space. This, Appoġġ Officers opine, can be significantly counterproductive to the well-being and development of their clients. The undesirable environment caused by this sudden loss of privacy is furthermore compounded by the fact that, while kept as clean and orderly as possible, GES is an old building, and one which is not as welcoming as the Agency would like it to be.
- 3.4.7. An additional consideration is that an increasing significant number of GES's clients are foreigners. Accommodating people hailing from significantly differing cultures in a relatively small area, is however not without its difficulties and Appoġġ Officers stated that such differences often cause arguments between the residents. Of the more unfortunate incidents experienced within GES, is when clients availing of the shelter's services are also abusive towards their own children. NAO was informed that in the past two years, care orders had to be enforced in five instances due to such cases.
- 3.4.8. Worth of note is the fact that, during the time of NAO's fieldwork, GES did not only accept victims of domestic violence, but was also accommodating individuals subjected to human trafficking as well as abused minors. The Agency's representatives contend that, while domestic abuse and human trafficking cases (with the latter category relating to three individuals within the scoped period) may be somewhat similar in the manner they should be tackled, dealing with minors is a completely different challenge and, to this end, accommodating these individuals with the other two aforementioned categories may prove to be a significantly counterproductive measure. NAO was however informed that an unfortunate reality exists whereby shelters dedicated specifically for minors are often utilised at full capacity, with the consequence of them not being able to accept any more underage individuals. In such instances GES was constrained to accommodate this category of victims, even if Appoġġ Officials are of the professional opinion that this cannot be considered as an appropriate measure. According to the data forwarded by the Agency, NAO calculated that 8 individuals under the age of eighteen years were accommodated at GES in the year 2012, and another 10 in 2013, with two of these minors being admitted twice in the latter year. It is also important to note however, that at the time of writing of this report, NAO was further informed that efforts are underway so that human trafficking cases as well as female minors, will be accommodated in alternative premises.
- 3.4.9. Given the sensitivity of the cases relating to GES residents, security at the Agency's shelter is a pivotal consideration. During a visit NAO carried out at GES, the audit team observed a number of security measures in place, however this Office opines that the actual details of such measures are best left undocumented in this report to preserve security. Appoġġ did however inform NAO that, although the shelter's location is supposed to be undisclosed, this information has unfortunately become close to public knowledge. Even more of a concern is the fact that, on occasions, it is the residents themselves who reveal the location of these premises to their abusers, either in a bid to what they think may be a start towards reconciliation or by sharing such information on social media. This situation often results in residents being regularly stalked by their abuser to their own obvious detriment. Appoġġ further informed this Office that, in cases in which such stalking starts to take a dangerous

turn, the Agency seeks to find alternate accommodation for the person in question in one of the Church's or NGOs' shelters.

3.4.10. It is also important to note that GES, only accepts female domestic violence victims, with the exception of accompanying children. When queried whether Appoġġ offers similar services to potential male clients, the Agency's answer was in the negative, once again contending that a male victim would generally be financially independent and consequently in a better position to find alternate accommodation. To this end, Appoġġ deems opening and running such shelters unfeasible, however they further indicated that if the need arises, male victims are referred to shelters run by NGOs.

3.5.1. While caring for and assisting the victims of this societal challenge is of evident importance, this on its own cannot address the cause of the problem, but it rather mitigates recurring consequences. It is important to duly address the root of the problem *per se*, which is the abusive behaviour of the perpetrator who has to be given due attention and be adequately educated and rehabilitated so the abuse cycle is terminated.

3.5.2. In order to address the other side of the coin to this problem, Appoġġ have established the MP, which consists of twenty-two group sessions of three hours each with each, session dealing with a specific aspect of the problem at hand. During these sessions, two facilitators direct each session and guide the participants through the different aspects of the topic in question. Appoġġ Officers informed NAO that these facilitators are purposely chosen to be one male and one female, to mimic a healthy relationship between a man and a woman. In so doing, the male facilitator can serve as a model of how a male partner should treat and adequately respect his female counterpart. Appoġġ Officials also stated that before starting to attend the MP, perpetrators are engaged in a number of individual sessions with a SW with the aim of determining whether the programme would be beneficial to them, raising awareness on the problem at hand and increasing the individual's motivation for the programme ahead.

3.5.3. During meetings with Appoġġ Officials, the audit team was informed that attendance to this programme is presently on a voluntary basis. Appoġġ SWs expressed concern that following a conviction of domestic abuse in court, a perpetrator is generally not ordered to attend this programme. They further stated that in the past seven years, only one convicted perpetrator was ordered to seek treatment and even so, this court order did not specifically indicate Appoġġ's MP. As a result, Appoġġ Officers asserted that they had to actively apply pressure with the respective Probation Officer (PO) (whose role will be discussed in greater detail in subsequent parts of this report) handling the case to direct the abuser to attend this programme.

3.5.4. The absence of mandatory attendance by convicted perpetrators, leaves the participation in this programme solely up to the initiative of the person in question. Appoġġ Officers stated that while such a situation may imply that men attending this course do so as they genuinely feel they should change their behaviour, it is unfortunately more the case that participants would often see this as an opportunity to deceive their victims into thinking that they are tackling this problem, only to cease attending sessions and regress once their partner moves back in. In fact, only 90 and 104 individuals in 2012 and 2013 correspondingly attended this programme, which contrasts sharply when compared to the figures of registered domestic violence victims making use of Appoġġ's services presented earlier. In addition, Appoġġ representatives informed NAO that, further compounding this concern, is the fact that of all the individuals who do come in to participate in this programme, only a yearly average of eight manage to complete it.

3.5. Men's Services

3.6. Conclusions

- 3.5.5. As the name of the programme suggests, the MP is specifically designed to deal with male perpetrators. When queried if a similar programme is in place for female abusers, Appoġġ representatives once again responded in the negative stating that a female perpetrating abuse on male involves different dynamics than that in a vice-versa state of affairs. The Agency's Officers elaborated that, generally, a female perpetrator would not be physically violent towards her intended victim and consequently a certain sense of fear would not prevail, unlike in the female victim counterpart. To this end, the Agency opines that a programme specifically targeted to address the root of abuse emanating from female perpetrators is not necessary.
- 3.5.6. During meetings with the Men's Services Section, NAO was informed that, with the prevailing situation (that is, with treatment orders not being issued by the Court and minimal efforts directed at preventing abuse) the Agency feels that the deployed staff within this Section is sufficient to shoulder all the workload. This Office was additionally informed that this Section is comprised of a full time co-ordinator, a part-time SW and one part-time facilitator. Another three facilitators are periodically engaged on a contract basis to render their services during the progression of the Agency's programmes.
- 3.5.7. It is worth noting that Appoġġ also organises a Support Group (also on a voluntary basis), which is intended to provide ongoing guidance to individuals who would have completed the MP or as a stop-gap measure to start working with those who would be waiting for a MP to start. Unlike the MP, this initiative takes form of an open group, with no particular curriculum to cover and does not have a starting point nor an end.
- 3.6.1. Even though the collection of all relevant information could be somewhat challenging, especially in view of the sensitive period Appoġġ's clients would be facing when reaching out and contacting the Agency, NAO is somewhat concerned about the **lack of comprehensive data** kept by the Agency. This concern is further compounded when one considers that information kept in electronic format (being the more practical and efficient means of data storage) is even less complete than its hard copy counterpart, with particular reference made to the lack of electronically documented links between the victims and respective perpetrators. From this less than complete information held by the Agency, this Office perceives risks of loss of potential benefits to the individual client per se in the form of a more comprehensive and personalised service, as well as in the accuracy of the Agency's overall strategy in tackling this social challenge.
- 3.6.2. This Office is also concerned by the fact that the Agency has had to resort to a **waiting list** to assist all its clients during the period under review. Keeping in mind that domestic abuse is a very serious problem, which may potentially escalate to life threatening situations, NAO perceives this as an unacceptable situation. To this end, NAO fully supports Appoġġ's concerns about the shortage of adequately trained personnel to assist victims in their time of need, as failure to do so could potentially mean further abuse and degradation. The prevalence of such exploitation, apart from obvious repercussions to the individual per se, also negatively affects society at large by further straining other public services, such as the Police Force, the health department and the courts of justice.
- 3.6.3. NAO also perceives as a significant shortcoming the **limited accommodation potential at GES**. The fact that this capacity is strained with the launch of successful domestic violence awareness campaigns means that the latter cannot be embarked upon freely without running the risk of not being able to accommodate an increased demand for this service. This situation is counterproductive to the execution of responsibilities

assigned to the Agency. In addition, this Office shares Appoġġ's concern about the negative effect the somewhat cramped quarters have on residing individuals, who would obviously be going through a difficult phase in their lives.

- 3.6.4. Furthermore, NAO also perceives certain risks with having Appoġġ's **premises being in a less than desirable condition**. While, during site visits, NAO Officials observed that both the Agency's offices and GES were not in a dilapidated state, this Office sees reason in Appoġġ's argument that not having such premises as welcoming as possible, may have a significant negative effect on the latter's more sensitive clients. To this end, risks are perceived of individuals in need of the Agency's assistance, refraining from approaching Appoġġ as they, in their vulnerable state, may possibly find these premises somewhat intimidating.
- 3.6.5. Of the more significant concerns NAO has with respect to Appoġġ's modus operandi, is the fact that the Agency, through DVU and GES, is geared towards addressing abuse perpetrated against female victims, while **attending to male victims** is largely considered to be a distant secondary priority. While NAO fully acknowledges the fact that victims of domestic violence are principally female and commends the Agency's work with this category, research (as presented in Chapter 1) shows that a portion of the male population is also subjected to such abuse. To this end, NAO opines that Appoġġ, even more so it being the National Agency entrusted with tackling domestic violence, is obliged to actively cater for all potential victims, irrespective of their gender. This Office also draws attention to the fact that, possibly, males approach Appoġġ in such few numbers due to cultural issues as well as certain social pressures and expectations, rather than due to a negligible frequency of abuse per se. NAO opines that the prevalent lack of attention to this portion of the population by the Agency could be a contributing factor in making it even more difficult for the latter to take the necessary steps to ameliorate their situation, which state of affairs undoubtedly proves counterproductive to Appoġġ's mission. NAO once again draws attention to the Domestic Violence Act (Chapter 481 of the Laws of Malta), in which Act, the definition of domestic abuse is not restricted to a gender-based approach. To this end, while NAO fully commends Appoġġ in observing the provisions of the Istanbul Convention, this Office asserts that the Agency is still bound with local legislation, which encompasses a broader definition of domestic violence.
- 3.6.6. This Office also shares Appoġġ's concern of **GES's location becoming close to publicly known information**. Of particular concern are the instances in which the residents themselves disclose this information to their respective abusers. While NAO cannot fault the Agency for this undesirable situation, it nonetheless perceives significant risks for the fulfilment of GES's purpose, that is, to provide a safe haven for victims of domestic violence, distant from the source of abuse itself.
- 3.6.7. The **recorded attendance of Appoġġ's MP**, and more importantly the reported very low average amount of individuals who successfully complete this course every year, is a significant cause for concern. While the initiative is highly commendable, the fact that perpetrators attend it on a voluntary basis and that a significant portion of those attending do so to deceitfully re-acquire their victims' trust, heavily dilutes the potential benefits the programme is intended to provide.
- 3.6.8. Further compounding the latter concern is the fact that the programme formulated by the Agency to assist perpetrators of domestic abuse is specifically targeted at males, with no efforts being actively directed at tackling the problem of **female abusers**. In this Office's opinion, this situation is a significant shortcoming as it may potentially be marginalising a particular segment of domestic abuse victims by failing to tackle the source of their exploitation.

