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Combating domestic violence in Malta

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Abstract

Legislation and specialised services for domestic violence are essential but not sufficient in themselves. Laws and policies need to be implemented, and sufficient resources need to be made available to allow that to occur, as well as sufficient resources to allow the specialised services to operate effectively. Training and support for professionals needs to be continuous, and also requires sufficient resources. Prevention should include awareness raising and public education aimed at challenging the traditional gender roles which make domestic violence less unacceptable.

1. Relevant country context

The Maltese Archipelago consists of three small inhabited islands, Malta, Gozo and Comino, and two uninhabited islets. The total area is 316 square kilometres. The population at the last census (2021) was recorded as 516,000. It is recorded as being the 10th smallest country in the world, and the 4th (or 6th) most densely populated.

1.1 Legislation and Strategy

Malta ratified the Istanbul Convention in 2014 and it was fully implemented in law in 2018 with the Gender Based Violence and Domestic Violence Act. Malta has had two Gender-Based Violence and Domestic Violence Strategy & Action Plans that covered until 2022 (2018-2020; [2021-2022](#)). The Strategy plans were built on the four pillars of the Istanbul Convention: (i) prevention, (ii) protection, (iii) prosecution and (iv) integrated policies. Strategy 2023-2027 is due to be launched soon.

1.1.1 Istanbul Convention

The country was monitored by GREVIO (Council of Europe Group of independent Experts on Action against Violence against Women and Domestic Violence) in relation to its implementation of the Istanbul Convention in 2020, with Malta having to report back to the Committee of the Parties by the end of 2023.

The recommendations issued by the Committee of the Parties of the Istanbul Convention cover, inter alia:

- the provision of robust training for all relevant criminal justice actors including law enforcement agencies and prosecution services, supported by protocols and

guidelines, in order to improve levels of prosecution and convictions and to raise awareness among the members of the judiciary of the fundamental importance of emergency barring and protection orders as well as the role of perpetrator programmes in breaking in the cycle of violence;

- the need for dedicated rape crisis and/or sexual violence referral centres in Malta and Gozo equipped with trained specialised staff, on a one-stop-shop basis;
- bringing temporary protection orders in line with the convention and ensuring that these can be issued quickly, and that the perpetrator is removed from the residence and that breaches of such orders are effectively sanctioned;
- ensuring that women asylum-seekers are screened for vulnerabilities such as experiences or risk of gender-based violence that would require safe accommodation and/or special support services and counselling.

1.2 Services

State services include a centralised social work unit for domestic violence, as well as 11 community centres in Malta and 2 in Gozo (13 in total) which offer general social work services to the community, including related to domestic violence. The same state agency also runs one emergency shelter for women and children, a perpetrator programme, and a national helpline (generic, including domestic violence). They also have a risk assessment team, set up in 2018. The Malta Police force set up a (generic) victim support unit in 2019, and a domestic violence unit in 2020, which aimed to be victim centred. These services are complemented by various NGOs who run a second emergency shelter and two second stage shelters, with a further two NGO homeless shelters dealing with the overflow when necessary. We have a victim support NGO (generic but includes domestic violence) and another that runs a peer-led support service for women survivors. Another NGO offers legal support on all aspects of violence against women, including domestic violence, through a telephone helpline and drop-in service.

The state also provides a specialised programme for perpetrators of all forms of domestic violence and the Probation Service runs anger management courses for some perpetrators.

1.3 Awareness Raising and Dominant Culture

Various awareness raising campaigns have been run by the Commission for Gender Based Violence and Domestic Violence, mainly through project funding.

Notwithstanding, research carried out in 2018 regarding barriers that women survivors of gender based violence face to access help and assistance, found that Malta continues to hold patriarchal values and attitudes that are affecting women in accessing support ([Naudi, Clarke, Saliba, 2018](#)). Malta continues to have a predominantly patriarchal society, which can be seen in social attitudes, gender roles and male dominant discourse. The [EIGE Gender Equality Focus on Covid](#) on Malta states that in 2021 37% of women compared with 14% of men reported taking care of children aged 0 – 11 for more than 4 hours a day – this is the lowest share of men

across the EU. Furthermore 58% of women indicated being completely or mostly responsible for the care of children as compared to 25% of men. The [Equality Index for 2022](#) similarly finds that women still carry most of the caring and educational needs of the children (42% of women as compared to 25% of men). Among women and men in couples with children, women are much more involved in daily care activities (85%) than men (58%), and around 81% of women do cooking and housework every day for at least one hour, compared to only 37% of men.

1.4 Data

The last comprehensive prevalence survey on DV held in Malta was over a decade ago, hence the data which is available is administrative data.

In [reply to a parliamentary question](#), the Minister for the Family stated that between 2019 and 2021, the state social service agency (Appogg) received 3,538 reports of domestic violence, of which 82% were filed by women. Keeping in mind the specific Malta context, these figures are seen as high.

The Police Commissioner of the Malta Police Force also stated that in the [ten years from 2011 to 2021 reports of DV to the police doubled](#).

Other [media reports](#) claim that only 4% of DV charges result in guilty verdicts, and that based on a [FRA study](#) issued in February 2023, the Maltese are among the Europeans least willing to intervene when witnessing domestic violence.

2. Policy debate

In 2022 we had three femicides in Malta, one by a stranger in a rape and sexual assault, and two by ex/partners. An inquiry was held on the more recent femicide to establish whether the state had failed the woman concerned. Published in 2023, this found that the system had indeed failed her, but that no one specific person was responsible. Several recommendations were made based on the findings of the inquiry, which included the need for training, more resources and taking immediate effective action when a protection order is breached.

2022 also saw a legal amendment which, whilst not introducing the crime of femicide, provided for a motivation of the crime of homicide, whereby, in such cases, the judge ought to consider the highest form of punishment: life imprisonment. The law also removed the argument of 'crime of passion' as a defence in such cases. And this year, 2023, brought a constitutional challenge on the basis that it is a sexist and discriminatory law (ongoing). In the five years from 2018 to 2022 inclusive, 10 femicides occurred in Malta, four by a family member, five by ex/partners, and one by a stranger.

And as seen above, reports of DV to the police and to social services have been increasing. All this has led to a general discussion on domestic violence, including in Parliament, the media (print, TV, radio, social media) and amongst the general public. Training for professionals has increased, mainly as a result of this increased visibility, and a clear Standard Operations Procedure will soon be issued to the Malta Police

Force on domestic violence, to attempt to ensure an effective service to victims of DV, including in relation to protection orders.

3. Good practice examples

3.1 State Action

Over the last months there have been attempts to start closing several of the larger gaps. Training for professionals, for example, has increased and is not all project based as it was before. The Malta Police Force is finally about to issue a Standard Operating Procedure for all of its officers. And a new Strategy on gender based violence is also about to be published. Awareness raising campaigns also continue, with slightly different foci, including working with schools to challenge the traditional gender stereotypes.

3.2 Informal Action

A good practice that has existed for many years, is