3.7. Recommendations

- 3.6.9. While this Office commends the Agency for its renewed efforts to carry out interdepartmental **training** with other government entities, it draws attention to the Agency's own training gaps, especially in view of emerging trends.
- 3.7.1. In view of the less than complete information kept by Appoġġ, especially insofar as electronic format is concerned, this Office recommends that the Agency takes special care in **obtaining and adequately storing all relevant data** on its clients so that it could better tend to the latter. In so doing, the Agency would also be in a stronger position to formulate its strategy to holistically address this issue. Additionally, this Office also urges Appoġġ to ascertain that adequate electronically documented links between the victim and respective perpetrator are in place so as to enhance ease of reference. When presented with this recommendation, Appoġġ Officials informed NAO that this suggestion was taken on board and currently, an internal exercise is underway to address this issue. NAO also encourages the Agency to expedite the implementation of the case management software being developed by MITA.
- 3.7.2. NAO strongly urges Appoġġ to take the necessary steps to **eliminate the waiting list** being used by DVU due to lack of resources. This Office recommends that the Agency first conducts an internal review so that it may identify and address any inefficiencies in the manner by which the DVU operates. Should this review be insufficient to address this issue, NAO recommends that Appoġġ explores the possibility of relocating any underutilised resources from its other units. Failing both of the above recommendation, this Office encourages the Agency to recruit additional staff so that it may attend to all its clients in an adequate and timely manner. When presented with this recommendation, Appoġġ Officials informed NAO that, at the time of writing of this report, shortage of SWs was being mitigated through assigned overtime, the better management of family friendly measures as well as by utilising part-time employment. Appoġġ Officials further elaborated that, through such recently implemented measures, in 2014, 61% of its clients were assigned a SW within 10 days of contact. While this Office acknowledges this increase in effectiveness, it however contends that having to resort to overtime allocation cannot be deemed as cost effective. To this end, while NAO perceives the address of the waiting list as one of utmost priority, and consequently appreciates the need of temporary measures even if these are not fully cost effective, it urges the Agency to find a more economic and permanent solution at the earliest time.
- 3.7.3. The **capacity constraints at GES should also be addressed** at the earliest possible time. In order to address this issue, NAO perceives four distinct possibilities, namely, to expand the current premises (primarily by building additional floors over the already existing ones), to relinquish the current premises and acquire a larger property which could accommodate larger volumes, to retain the current premises and acquire another property which would serve as a second shelter, or to enter into agreements with other, underutilised accommodation facilities (possibly even within the private sector) to readily provide lodging to victims of domestic abuse. Whichever option selected, NAO urges the Agency to keep in mind the privacy challenges encountered with GES's current setup and consequently strive to limit the number of beds per room to a more acceptable level. In addition, in either opening a second shelter or in entering into agreements with the private sector for the provision of accommodation, Appoġġ would also benefit from added security insofar as keeping the location undisclosed is concerned. In not concentrating all the residents in a single location, perpetrators intent on stalking and harassing their victims would have an added barrier in identifying where their respective victims are residing, with evident benefits to the latter.

- 3.7.4. This Office also suggests that **Appoġġ embarks on aesthetic restorations of its premises**, be it of its Offices as well as its shelter. While this should be largely assigned as a secondary priority when compared to other identified shortcomings which need to be addressed, NAO still perceives substantial benefits from the implementation of such a measure. Following NAO's recommendation, the Agency has informed this Office that some refurbishing works to this effect have commenced.
- 3.7.5. NAO strongly recommends that the Agency revises its modus operandi so that it **better assists all victims of domestic abuse, irrespective of their gender**. Given that male victims of this societal challenge are also a reality, NAO urges Appoġġ to actively and specifically cater for this category of potential clients. NAO was informed that this recommendation is being considered and, in fact, preliminary measures have already been implemented. The Agency's Officials specifically indicated that DVU is being allocated with man-hours, as necessary, from male SWs (deployed in other Appoġġ Units) with the intention of addressing this issue.
- 3.7.6. With respect to the low attendance registered in the MP, NAO encourages Appoġġ to explore possibilities by which to **increase perpetrators'** interest to attend and complete the entire programme. While this Office fully acknowledges the challenges in such a task, it also recognises the immense benefits such an initiative may produce and recommends that the Agency invests the necessary resources to find a workable solution.
- 3.7.7. This Office also strongly recommends that the Agency gives **due attention to female perpetrators**, even if these are less in number than their male counterparts, as these are also a reality which contributes to the overall problem. NAO was informed that the Agency will be taking NAO's recommendation in consideration and in fact, it has already renamed this service to 'Managing Abusive Behaviour' and its respective programme to 'Domestic Abuse Intervention Programme' with the intention of exploring this possibility further in the future.
- 3.7.8. While NAO once again commends the Agency in its efforts towards interdepartmental training with other government departments, it also urges the Agency to carry out an extensive internal review so that it continually **identifies any training gaps** which, if addressed, may prove significantly beneficial to Appoġġ itself and its clients. This is especially true in view of current emerging trends.



Chapter 4

Police Department

Chapter 4 – Police Department

4.1. Background

- 4.1.1. With the perpetration of domestic abuse being a criminal offence, the involvement of the Police Department (which falls under the Ministry for Home Affairs and National Security's (MHAS) remit) in this societal challenge is evident. This contribution materialises on two main dimensions, namely with the response and assistance provided by the district Police as well as that provided by the Vice Squad (VS) stationed at the Police Headquarters (PHQ).
- 4.1.2. The District Police, who are deployed at the various Police Stations around the country, are generally the point of first contact for any individuals resorting to file an official report against an alleged perpetrator of domestic abuse. Such reports are electronically logged in the respective Police Station's workstation, and are consequently automatically transmitted to the PHQ's main database, known as the Police Incident Reporting System (PIRS).
- 4.1.3. VS is informed on every domestic violence related complaint filed either directly at PHQ or through the district Police, even if the latter would have comprehensively handled the situation. The responsibility of further investigation or follow-up on domestic abuse related cases, should these so merit, falls upon VS Officers, depending on the seriousness of the cases in question.

4.2. Statistical Information kept by Police Department

- 4.2.1. From readily available data forwarded by PHQ's Statistics Office, NAO calculated that during 2012 and 2013, 1,028 and 1,024 cases of domestic abuse have been respectively reported by the public at local Police Stations. It is important to note that any one of these cases may involve more than two persons (that is one perpetrator may have, for example, subjected more than one person to domestic violence). Also worthy of note is the same perpetrating individual may feature in a number of these reported incidents and not only in one.
- 4.2.2. 1,748 of the total 2,052 lodged reports over the scoped two-year period were filed at local Police Stations on the same day in which the alleged victim claimed to have been subjected to domestic abuse. 274 reports were lodged within a seven-day period of the alleged incident while 15 reports were filed claiming the incident occurred 8 to 15 days prior. The remaining 15 records show reports which were filed sixteen days or later following the occurrence of the incident. Worth noting is that, according to the forwarded data, 3 of these latter mentioned reports were lodged 298, 366 and 673 days after the complainant alleged the occurrence of the episode in question.

4.2.3. As stated in other parts of this audit report, the perpetration of domestic violence is one which is not limited to a particular segment of society nor localised in distinct areas, but it is rather a widespread phenomenon. Substantiating this claim is Table 3 which presents the number of reports lodged at local Police Stations by locality for the period under review. On the other hand, Table 4 categorises the alleged perpetrations into different types of reported abuses.

Table 3: Reports filed at local Police Stations during 2012 and 2013

Attard	20	Hamrun	36	Mtarfa	12	Santa Lucia	3
Balzan	17	Iklin	10	Munxar (G)	1	Santa Venera	24
Birgu	12	Isla	20	Nadur (G)	4	Sigġiewi	36
Birkirkara	85	Kalkara	31	Naxxar	39	Sliema	48
Birżebbuga	79	Kerċem (G)	6	Paola	39	Swieqi	39
Bormla	51	Kirkop	25	Pembroke	18	Ta' Xbiex	2
Dingli	8	Lija	1	Pieta	9	Tarxien	31
Fgura	45	Luqa	14	Qala (G)	2	Valletta	47
Floriana	13	Marsa	23	Qormi	83	Xagħra (G)	8
Fontana (G)	2	Marsaskala	71	Qrendi	22	Xewkija (G)	4
Għajnsielem (G)	3	Marsaxlokk	23	Rabat	32	Xgħajra	12
Għarb (G)	1	Mdina	1	Rabat (G)	10	Żabbar	73
Għargħur	6	Mellieħa	47	Safi	20	Żebbuġ	69
Għaxaq	22	Mġarr	20	San Ġiljan	54	Żebbuġ (G)	3
Gudja	19	Mosta	92	San Ġwann	55	Żejtun	81
Gżira	28	Mqabba	22	San Pawl il-Baħar	200	Żurrieq	59
		Msida	58	Sannat (G)	2		

*(G) stands for Gozo

Adapted from information forwarded by PHQ Statistics Office

Table 4: Types of Abuse reported to Police Department between 2012 and 2013

Grievous Bodily Harm - Arms Improper	13	Slight Bodily Harm – Arms Improper	53
Grievous Bodily Harm – Arms Proper	2	Slight Bodily Harm – Arms Proper	14
Grievous Bodily Harm – Physical Force	54	Slight Bodily Harm – Physical Force	1109
Psychological Harm	746	Stalking	61

Adapted from information forwarded by PHQ Statistics Office

4.2.4. During its analysis, NAO observed that the 2,052 incidents reported to the Police which allegedly occurred between the years 2012 and 2013, involved a total of 2,214 victims of domestic abuse, 2,058 of which were adults, while the remaining 156 were minors. The age range of these victims extended between 10 months and 91 years of age. Worth also noting is the fact that, according to the information forwarded to this Office by the Police Department, 1,696 of the alleged victims involved in incidents of domestic abuse within the scoped period were females, while the remaining 518 were males. Of these 2,214 alleged victims, 2,041 were Maltese nationals, with the remaining 173 hailing from foreign countries.

4.3. The Vice Squad

- 4.3.1. During meetings with VS Officials, NAO was informed that the VS is headed by an Assistant Commissioner, who is assisted by a Senior Inspector since the post of VS Superintendent is currently vacant. Four Inspectors (three males and one female) are currently also deployed with this squad, two of whom were still on probation and undergoing training, at the time of writing of this report. The other two Inspectors who are fully operational, divide VS's responsibility between them - more specifically, one is assigned with leading investigations on illegal gambling, prostitution and domestic violence while the other is assigned on cases of human trafficking, child abuse and sexual offences. These officers are assisted by a female Sergeant Major who is responsible to represent the Police Force during Court sittings relating to domestic violence. Four sergeants (two females and two males), as well as six women constables are also deployed with VS.
- 4.3.2. Police Officials have however expressed their concern that, even though VS does its utmost to carry out its responsibilities in the most efficient manner, the number of officers deployed with this section may be insufficient to Police all the areas under their responsibility in a comprehensive manner. While Police Officials have stated that, whenever required, VS would be supported by other branches of the Force, NAO was also informed that the Force, although approximately two thousand strong, has a shortage of officers all round.
- 4.3.3. During meetings with NAO, Police Officials also stated that in tackling challenges posed by incidents of domestic abuse, various considerations have to be weighed. One such consideration takes form in the gender of Police Officials handling such cases. VS Officials have stated that, through experience, it has been determined that both victims and perpetrators would be significantly more communicative with Police Officers if the latter would be of the same respective gender, especially when the incident in question would include sexual assault. This, the Police Department opines, further complicates the previously mentioned staff shortage concern.
- 4.3.4. When queried whether the Police Force could be considered to be adequately trained to tackle instances involving domestic abuse, Police Officials stated that tuition on this social challenge is given to every recruit during their induction training. In addition, NAO was informed that the Police Department seeks to provide ongoing in-service training to all of its Officers on various aspects of their work, including how to best tackle individuals involved in domestic violence incidents. This training programme, Police Officials stated, has a three year cycle, meaning that each topic is revisited at least once during this period. However, during meetings with the Police Department, NAO was additionally informed that, due to constantly emerging exigencies of the Police Force (especially in years featuring high profile events which would require significant Police involvement for security reasons) may prevent a number of Officers from attending such training.
- 4.3.5. In addition to the training provided, Police Officials also explained that all Police Officers (not only those deployed within VS) are directed by guidelines which were issued to all members of the Force. These guiding principles identify the manner by which Police Officers are to approach and deal with victims of domestic abuse whenever the latter approach the Police Force for assistance. More specifically, these guidelines direct officers on the manner by which they are to communicate with individuals calling in by phone, conduct themselves on the scene where domestic abuse was allegedly perpetrated, deal with individuals who physically call in at a Police Station to report such abuse and manage a situation in which the individual alleging to have suffered domestic violence, is no longer in a position to stay at his/her residence. Police officials further explained that these guidelines were first issued

to all Police Officers in 2007 and re-circulated in 2010. The 2010 re-distribution did not feature any changes to the original text.

4.3.6. NAO was also informed that an initiative is currently underway to establish a Victim Support Unit within the Police Force itself. While Police Officials stressed that this is not strictly part of normal Police work, they further elaborated that such a project is being undertaken as a pro-active initiative to provide a more holistic service to individuals seeking the Police's assistance. One Police Inspector, who is also a qualified psychologist, together with a Police Constable are already deployed with this Unit. A Police Sergeant is still to be allocated to complete this Unit's complement.

4.3.7. As previously mentioned in other parts of this report, VS's responsibility in tackling cases of domestic abuse also extends to having some of its Officials present during Court hearings. While attending two Court sittings (Court of Magistrates of Criminal Judicature), this Office observed that the Sergeant Major deployed with VS, as well as other representatives, assist in the proceedings, namely by presenting compiled evidence to the Court.

4.4.1. During meetings with NAO, Police Officials expressed concern on the lack of available accommodation for individuals who would have left home following an episode of domestic abuse. This Office was informed that it is not uncommon for Police Officers having to resort to accommodating these individuals at Police Stations as a temporary measure till more suitable arrangements can be made. Generally such situations would arise during night hours, when agencies could not be reached or in instances in which all shelters (both GES and those run by the Church or NGO's) would be fully occupied.

4.4.2. Furthermore, Police Officials also expressed concern on a common phenomenon in which certain victims of domestic abuse would continually file Police reports and repeatedly initiate judicial cases only to drop charges during these latter proceedings. This, Police Officials asserted, means that although the necessary resources are allocated and the whole process followed through, it is stopped short of the final step, thereby negating a resolved outcome.

4.5.1. NAO commends the Police Department for the **highly organised and comprehensive manner by which it stores information** on cases involving domestic violence. This Office opines that the information in question is kept in a manner which facilitates access to approved personnel and which provides extensive detail on every reported case.

4.5.2. This Office acknowledges VS Officials' concern about the **prevalent shortage of personnel** across all of its squads, and especially for the scope of this study, the need for more personnel within the VS. Policing and following up the mentioned areas are of paramount importance for the stability and overall safety of society at large.

4.5.3. NAO further acknowledges that, due to the sensitive nature of cases of domestic abuse, further challenges may be posed on the already limited human resources available. As noted earlier in the report, one such challenge takes form in the **requirement of having both genders being adequately represented within the VS**, so that communication with both the respective victims and alleged perpetrators is better facilitated. Referring again to the somewhat limited resources at VS's disposal,

4.4. Other Considerations

4.5. Conclusions

NAO is concerned about potential risks which may arise should this balance not be achieved.

4.5.4. While this Office commends the Police Department in endeavouring to provide **training to all its Officers** on a variety of areas which include domestic abuse, it is somewhat concerned by the fact that a number of these employed personnel will have to forgo such tuition due to the exigencies of the Force. In cases where regular, updated training is not successfully delivered to Police Officers, NAO perceives risks of these officials not being completely fluent and conversant on the best ways to approach such scenarios.

4.5.5. NAO acknowledges that the establishment of a **Victim Support Unit** is a pro-active initiative which exceeds the normal sphere of responsibility assigned to the Police Department. This Office thereby commends the Force on such a project, as it perceives significant benefits to individuals seeking the Police's assistance on domestic abuse incidents once this Unit is fully operational.

4.6. Recommendations

4.6.1. With respect to the Police Department's concern that additional resources are required for it to fulfil its duties in an efficient and effective manner, NAO recommends that the Force embarks on an **internal exercise to determine whether inefficiencies in its modus operandi prevail**. If this is found to be the case, the Department could review the manner by which it conducts its operations to better utilise the already available resources. Possibilities of ameliorating the situation may include identifying potential work overlaps within sections and coordinating better with the respective parties for a more efficient utilisation of collective resources. Should the implementation of this recommendation still prove to fall short of providing the Department with the required resources to adequately shoulder its assigned responsibilities, NAO suggests that the Police Force engages in the recruitment of new Officers to fill in the identified gaps.

4.6.2. Further to the previous recommendation, NAO also urges the Police Department to take into account certain sensitivities pertaining to particular areas of responsibility when deploying its Officers, such as **ascertaining adequate representations of both genders within the VS** to facilitate communication with both victims and alleged perpetrators of domestic abuse.

4.6.3. NAO strongly recommends that Police Officers who are entrusted with processing cases of domestic abuse, are **adequately and regularly trained** in this area of expertise. In so doing, the Police Department would be ascertaining that its involvement in these cases would maximise benefits to all parties involved.

Chapter 5

Court of Justice

Chapter 5 - Court of Justice

5.1. Background

5.1.1. As explained in previous parts of this report, whenever an individual files an official Police report claiming to have been subjected to domestic abuse, legal proceedings follow. NAO was informed that in instances involving domestic abuse, the Courts of Malta (which, for administration purposes, fall under the responsibility of the Ministry for Justice, Culture and Local Government (MJCL)) categorise such cases according to their extent. More specifically, such cases can be classified in three main categorisations:

- a) Cases, involving minor offences of a physical, verbal or emotional nature, are processed by the Courts of Magistrates as a Court of Criminal Judicature (CMCJ). It must be pointed out that cases processed by this Court deal with charges which are punishable by sentences which do not exceed two years imprisonment.
- b) Other cases relating to more substantial offences (such as grievous bodily harm) are processed by the Court of Magistrates within the Criminal Inquiry (CMCI). The charges processed by this second type of Court do not exclusively deal with domestic abuse but also include other forms of unrelated perpetrations. Charges processed by this Court are punishable by sentences exceeding two years imprisonment.
- c) Thirdly, cases of domestic violence which would have escalated to homicide, are processed by the Court of Criminal Inquiry (CCI). NAO was informed that generally, these latter cases (which are normally decided by a trial by jury) are categorised as either wilful or attempted homicide and not specifically classified as domestic violence.

5.1.2. In carrying out its fieldwork, the audit team noted that CMCJ holds hearings to process cases of domestic abuse once every two weeks and on average processes seventy cases in each sitting. During its fieldwork, NAO noted that, documents relating to these cases are compiled in hard-copy format in separate files, with each file pertaining to one individual Court sitting. Although no electronic database of such documentation is kept by this Court, NAO could nonetheless identify with relative ease which cases (decided within the scoped period) related to domestic abuse, and was consequently able to extract all the cases processed by this Court for the period under review. Once these cases were successfully identified the audit team manually went through all the collected documentation and compiled an electronic database for its analysis (which is presented in subsequent parts of this Chapter). It must also be pointed out that the reviewed cases do not feature those assigned to a Court of Appeals as these latter cases are filed separately.

5.1.3. On the other hand, documents relating to cases of domestic abuse processed by CMCI, are not separately filed from cases featuring other unrelated offences. As a consequence, short of going through the extremely voluminous criminal records processed by this Court during the period under review (which once again are only retained in hard-copy format), cases involving domestic violence cannot be selectively extracted. To this end, NAO had to scope-out this categorisation of cases from its review.

5.1.4. As stated earlier, cases of domestic violence processed by CCI are not specifically categorised as such, but rather as either wilful or attempted homicide. Nonetheless, NAO queried the Courts of Justice whether any such cases were decided within the scoped period in which the parties involved were specifically family members (past or present) or partners (past or present). In response to this Office's query, the Courts of Justice informed the former that during the year 2012, 2 cases were adjudicated by CCI, one of which related to wilful homicide. Both of these cases featured male perpetrators and female victims and both were found guilty and sentenced accordingly. The Courts of Justice informed NAO that no such cases were decided in the year 2013.

5.1.5. Due to limitations in the manner by which documentation relating to cases processed by CMCI is kept, and the fact that CCI only processed two cases within the scoped period, the following analysis is scoped to cover solely cases processed by CMCI which, at the time of the audit team's fieldwork, were not assigned to a Court of Appeals.

5.2.1. In reviewing the documentation relating to cases of domestic abuse processed by CMCI, NAO observed that during the period under review, this Court processed a total of 1,501 cases, with 783 heard in 2012 and 718 in 2013. Of these 1,501 reviewed cases, 1,016 featured male individuals as the accused, while the remaining 485 related to female defendants. It must be pointed out that these figures represent the number of cases and not the number of different individuals being taken to Court on charges of domestic assault (as the same alleged perpetrator may be charged more than once).

5.2.2. As part of its review, NAO sought to determine the duration between the filing of a Police report and the first hearing held by CMCI. Of the 1,501 reviewed records, 44 had incomplete information in this respect and consequently such a period was incalculable. On the other hand however, this Office could determine that, in the remaining 1,457 records, this duration had a range of between 3 and 127 days, with an average of 33 days.

5.2.3. During its analysis, NAO also observed that 1,140 of the reviewed cases were processed by CMCI in single sittings, 227 cases were deferred to a later date once, while 78 cases were deferred twice. 52 other cases of the reviewed 1,501 were deferred between 3 and 10 times while incomplete information in this regard could be found in the examined 4 of the reviewed cases.

5.2. Statistical Information on Reviewed Records

Table 5: Relation of the Accused to the respective Plaintiff for cases processed by CMCJ in 2012 and 2013

Brother	10	Brother and Son	3	Daughter	17	Father	43
Father & Husband	8	Husband	682	Mother	37	Mother in Law	2
Nephew	1	Partner (male)	91	Partner (female)	39	Partner & Father	1
Sister	2	Son	32	Wife	312	Wife & Mother	1
Not Specified	220						

Compiled from information forwarded by the Courts of Justice

5.2.4. From the reviewed records, NAO also determined the relationship between the accused and respective plaintiff/s. Table 5 presents the identified relations in the cases processed by CMCJ within the scoped period.

5.2.5. Furthermore, during its analysis NAO could also compile the outcome of each charge in the reviewed records. Table 6 presents a quick overview of these CMCJ rulings. It must be pointed out that, in total, there were 1,714 charges in the 1,501 cases under NAO's review. This means that a number of cases involved more than one criminal charge against the respective defendant. The figures presented in Table 2 relate to these charges and not to the number of cases *per se*.

Table 6: CMCJ Rulings (for charges of domestic violence) between 2012 and 2013

Acquitted	205	Proceedings retracted by Prosecution	7
Found Guilty – Penalised with prison term or fined	107	Charges are Time Barred	102
Found Guilty – Reprimand & Admonition	34	Both defendant and plaintiff did not present themselves to the Court (No-Show)	88
Pleaded Guilty - Penalised with prison term or fined	41	Decision not clearly identifiable	1
Pleaded Guilty – Ordered to seek treatment.	1	Decision not specified	2
Exhausted Proceedings	1,118	Court Abstention	8

Adapted from information forwarded by the Courts of Justice

5.2.6. From the figures presented in Table 6, it is immediately evident that the vast majority of all charges do not make it through to a full Court hearing. From queries put forward to the Department of the Court of Justice, as well as through observations made by the audit team while attending two CMCJ sittings, NAO was informed that the term 'Exhausted Proceedings' would generally mean that the plaintiff has decided to forgive the defendant and consequently drop the case. Although such a scenario is often the cause for this decision, this Office was informed that this terminology could also apply should the defendant pass away before the case could be processed by the Court. NAO also noted that in the case of 102 charges, the Court was not able to effectively process the case before the expiration of an applicable time period (that is, time-barred) as prescribed by law. In such cases, charges are automatically dropped. NAO however draws attention that such delays cannot be solely attributed to inefficiencies emanating from the Court administration itself, but can be caused by a number of other factors which will be discussed later in this chapter. During its review, this Office also identified eight instances in which the Court determined that the charges brought against the defendant were of a more grievous nature than

what can be processed by CMCJ itself. In such cases, NAO was informed that CMCJ abstains from proceeding with the case and refers the matter to a higher Criminal Court according to the merits of the respective case.

- 5.3.1. During meetings with the Magistrate who presides over CMCJ (here on after referred to solely as the Magistrate), NAO was informed that reports lodged at Police Stations are forwarded to the Citations Office which is located at the PHQ. Police Officers then proceed to deliver these notifications to the intended individuals. However, the Magistrate stated that a number of challenges present themselves in the execution of this process. Among other difficulties, it is not uncommon that the intended individual would not have a fixed residential address making it very difficult for the distributing Police Officer to find him/her and successfully deliver the notification document. Given that these notifications have to be signed by the defendant upon delivery as a confirmation that the latter has been duly informed of the case instituted against him/her, individuals who are often away from their residences or who do not work at a fixed location also present challenges to the Police Officers as the latter would not be able to secure this required endorsement. This Office's attention was also drawn to the fact that Police Officers would have a voluminous amount of such notifications to deliver. Although the Magistrate regularly insists that these officers should increase the number of attempts at delivering this documentation, the substantial number of notifications together with other, unrelated work being assigned to Police Officers by their respective superiors, make it substantially challenging for these officers to successfully distribute these notices. During meetings with the Magistrate, NAO was informed that failure in the successful completion of the notification process, can lead to the Court not being able to effectively process the case in question as proceedings have to be concluded within a period stipulated by law. The Magistrate informed NAO that should this period expire, the Court has no option but to declare that the charges are time-barred and the case is dropped.
- 5.3.2. It must also however be pointed out that, after the finalisation of the audit team's fieldwork but prior to the publication of this report, a pilot study was carried out by MJCL, to pave the way for a complete revamp of this notification system within the Courts of Justice. NAO was additionally informed that this reform was introduced within the Court in question as from June 1st 2015.
- 5.3.3. Another very pressing concern which was both observed by the audit team during the attended sittings and confirmed by the Magistrate, is the availability of both the defendants' and plaintiffs' lawyers during the actual court sitting. While observing proceedings, NAO noted that it is not a rare occurrence that the hearing would have to be postponed numerous times within the same day or even to another date altogether due to one of the lawyers (especially the one representing the defendant) being engaged in other cases processed by other Courts. During meetings with NAO, the Magistrate expressed concerns on the effect such a situation may cause on all parties involved but especially on the plaintiff claiming to be a victim of domestic abuse. In instances in which the hearing has to be postponed to another date (which could be months down the line), apprehensions arise on the respective claimant's well-being and resolution. The Magistrate expressed concern on the fact that such a postponement could give room for the alleged perpetrator to deceptively encourage the plaintiff to drop charges against a promise of changed behaviour. More perturbing is a scenario in which this postponement would serve as an opportunity for the defendant to threaten the alleged victim with further or more grievous harm should the latter press-on with the proceedings.

5.3. Operational Considerations

The Notification System

Lawyers' Availability

*Logistical
Considerations*

5.3.4. In an endeavour to address this problem, the Magistrate informed NAO that an attempt was made to assign specific timeslots to each individual case with the hope of assisting lawyers to plan ahead. This effort however had to be abandoned as lawyers were still not arriving on time due to other work, and it rather resulted in an increase of waste of time for the Court. As could be observed by the audit team, the adopted procedure in each CMCJ sitting at the time of writing of this report, generally entails the parties involved in all the cases to be present in the Court's waiting room at start of business and having the Magistrate and his team manage the workload in the best possible manner to expedite all proceedings.

5.3.5. During site visits the audit team observed three main logistical shortcomings within the premises which house CMCJ. The first of these observations relates to the waiting area in which defendants, plaintiffs, witnesses and respective lawyers are to wait before being called-in for their respective hearing. This Office observed that the area in question is rather restrictive in space and people waiting within would be somewhat crowded. In addition, NAO also noted that this area is intended to accommodate both the defendants and plaintiffs, with no ways or means of separating the two. It is also worth noting that, during the two visits which the audit team carried out, while two security officers were observed to be deployed at the entrance of the building, no such officials or Police Officers could be observed in the waiting area. At the time of writing of this report however, NAO was informed that a Police Officer has been recently assigned to carry out daily random checks in the building in which these cases are processed.

5.3.6. The second identified concern relates to the teleconferencing system used for plaintiffs who would not want to testify against the defendant in the latter's presence. During meetings with the Magistrate, NAO was informed that plaintiffs wishing to use this system are led into the Magistrate's own Office, equipped with a camera which provides a live feed to a monitor in the Court room itself. It must however be noted that this Office is adjacent to the Court room itself and not in a distant location. Further compounding this concern is the fact that the plaintiff would have to access this location by passing through the Court room itself and after having had to wait in the same waiting room as the defendant. During its visits to the CMCJ hearings, NAO in fact observed one case in which the plaintiff asked to testify by teleconferencing but subsequently retracted the request as she perceived that the arrangement would not give her any benefit over testifying in front of the defendant.

5.3.7. During meetings with NAO, the Magistrate also expressed concern on the less than adequate environment the premises provide especially insofar as minors are concerned. It is an unfortunate circumstance that, on occasions, children would have to testify against one of their parents. Given that the situation would already be significantly traumatising for the minor in question, the Magistrate opines that more can be done to alleviate some of the inevitable stress that accompanies such a scenario, such as the introduction of a small play area or the moving of the teleconferencing location to a more suitable environment.

5.3.8. By means of a final note, during the site visits carried out by the audit team in two separate CMCJ hearings, NAO observed that, as stated in previous parts of this report, two SWs from Appoġġ's DVU are present during these proceedings. These SWs are tasked with providing their technical expertise and assistance to plaintiffs when asked by the Magistrate during the proceedings, especially in cases in which the latter would need added assurance on the plaintiff's condition and when dealing with minors.

*Appoġġ
Representatives
during
proceedings*

5.4. Conclusions

- 5.4.1. This Office considers as a significant shortcoming the manner by which the Courts of Justice **keep documentation** relating to processed cases. Firstly NAO opines that, due to the manner by which documentation is kept by certain branches of the Courts of Justice, the extraction of information for statistical purposes is very difficult. Secondly, this Office also perceives major risks in not having such important documentation not comprehensively stored in electronic format. In keeping such documents only in hard copy format, the Courts of Justice run the risk of not being able to recover important information in the case of damage. Furthermore, the absence of a comprehensive electronic compilation of such documents significantly hinders accessibility.
- 5.4.2. This Office also perceives significant risks due to the identified **shortcomings in the notifications system** employed. Failure to successfully notify the parties involved, especially the defendant, will leave the Court effectively powerless to process the case, with obvious repercussions. NAO however also acknowledges the efforts made by the Ministry for Justice to revamp this notification system and trusts that it will solve the challenges posed on the judicial process by the previous system.
- 5.4.3. NAO is also concerned about the challenge presented to CMCJ in instances whereby the **lawyers** representing the parties involved would not be available during the actual hearing. Such occasions serve to hinder the efficiency by which the judicial process can be carried out, creating significant risks of further distress to victims of domestic abuse.
- 5.4.4. The fact that defendants and plaintiffs have to wait in a relatively **small waiting area** with no effective means of how to separate the parties concerned, gives considerable cause for concern to this Office. Such a situation in which victims of domestic abuse have to wait for prolonged periods in the immediate presence of their alleged abusers, may cause unnecessary stress on the former. NAO also perceives risks that such a situation may impede on the plaintiff's resolution to press on with the judicial process, due to them feeling threatened by the somewhat unchecked proximity of their alleged abusers.
- 5.4.5. NAO also perceives significant **risks in the teleconferencing arrangements** in place at CMCJ. This Office opines that the setup currently being employed by this Court detracts heavily on the benefits intended to be provided by this system, as plaintiffs wishing to testify by such means still have to be in close physical proximity to the defendants before and during the proceedings themselves.
- 5.4.6. The **lack of an adequate environment for minors** in the unfortunate circumstances in which these individuals have to testify against a close family member, is another cause for concern for this Office. NAO opines that such a situation may generate risks of these individuals becoming significantly distressed which may result in the distortion of their testimony, with obvious negative repercussions.
- 5.5.1. This Office strongly urges the Courts of Justice to **engage in a full scale review on the manner by which it keeps the documentation** relating to the cases it processes. NAO suggests that a comprehensive electronic database is set up so that such important information becomes much more easily accessible. Such an electronic format will also serve as a safety measure in case of damages to the hard copy documentation. In addition, NAO also recommends that an IT system is introduced by which all members of the judiciary, and their respective staff, can input all necessary information during proceedings immediately in electronic format, thus creating an easily accessible data trail of all processed cases. In so doing, the ever increasing problem of voluminous information kept in hard-copy format will start to be addressed.

5.5. Recommendations

- 5.5.2. As outlined earlier in the report, the **absence of lawyers** during the time of hearing (especially those representing the respective defendants) is cause for concern. The factors leading to such a circumstance are complex and in order to address such an issue, an in depth analysis is required. The Courts of Justice are therefore encouraged to engage in an internal exercise to evaluate the situation and come up with possible solutions to this problem.
- 5.5.3. With respect to the relatively small area within which both defendants and plaintiffs are expected to wait prior to being admitted to the courtroom, NAO suggests two possible measures. The first is that **alternate arrangements to the small waiting area** are made so that the defendants and plaintiffs are separated during the waiting time leading to their respective hearing. Should such an arrangement be logistically difficult to manage, NAO suggests that the Courts of Justice consider communicating with the Police Department to have a uniformed officer being permanently stationed in the area in question during proceedings, rather than assigned to carry out random checks. This latter suggestion would potentially serve to project a sense of security to plaintiffs who may feel distressed with being in such close proximity to their respective alleged abusers.
- 5.5.4. This Office also recommends that the Courts of Justice review the logistical considerations governing the manner by which they make **use of teleconferencing** for testimony purposes. As stated earlier in the report, the fact that plaintiffs still have to meet their alleged abusers within the Court premises, greatly mitigates the benefits of such a measure. To this end, NAO recommends that the Courts of Justice evaluate their options and make the necessary arrangements so that the teleconferencing option can be carried out in a location which is, in actuality, distant from the Court room itself and consequently from the respective alleged abuser.
- 5.5.5. NAO also recommends that the Courts of Justice consider the possibility of converting a part of its **premises to be more suited to accommodate minors** in the unfortunate eventuality that these have to provide their testimony. Alternatively, the recommendation made earlier of having teleconferencing arrangements in a location which is distant from the actual courtroom, also applies to this scenario.

Chapter 6
Department of Probation
and Parole

Chapter 6 – Department of Probation and Parole

6.1. Background

6.1.1. While every effort should be made to ensure that the victims of domestic abuse are well cared for and adequately supported, the source of such a social challenge has to be specifically targeted for it to be comprehensively addressed. In view of this consideration, DPP is entrusted to supervise convicted perpetrators of domestic violence, assisting them to rehabilitate and reintegrate in society while working to reduce the chances of relapsing. In so doing, the Department endeavours to secure the minimisation of crime and to re-integrate offenders to functional societal frameworks.

6.1.2. DPP falls under the MHAS's portfolio and offers a number of community based services, which include the supervision of probation orders, suspended sentence with supervision, community service orders and combination orders. As its name attests, this Department is also tasked with supervising parolees who have been granted a parole licence by the parole board.

6.2. Statistical Information kept by DPP

6.2.1. For the purpose of this study, NAO collected information from the Department on inspection visits carried out during effective probationary periods which were initiated following a Court ruling during the years 2012 and 2013. It is also important to note that, since the effective duration of such probation periods may extend beyond the audited period, March 2014 was set as a cut-off date by NAO, and consequently, the statistical information presented hereunder reflects DPP's operations from the handing-down of the respective Court sentence up till this date.

6.2.2. From the information forwarded by DPP, NAO calculated that during the years 2012 and 2013, 22 and 13 convicted perpetrators of domestic abuse were respectively put on probation by the Courts of Justice. The average duration of these probation orders was that of 2 years, ranging from 1 to 3 years. It was also noted that 16 of the reviewed cases were accompanied by a restraining order while 1 of the remaining 19 was also penalised with a fine.

6.2.3. As part of the services offered by DPP, perpetrators of domestic abuse are referred by the former to other specialised agencies or professionals so that they may benefit from their services to tackle specific areas of their undesirable behaviour. From the aforementioned forwarded data, this Office determined that 21 of the 35 handled cases within the scoped period, have had the respective perpetrators referred to third party assistance. Most notably, such referrals are made for the persons in question to seek the services of Appogg, Alcohol Services, or that of a mental health professional.

6.2.4. In addition, the Department carries out home visits (which visits will be described in more detail in subsequent parts of this chapter) to assess the situation within the domestic environment which would help the PO develop an adequate care-plan for the offender. From the forwarded information, NAO could observe that during the scoped period, home visits were successfully attempted for 26 out of the 35 cases. Of the other 9 cases where home visits were not carried out, 2 featured convicted perpetrators who do not live in the country; 1 saw DPP attempting to carry out such visits twice to no avail; 3 relate to individuals who have been institutionalised in either a rehabilitation programme or Mt. Carmel Hospital; and the remaining 3 featured cases in which DPP had not attempted to carry out any home visits.

6.2.5. This Office further calculated that, in the 26 cases in which such visits were carried out by DPP, a total of 57 inspections were conducted, with a range of 1 to 13 checks per case. In the case of 45 of these 57 visits, the inspections were scheduled (that is, the individuals under probation were made aware of the time POs will call on them) while in the remaining 12 cases these home visits were carried out without prior notification.

6.2.6. It is important to note that, as at March 2014, DPP had a total of 965 active cases, which include the 35 reviewed in this study.

6.3.1. During meetings with DPP representatives, NAO was informed that the Department is headed by a Director, who is assisted by an Assistant Director Support Services, and four Senior Probation Officers. Twenty POs form the main body of DPP and are tasked with carrying out the principal responsibilities of the Department. In addition, DPP's staff complement also includes one Victim Liaison Officer, two Forensic Psychologists, one Legal Officer, one Senior Clerk, as well as two Clerks. Due to increased case load and strategic planning, the DPP opines that from an operational perspective, this staff compliment is insufficient to meet the current and projected demands on the Department. NAO was consequently informed that DPP will endeavour to engage further staff in the near future to meet these demands.

6.3.2. When queried whether the Department feels its staff are adequately trained to carry out their assigned responsibilities, DPP replied in the affirmative, and further elaborated that, apart from benefitting from outsourced training, the Department's personnel also avail of in-house training provided by the two Forensic Psychologists deployed with DPP.

6.3.3. DPP representatives explained that all cases assigned under the Department's responsibility are somewhat unique, and consequently a tailor-made approach has to be adopted for each. NAO was informed that, to this end, there is no specialised section within the Department in question which specifically deals with perpetrators of domestic abuse. Rather, once a probation order is handed down by the Courts of Justice and a PO is assigned, the latter meets with the convicted individual so that a specific care plan is compiled. DPP representatives further explained that such a care-plan would consist of a compilation of information on the client's offending behaviour, and the compiled plan would be the result of a detailed assessment of the risks the offender presents and his/her identified needs. Input is generally provided at this stage by the in-house psychologists and the care-plan would also serve as a general guideline on which treatment recommendations are made.

6.3. Operational Considerations

Resources

6.3.4. DPP representatives have expressed their concern on the fact that, in their opinion, there are very limited services offered to guide convicted perpetrators of domestic abuse in addressing their undesirable behaviour. NAO was informed that DPP mainly avails of the Men's Services initiative offered by Appogg (discussed in greater detail in preceding parts of this report). However, the Department opines that the frequency at which this programme is held is not sufficient to ascertain that all individuals under DPP's responsibility have the opportunity to attend and reap the associated benefit, as it is not an uncommon occurrence that the probation period expires before a male perpetrator would be invited by Appogg to attend this programme. By this time, DPP would no longer be in a position of authority to strongly encourage convicted individuals to attend such an initiative, leaving the choice of whether to attend or otherwise completely up to the said individuals. Additionally, DPP representatives have also pointed out that, as the name suggests, Appogg's Men's Services is a programme which only targets male perpetrators of domestic abuse, thereby omitting potential female counterparts. NAO was further informed that no specialised services are available in the community which specifically target female perpetrators of domestic abuse. To this end, an adapted treatment programme for convicted female perpetrators would have to be offered by the Department through the in-house psychological services.

6.3.5. In view of these challenges, POs seek other services which may help with the rehabilitation of perpetrators, such as referring the person in question to seek the assistance of a mental health professional. In addition, DPP representatives have informed NAO that in 2014, the Department carried out a pilot project through which a course on anger management was carried out with individuals under their responsibility, with the intention of expanding this to a full programme should this study prove successful. If this initiative is scaled up, DPP explained that the Department also aims to introduce this programme to incarcerated convicted perpetrators with such behavioural problems. At the time of writing of this report, NAO was informed that this pilot study is in the final stages of the evaluation and the results are expected to be published in the coming months by the Psychology Unit within the Department. DPP further stated that by carrying out such a programme with the individuals under their responsibility, it is pro-actively exceeding its assigned responsibilities by supplementing its mandatory monitoring on convicted perpetrators with providing guidance to such individuals on how to tackle an aspect of their undesirable behaviour.

6.3.6. During meetings with DPP representatives, NAO was informed that one of the most effective tools which the Department utilises to assess the perpetrator's progress is to carry out home visits, which would consist of a visit at the place of residence, the place of work or at other locations which the person in question generally frequents. As can be seen from the statistical information presented above, in the vast majority of cases the time for such visits is scheduled, and consequently, prior notice is given to the individual under probation of the set time and date.

6.3.7. Furthermore, DPP Officials explained that these visits are generally conducted during Office hours. This means that these home visits are principally carried out in the mornings and afternoons, largely leaving late afternoons and night hours uncovered.

6.4. Conclusions

6.4.1. This Office acknowledges DPP's concern on the limited options available to where POs can refer convicted perpetrators of domestic abuse to address their problematic behaviour. With this consideration in mind, NAO highly commends the Department in taking the **pilot-study initiative** to put together and make available to the individuals

under their responsibility, an anger management course. NAO acknowledges that such a measure exceeds the Department's assigned responsibilities and perceives it as a highly beneficial measure to assist perpetrators to reform.

6.4.2. NAO is however concerned about the fact that the overwhelming majority of home visits carried out by DPP are scheduled and consequently prior notice is given to the respective perpetrator. In employing such a practice, this Office perceives risks of convicted perpetrators deceptively refraining from their abusive behaviour during the period leading up to the **inspection visit** to skew results. Additionally, such a practice may also pave way to threats being made by the supervised individual on his/her victim in the period immediately preceding the scheduled visit so that the latter is forced to inaccurately cite good behaviour.

6.4.3. While recognising the fact that some convicted perpetrators may work by shift or be altogether unemployed (and consequently be at home during morning hours), NAO opines that there is an increased probability (and consequently the most significant risk) of domestic abuse **incidents occurring during the evening and at night**, with this being the daily timeframe in which families conventionally come together. To this end, this Office perceives risks of DPP carrying out inspections only during office hours, as it may be the case that during this period the incidence (and consequently the immediate symptoms) of domestic abuse may be at its lowest.

6.5.1. With respect to DPP's proactive approach towards **providing rehabilitation services** to convicted perpetrators of domestic abuse under their responsibility, NAO encourages the department to continuously explore other areas with potential for further guidance to such individuals.

6.5.2. NAO also suggests that DPP **revisits its practice of generally giving prior notice of upcoming inspections** to the supervised individuals. In so doing, the Department could induce a sense of constant caution within the convicted perpetrators under their care due to an element of the unexpected in such visits. Such a measure is intended to the obvious benefit of the supervised individuals per se and their respective victims.

6.5.3. This Office additionally recommends that the time at which **inspection visits are carried out is not restricted only to office hours** but extended to all hours. In so doing, DPP may capitalise on the currently unattended timeframe which presents a significant risk for the perpetration of domestic abuse. In covering these sensitive hours, NAO opines that the Department could further strengthen the surprise element referred to in the previous recommendation and consequently be in a better position to obtain a truer picture of the situation at hand.

6.5. Recommendations

Chapter 7

Health Department

Chapter 7 – Health Department

7.1. Introduction

7.1.1. As outlined in preceding parts of this report, the perpetration of domestic violence often leads to physical harm and injury. To this end, the involvement of the Ministry for Energy and Health (MEH) becomes pivotal to mitigate the effects of such abuse. For the purposes of this report, a review was carried out (and presented hereunder) on the roles of health centres located across the country and that of Mater Dei Hospital (MDH) with respect to this social problem.

7.2. Health Centre Care

7.2.1. During meetings with Health Centre Care (HCC) Officials, NAO was informed that medical practitioners, who would have sufficient grounds to suspect the perpetration of domestic abuse against patients under their care, are obliged by law and professional ethics to report such cases to the Police, even without the patients' consent. This however, HCC representatives stated, is not always a clear-cut scenario as it is not uncommon for victims of domestic abuse to lie about the source of their injuries, making HCC personnel's job of identifying the cause of injuries examined even more difficult. NAO was additionally informed that it is often the case that other individuals who would admit to sustaining injuries during an episode of domestic abuse, would not want to escalate the individual incident but would rather be requesting a medical certificate. These certificates are generally requested so that they are used during ongoing separation proceedings. HCC representatives stressed that, while medical practitioners are still obliged to report such cases to the Police, requests for such documentation are generally still entertained. In this respect, however, it is important to note that the details in the said certification would only include the type and extent of injuries examined and consequently omit any opinion on the potential identity of the individual inflicting such injuries on the examined patient.

7.2.2. NAO was informed that while medical practitioners in HCC's employ are not directed by specific guidelines on how to approach patients who would have been subjected to domestic violence, these benefit from the same professional approach that any other patients experience when visiting local health centres. HCC Officials also stated that the source and circumstances surrounding any injury does not affect the manner and method by which medical practitioners approach the respective patients. These are much more heavily dictated by the nature and extent of the injuries in question. This Office was further informed that there is no section within the Department, which is designated specifically to tend to patients suffering from injuries emanating from a domestic violence episode. HCC representatives further elaborated that, in their opinion, the setting up and running of a specific section to tend to patients involved in such cases, would prove to be cost ineffective and would weigh heavily

on already stretched human resources. In addition, HCC opines that the setting up of such a dedicated section is not particularly required from a medical point of view, as treatment to injuries remains the same irrelevant of the source of the harm in question.

- 7.2.3. During meetings with NAO, HCC representatives highlighted the fact that medical staff within HCC's employ are directed not to delve into social circumstances affecting patients under their care. This however, HCC Officials stated, does not imply that medical doctors cannot take a genuine personal interest in their respective patients, and in fact, they often assist and encourage individuals suffering from domestic abuse to contact Appoġġ for further guidance.
- 7.2.4. NAO was informed that HCC has never carried out campaigns which were specifically targeted to raise awareness on domestic abuse. Similarly, this Office was informed that HCC does not keep any readily available statistical information in electronic format on the source of injuries tended to, perceiving it as a significant labour intensive task on already stretched resources. HCC representatives however also stated that the likely cause of examined injuries is documented in the respective patient's individual medical file, making it part of the person's medical history.
- 7.2.5. Notwithstanding the above, HCC representatives still opine that medical practitioners within its employ would benefit, and consequently be able to provide a better service, if they were more aware of the operations of other stakeholders, thereby optimising cooperation between all government entities involved.
- 7.3.1. MDH provides social work services for admitted patients including those suffering from domestic abuse, through the Social Work Unit (SWU). This Unit operates through an agreement between MDH and FSWS, with the former outsourcing ten SW and a Head of Unit (HoU) to fulfil this responsibility. When queried whether sufficient resources are allocated to the Unit to adequately shoulder the assigned responsibilities (which duties are discussed in greater length in subsequent parts of this chapter), SWU responded that the complement currently deployed is, so far, adequately managing the workload generated through its current normal operations. During meetings with the SWU deployed at MDH, NAO was informed that the head, although based at MDH, is also tasked with coordinating similar initiatives at other locations, namely Boffa Hospital, St. Vincent de Paul Residence (SVPR), Qormi Health Centre and Mt. Carmel Hospital.
- 7.3.2. SWU would generally be informed that a patient requires their services through the Nursing Officer (NO) in charge or medical doctors/specialists examining the persons in question. Once such a referral is made, a SW is assigned to carry out an assessment of the situation and circumstances affecting the identified individual, including an analysis of the potential risks and safety consideration of the case. Should the assigned SW opine that the case so merits, and after obtaining the patient's consent, cases which would show clear signs of domestic abuse are referred to Appoġġ's DVU. Should the latter be involved in such a case, SWs from both units will liaise to determine the best way forward for the patient in question. Similarly, SWs deployed within this Section also liaise with the Police Department if such a need is felt.
- 7.3.3. During meetings with NAO, SWU representatives stated that the responsibility of this Unit does not extend to the extensive tackling of domestic abuse, but rather to identify and refer such cases to Appoġġ's DVU as well as to provide immediate and short-term assistance to the patients in question. To this end, services rendered by SWU to MDH patients generally cover the hospitalisation period of the latter. NAO however was

7.3. Mater Dei Hospital

also informed that, in particular cases, services rendered may extend for up to one month following a patient's discharge from MDH. This measure, SWU Officials stated, is especially targeted at cases where patients would be reluctant to seek Appogg' s services, seeing it as a significant escalation of the issue. In taking such an approach, SWU aims to introduce SW contact with patients outside MDH's environment, which may consequently pave the way for the latter to eventually contact DVU. Regardless of whether this initiative is successful or not, SWU still keeps Appogg' updated on the progress of each case for continuity should the patient in question eventually approach the latter.

- 7.3.4. NAO was additionally informed that the SWU also assists patients suffering from domestic abuse in finding suitable accommodation should these decide not to return to their place of residence after their stay at MDH. This assistance is also extended to the respective victim's children if the case so warrants. On this latter point, SWU representatives expressed concern on lack of accommodation available within MDH premises for children of domestic abuse victims while the latter are hospitalised and consequently, due to such a limitation, these children will have to be referred to other institutions. SWU also opines that this separation from parents during such a sensitive period, only serves as a further ordeal for the children in question. NAO was additionally informed that this concern is further compounded by the fact that it is not a rare occurrence that institutions accommodating children with challenging social backgrounds would be at full capacity and consequently not in a position to accept further intakes.
- 7.3.5. Given that, as stated earlier, SWU's responsibility in assisting domestic abuse victims practically revolves around the hospitalisation period of an individual, NAO was also informed that this Unit does not actively engage in any awareness campaigns on the subject at hand, largely perceiving it as Appogg' s responsibility.
- 7.3.6. SWU representatives also stated that communication with the alleged perpetrator is not a rare occurrence. The Unit opines that approaching alleged perpetrators may serve to obtain further essential information about the case in question so that a more effective and comprehensive approach may be taken by the SWU's Officials. NAO was additionally informed that, from its experience, SWU can state that perpetrators called in to meet the Unit's SWs would generally be cooperative and would, to a certain extent, admit of abusing the victim in question. Notwithstanding this however, SWU contends that, while the Unit sees benefit in working further with alleged perpetrators, it does not possess sufficient resources to do so, and consequently largely focuses on the victims of this societal challenge. The Unit however stated that perpetrators of domestic abuse are encouraged to attend and consequently are referred to Appogg' s MP.
- 7.3.7. SWU explained that the information surrounding each individual case of domestic abuse tackled by the Unit is documented in a respective report. These reports are then summarised in a monthly report detailing the work carried out by the Unit. NAO was however informed that such information is not collectively recorded in an electronic database for statistical ease of use. Notwithstanding the above, the Unit was able to inform NAO that during the year 2013, it attended to 22 hospitalised individuals with genuine cases of domestic abuse. SWU representatives further elaborated that, from their experience, it is not common for people to falsely claim they are subjected to domestic violence, and in fact, there has been only 1 such case between 2012 and 2014.

7.4. Conclusions

- 7.4.1. NAO commends HCC's medical practitioners in taking a **genuine personal interest** in patients under their care who would have been subjected to domestic violence and for referring them to Appogg so that they may benefit from specialised services. In so doing, these professionals are increasing the catchment opportunity of the latter Agency and increasing the possibility of such victims to seek the necessary assistance to address their undesirable situation.
- 7.4.2. This Office perceives risks of loss of potential benefits in having **HCC not compiling statistical information** on the injuries tended to and their potential source in electronic format. The lack of such documented information may cause HCC to forego certain knowledge on emerging trends and consequently not position itself in the a position to render the best possible services to its clients. Similar concerns emerge on the fact that SWU do not keep such information in a comprehensively recorded electronic database.
- 7.4.3. **SWU's liaison with DVU** on identified cases of domestic abuse is, NAO opines, a commendable practice which ensures somewhat seamless continuity of service between the respective victim's hospitalisation period and the return to community life. Likewise, this Office also acknowledges SWU's service extension of up to one month following a patient's discharge from hospital, considering it as an effective way of how to introduce social work services to patients outside of hospital environment, potentially paving the way for these individuals to contact Appogg for further assistance.
- 7.4.4. NAO however acknowledges and shares SWU's concern about the **lack of an adequate area within MDH premises for children** of patients hospitalised due to injuries sustained through domestic abuse. Having to resort to separating children from their respective parents to accommodate them in suitable institutions during an already distressing period, may lead to otherwise avoidable stress to all involved.
- 7.4.5. Notwithstanding the above, however, and in view of no better alternate options, NAO commends SWU's efforts in endeavouring to liaise with other institutions to provide the best possible **accommodation to such children** during difficult periods.
- 7.4.6. Additionally, this Office also perceives risks of potential loss of benefit in **SWU not working more extensively with alleged perpetrators**. While communicating with such individuals to obtain a clearer picture on the domestic violence episode in question is a commendable practice, NAO perceives this as an opportune moment to introduce social work interaction with the alleged abusers with the intention of initiating the process to address their undesirable behaviour.
- 7.5.1. NAO encourages both HCC and SWU to ascertain that **more comprehensive statistical information** is kept on tended-to cases. In so doing, emerging trends can be identified which could put these two departments in a better position to provide the best possible service to their respective patient. Following this recommendation, MDH management informed NAO that preparatory work in this regard was already under way at the time of writing of this report.
- 7.5.2. In view of SWU's concern of having no adequate space for children of hospitalised domestic abuse victims within MDH premises, this office suggests that a **feasibility study** is carried out to determine whether such an arrangement is possible and manageable.

7.5. Recommendations

7.5.3. With respect to perceived benefits which could be acquired through additional work with alleged perpetrators, NAO urges SWU to weigh its options so it may put itself in a position of strength to capitalise on such an opportunity. As a starting point, this Office suggests that SWU engages in an **internal review to determine whether its allocated resources are optimally engaged** and, if inefficiencies are identified and rectified, the conserved man-hours may then be utilised in this regard. If, following such an exercise, the Unit would opine that its resources are deployed at maximum efficiency and effectiveness, NAO suggests it presents its case to MDH management so that the latter would consider procuring additional man-hours from Appoġġ for such a function to be put to operation. When presented with this recommendation, MDH management informed NAO that communication with Appoġġ was, at the time of writing of this report, already under way to address this issue.

Chapter 8

Educational Directorates

Chapter 8 – Educational Directorates

8.1. Introduction

8.1.1. A portion of today's young children's population will unfortunately become or already are the perpetrators or victims of domestic abuse of the future. In view of this, NAO is of the opinion that of pivotal importance in the endeavour to tackle domestic abuse, is the role of the local education system. To this end, this Office assessed the measures being taken by the Directorate for Education Services (DES), operating within MEDE's remit, in addressing the impact this challenge has on students attending its schools.

8.1.2. In setting the scene, DES re-affirms what was stated by other audited entities in saying that this societal challenge cannot be attributed to one specific social class, but is rather considered to be a problem which is widespread through all sectors of society. During meetings with NAO, DES representatives however also stated that it is not uncommon that a problem of domestic abuse recurs in the same family from one generation to the next. Such a situation, DES asserts, confirms that children exposed to such abuse (both as a victims or witnesses) at an early age, will treat such behaviour as normal, which consequently increases the probability that they will either become violent themselves or accept being subjected to long term abuse in the future. NAO was additionally informed that, in DES's opinion, further increasing this exposure to violence are certain programmes being aired on television which portray violence as part of everyday life, as well as an ever increasing trend in the abuse and misuse of telecommunication devices and social media. DES contends that this exposure, which is most often coupled with a significant lacuna insofar as parenting skills are concerned, often considerably contribute to increased risks of children becoming perpetrators of domestic abuse in the future.

8.2. Role of MEDE in Tackling Domestic Violence

8.2.1. During meetings with MEDE, NAO was informed that DES tackles the needs of students being affected by domestic abuse through the Student Services Department's (SSD) Education Psycho-Social Services (EPSS). These services encompass a wide spectrum of areas and are principally intended to assist students in their holistic development as individuals, and help them become active and responsible members of society. NAO was however directed to note that abuse and negative behaviour is generally tackled through EPPS's Safe School Programme (SSP). This programme is further subdivided into three main areas, namely the Child Safety Services (CSS), Anti-Substance Abuse Service (ASAS) and Anti-Bullying Service (ABS). Of these three initiatives, CSS is the one which is specifically geared to address child abuse, while the other two are principally focused in tackling other forms of abuse which can be considered to be, even if in an indirect manner, related to the domestic violence. These services along with other measures taken by DES to tackle domestic abuse are discussed in detail in subsequent parts of this Chapter.

- 8.2.2. Worth noting is the fact that when queried if DES liaises with the CDV on the way forward with which to tackle challenges emanating from domestic abuse, the Directorate replied that an official meeting was held with CDV. An agreement was reached between DES and the former through which training on awareness raising related to domestic violence was provided for all the professionals within the EPSS during scholastic year 2014 -2015. DES additionally stated that coordination with Appoġġ (as explained in further detail later in this chapter) to tackle such challenges also exists as does a healthy working relationship with the Police Department and always finds the latter's assistance in incidents that would merit their involvement.
- 8.2.3. The CSS within SSD is a specialised service targeting the area of child abuse within the school setting. NAO was informed that this service is provided by 6 GTs who visit all State Colleges. Referrals for such services are also received from Church and independent Schools. The main aims of this service include education to prevent abuse, consultation, monitoring of existing cases and coordination of services, provision of training as well as interventions with students, families and staff.
- 8.2.4. Worth noting is that, the National Policy on Child Protection (NPCP), launched in 1999 (currently being reviewed with Appoġġ's assistance), directs teachers who are in regular contact with children to report any symptoms or suspicion of domestic abuse to CSS as well as to Appoġġ's Child Protection Services (CPS). Such flagging is to occur both in the cases in which the abuse is suspected to be perpetrated against the child per se, as well as in the event in which symptoms would indicate that the child in question is bearing witness to such violence against another family member.
- 8.2.5. DES has informed NAO that Child Safety Programmes conducts a programme on how to keep safe with all Year 4 students during school hours. During these sessions, students are made aware of the main forms of abuse and their relative effect, as well as the various services available to tackle such problems. DES further stated that this programme is also made separately available to parents, however, NAO was informed that attendance in this latter instance leaves much to be desired. Further compounding this concern, DES affirms, is the fact that generally parents attending such a programme would be those who CSS considers the least in probable need to do so, while others who would benefit far more from such an initiative refrain from participating. This Office was also informed that this programme is also carried out in Secondary Schools upon request by the respective school. In such instances, due to the rather sensitive age of such students, an additional element is introduced to this programme, that is, abusive relationships and violence between partners.
- 8.2.6. When queried on whether official statistics are kept on identified cases of domestic abuse within the local school population, DES replied that no such information is kept, however record is kept of all cases referred to CSS and CPS and are recorded in CSS's annual reports. This information is illustrated in Table 7 for the period between 2012 and 2013.
- 8.2.7. During meetings with DES, NAO was informed that CSS are notified of suspected cases of domestic abuse by the teaching staff as well as by GTs who are also deployed in each school. DES informed this Office that when GTs observe behavioural issues in students, it is their responsibility to identify the source of the negative conduct and consequently determine the best way forward. They are tasked to evaluate whether counselling on its own will address the problem or whether the nature of the behavioural issues and their source would also require CSS's or a SW's involvement.

Referrals are also made by Personal, Social and Career Development (PSCD) teachers (in both Primary and Secondary Schools) when disclosure takes place during PSCD lessons, particularly when topics such as abuse, violence in relationships, respect and family issues are discussed.

Table 7: Number of Referred Cases in 2012 and 2013

Type of Abuse	Number of referrals	
	2012	2013
Emotional	31	42
Neglect	78	69
Physical	60	25
Sexual	43	24
Emotional and Neglect	24	5
Emotional, Neglect and Physical	18	3
Emotional, Neglect and Sexual	0	1
Emotional and Physical	40	26
Emotional, Physical and Sexual	3	4
Emotional and Sexual	6	10
Emotional, Neglect, Physical and Sexual	5	2
Neglect and Physical	21	5
Neglect and Sexual	6	2
Physical and Sexual	12	7
Total	347	225

Source: MEDE Annual Reports 2012 and 2013

Other Initiatives

- 8.2.8. Apart from the services described above, NAO was additionally informed that schools also provide other support to students who would be identified as potential victims or witnesses of domestic abuse. One such measure involves cases where students would be absent from school without a valid reason or for a prolonged period. In such instances a SW in MEDE's employ is assigned to carry out an assessment of the presenting problem. The first contact is made with the parents and the student through a home or office visit with the aim to establish a rapport and determine the reason for such absenteeism. The SWs also act as a bridge between the student, the student's family and the school. In so doing SWs liaise with other services and professionals including the Domestic Violence Services within Appogg as well as local shelters for victims of domestic violence when adequate and in the best interest of the student's well-being. At present there are twelve SWs employed, three of whom are presently on maternity or career break. NAO was additionally informed that these SWs are supported by four Social Support Workers (SSW) who presently offer their services in four different colleges. These latter officials, while not directly involved in active cases of domestic violence, are tasked with supporting families of students followed by the SWs, mainly by assisting them in practical ways to deal with the educational needs of their children. This, MEDE officials stated, is principally achieved through tutoring such individuals on home management, parenting and interpersonal skills.
- 8.2.9. DES asserts that substance and alcohol abuse could be a significantly influential factor insofar as domestic violence is concerned. To this end, whenever a student is identified as being subjected or bearing witness to such perpetration emanating from the abuse of illegal substances or alcohol, assistance and guidance is provided

through GTs for the child/youth in question to better manage his/her situation. NAO was informed that, in cases whereby minors would be living in a household in which domestic violence is taking place as a result of substance misuse, yet the minors themselves are not culpable of substance abuse, ASAS refer the case to CSS and CPS accordingly. If, on the other hand, minors are misusing substances themselves, ASAS works directly with the individuals in question while still referring the case to CSS and CPS. DES further explained that, in such cases and should the situation so merit, the assistance of other supporting agencies is also solicited, especially in cases in which addiction would have settled in.

8.2.10. The perpetration of bullying on other children, DES affirms, can often be a symptom of a child experiencing or being exposed to domestic violence at home. Such individuals would be subject to increased risks of amplified emotional and behavioural problems which may include violent conduct. During meetings with DES, NAO was informed that watching, hearing or learning that a particular parent is being harmed by the other parent or by his/her partner, threatens the young person's stability and security typically provided by their family. To this end, in such scenarios children and adolescents may experience strong ambivalence toward the individual perpetrating violence in the household and, in being afraid to confront the person in question, may resort to venting out such emotions on other students in a violent manner. In view of this problem, DES set up the Anti-Bullying Services (ABS) in which children are assisted to break out of such problematic behaviour. The service is provided through 7 GTs (one of whom was on parental leave at the time of writing of this report) who operate in the respective State Colleges (and who also receive referrals from Church and Independent Schools). NAO was informed that ABS's role includes creating a sense of security for the students in question through a non-threatening environment as well as encouraging and motivating students to respect each other. These responsibilities are carried out through awareness and prevention programmes with students, parents and staff, timely interventions with individuals so as to enhance their confidence as a means to address their own bullying behaviour, assertiveness training to bullying victims as well as supporting and guiding bullies towards taking responsibility for their actions through restorative justice practices.

8.2.11. Counselling and Guidance services are also constantly provided throughout the education system. As stated earlier, GTs provide guidance and support to students on a spectrum of areas, including domestic abuse. DES however also pointed out that the remits of GTs and counsellors are limited to provide helping skills or counselling sessions within school premises and does not extend to conduct site visits at the students' homes. This latter responsibility is assigned to SWs, whose role becomes even more prominent when, through the child's behaviour, it is also discovered that a parent is being subjected to domestic abuse. During meetings with NAO, the Directorate highlighted the fact that it is not uncommon for parents to disclose that they are being subjected to violence themselves when called-in to talk about their child's worrying behaviour. In such instances, DES stated that the official handling the case (be it a GT/counsellor or SW) endeavours in assisting the parents in question and gives them guidance accordingly. NAO was informed that there have been cases in which the respective parent was encouraged to meet with Appogg representatives and, with the latter's consent, a meeting was accordingly set up on school premises so as to facilitate the process for the victim in question. SWs employed with MEDE extend their services and carry-out home visits to give guidance to such parents on their parenting skills. They also assist these parents on other aspects such as, home economics, meal preparation, general child well-being and how to adequately prepare children for school. DES further stated that the SWs in its employ are directed not to approach the family members who are suspected of perpetrating domestic violence and are consequently only tasked to work with the victims of such abuse.

- 8.2.12. DES also stated that outreach initiatives are also periodically undertaken, such as discussions on radio programmes and campaigns against bullying and substance abuse. More specifically, NAO was informed that, from 2012 to the time of writing of this report, ABS participated in 19 media programmes, organised Stop Hate Clubs within schools and participated in the Stop Hate Campaign (2015) in collaboration with private stakeholders. In 2014, ABS also organised an artistic performance emphasising the effects of bullying to all Form 3 students on a national level. DES further stated that ASAS participated in another 7 instances on media programmes.
- 8.2.13. NAO was however informed that, in DES opinion, the media on which such campaigns are transmitted has to be chosen with care. The Directorate observed that televised programmes are increasingly becoming unpopular with the younger generations due to the significant rise in use and accessibility of the internet. To this end, DES opines that campaigns launched over the internet, and more specifically, via social networks, are increasingly becoming more successful and far more appealing to the younger generations.
- 8.2.14. Furthermore, NAO was informed that education on domestic violence (albeit in an indirect manner through other topics, such as personal relationships) is also delivered to Year 3 and 4 primary school students as well as to Form 3, 4 and 5 students through the Personal, Career and Social Development (PCSD) classes.
- 8.2.15. During meetings with NAO, DES stated that in its opinion, the different societal challenges (which may lead to or involve domestic abuse) faced by its staff and the complexities of each individual case, create considerable workload insofar as addressing such problems is concerned. In view of this reality, DES feels that additional and adequately trained human resources are required to service such a demand. NAO was informed that, although each college is assigned with an inter-disciplinary team of professionals, none of these teams is fully manned and consequently each college finds itself with a gap in expertise. The Directorate stated that, in particular, a shortage prevails insofar as junior psychologists are concerned. The cause of this scarcity, DES opines, could be the fact that the relevant University Masters Degree Course is opened once every 2 years and has a limited intake of 6 students. This, the Directorate expressed, leads to a significant shortage of adequately qualified professionals and makes it more difficult for it to attract the required expertise. At the time of writing of this report, NAO was however additionally informed that this shortcoming is being addressed by the respective Directorates and open calls for application (both internal and external) have been issued to fill in the vacancies for different categories of support professionals both at the SSD and within the State Colleges. MEDE Officials further stated that the capacity building exercise for 2016-2018 is intended to continue filling in these identified gaps.
- 8.2.16. The Directorate informed this Office that all MEDE staff deployed in local schools are provided with in-service training on the best ways to tackle any observed emotional, psychological and physical abuse in their students. NAO was informed that such tuition includes training to Education Psycho-Social Practitioners on domestic abuse provided by the National Council of Women, as well as other courses delivered to teaching staff. DES however feels that, although the majority of the practitioners in the position of GTs within ABS, CSS and ASAS have qualifications at Post-Graduate Diploma or Master's level in Counselling, Psychotherapy or Social, Emotional and Behavioural Difficulties, no specific training to its staff is provided on domestic abuse as a holistic challenge. Consequently, the Directorate expressed its wish for such training to be provided by competent Authorities, such as the Centre for Development Research and Training (CDRT) or Appoġġ itself. While NAO was additionally informed

that some training is already being provided by the latter entity to MEDE employees on certain sensitive issues (such as alcohol abuse), the Directorate however feels that more can be done. This need for additional training and training material (and consequently the need for sufficient funds to finance such tuition) is strongly felt by DES and it expressed its concerns on potential negative risks such lack of training may generate.

8.3.1. NAO acknowledges the fact that the challenge posed by domestic abuse is a multi-faceted one which may be sourced from a number of other social problems (such as substance and alcohol abuse). To this end, this Office opines that the initiatives taken by DES to raise **awareness** on a variety of social challenges with students attending its schools is highly commendable, especially the programme held with primary year 4 students on physical and emotional abuse. This Office however perceives as somewhat of a shortcoming the fact that, secondary school students are only provided with such material upon request from the respective schools.

8.3.2. The expansion of the **programme delivered to Year 4 primary students** to the respective parents is, in this Office's opinion, highly commendable, as this can have a significant impact on the student's environment at home. NAO however shares DES's concern on the relatively low attendance registered for such an initiative, especially among parents who in MEDE's opinion would most benefit from such a programme.

8.3.3. NAO also acknowledges and commends the setting up of **inter-disciplinary teams** of professionals in each college to assist in the address of social matters within the education system. This Office however is significantly concerned about the human resource shortage in this regard, seeing this shortcoming as a major limitation hindering the maximum potential benefits such a system could provide to the children attending state schools.

8.3.4. Similarly, NAO also perceives risks in the **lack of training** provided to staff employed with MEDE. Dealing with social challenges is unfortunately increasingly becoming part-and-parcel of the educator's role and this Office perceives the avoidable risk of domestic abuse cases not being identified in a timely manner or being handled inadequately by MEDE staff due to such lack of training, with obvious negative repercussions.

8.4.1. This Office strongly recommends that MEDE endeavours to hold regular **programmes similar to that delivered with Primary Year 4 students**, with secondary school attendees, without requiring specific requests from the respective schools.

8.4.2. Given that such programmes may also prove to be invaluable to **parents**, NAO also encourages MEDE to further explore possibilities on how to better reach these individuals. In so doing, the Ministry would be tackling the domestic abuse challenge from the source, to the benefit of the children under its care and their respective families.

8.4.3. **Shortage of required professionals** in such a sensitive area is, in NAO's opinion, cause for grave concern. In view of the particular shortage in the availability of junior psychologists, NAO suggests that MEDE and the University of Malta establish a solution to increase the number of students taking up relevant courses. NAO also urges MEDE to expedite the recruitment process to fill all identified gaps in its staff complement.

8.3. Conclusions

8.4. Recommendations

8.4.4. NAO also strongly recommends that MEDE carries out an internal exercise in which **training gaps** for its employees are identified and addressed in the shortest possible time, while providing staff with the required training material.

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Chapter 9
Tackling Domestic Violence:
A Cohesive Approach

Chapter 9 – Tackling Domestic Violence: A Cohesive Approach

This final chapter presents NAO’s views and recommendations on how the problem of domestic violence in Malta could be cohesively and holistically addressed by the reviewed entities in as much of an efficient and effective manner as possible.

Direction

9.1. As presented in previous parts of this report, domestic violence is a multi-faceted social challenge that needs different expertise for it to be tackled in a comprehensive manner. This Office however also perceives the need for these services to be provided in a cohesive approach, bringing all the services together to work in a holistic manner. The following are NAO’s observations and recommendations to this effect.

9.2. After carrying out the relevant analysis of the reviewed stakeholders, NAO feels that, although a number of the reviewed government entities do work together on certain aspects of this social concern, no comprehensive framework exists on how all involved entities should work together to tackle this issue in a cohesive manner. In view of this fact, an evident need for a coordinating entity exists and it is NAO’s considered opinion that the best positioned entity to carry out such a task is CDV. Being the advisory body consulting the incumbent Minister on all aspects of domestic violence and having such a broad overview of the problem at hand, NAO opines that this puts CDV in the best position to devise a strategy and guide the other reviewed entities towards common objectives. To this end, it is being suggested that this latter entity takes on a more influential coordinating role, which extends to the actual operational considerations of the involved government stakeholders. It is also being recommended that CDV reassesses its position with respect to the involvement of entities, in the decision making process (at board level), that are dealing directly with the issue of domestic violence.

Resources

9.3. Tackling this social challenge undoubtedly calls for significant human resources with the required expertise. As NAO’s study attests however, shortage of such resources is a widespread and prevalent issue within the reviewed entities, which further strains the already challenging nature of addressing this problem. Such a concern needs to be addressed in a timely manner so that a consistent high-quality service is provided by the relevant stakeholders. The same applies to facilities, especially insofar as the availability of safe accommodation for victims is concerned.

9.4. This Office considers awareness as key to empower the victim to act and address the problem in question, thereby safeguarding one's best interest. Challenges faced by victims (such as the repeated cycle of not following through with a Court case) may also be addressed with the effective transmission of information through such initiatives. In view of this, the coordination of awareness campaigns between all reviewed government stakeholders should be one of the principal priorities in tackling this social concern. For the same reasons quoted earlier, NAO once again perceives CDV to be best suited in taking on this role. This Office also notes that awareness campaigns should target all realities of the domestic violence problem, thereby also focusing on male victims and female perpetrators. In taking such an approach, awareness campaigns would be reaching out to all those in need of the offered services. NAO also recommends that adequate logistical arrangements (such as sufficient capacity at shelters) are ensured to complement the envisaged increase in service users.

9.5. The adequate address of the issue at hand necessitates a complete compilation of information. As observed in previous parts of this report, it is of utmost importance that the individual reviewed stakeholders maintain an updated and thorough electronic database for their own efficient operation. NAO however suggests that, such individual databases should be kept in easily compatible format with one another, thereby creating a harmonised approach to data keeping. This, together with an exploration of the possibility of increased inter-departmental data sharing and communication, could serve to increase the efficiency and effectiveness of the overall process in tackling domestic abuse. NAO however also stresses that, while in its opinion, there is room for increased data sharing between the relevant stakeholders, all due diligence should be maintained insofar as data protection and its security are concerned.

9.6. Given the very evident sensitive nature of this social concern, adequate training to all involved Officers deployed with the reviewed entities is essential. As can be noted in this report, training to these Officials is provided through separate initiatives by the reviewed entities. While NAO acknowledges the fact that the training needs vary from one role to another (especially between different entities), it still considers it is of utmost importance that such differentiated training is structured in a systematic and cohesive training framework. Given that Apogg is already engaged in a number of training programmes with other stakeholders, NAO opines that it is best suited to coordinate such inter-departmental training. This Office also stresses the importance for the Agency's own Officials to be constantly trained to the highest standards, so that they may be in an ever stronger position to fulfil their responsibilities.

9.7. The significant number of involved stakeholders and the necessary processes (which may be perceived as somewhat overwhelming), may potentially pose additional pressure and anxiety to the victims who would obviously be going through an already traumatic phase. In view of this consideration, NAO suggests that the possibility of setting up a multi-disciplinary team as a primary point of contact is explored. Such a team could be complemented with a representative from each government stakeholder to facilitate and further support the victim to seek the necessary assistance. This team could emulate the Sexual Assault Response Team (SART) concept which was launched in 2014.

*Focus on the
Problem Source*

9.8. Although the address of domestic abuse is primarily attributed to providing assistance to the victims, NAO draws attention to the fact that, equally important are the efforts to treat the problem from its very source, that is, the perpetrators. In view of this, NAO urges stakeholders to work in an ever-increasing collaborative manner so that they can better manage and direct perpetrators to reform themselves.

Enforcement

9.9. While every effort should be made so that perpetrators of domestic abuse are directed to reform, NAO acknowledges the fact that some of these individuals would still persist in committing abuse, irrespective of any assistance offered to them. To this end, NAO encourages the reviewed entities, particularly the Police Department, the Courts of Justice as well as DPP, to adopt a zero-tolerance approach towards abusers who do not exhibit signs, or at least the intention, of reforming.

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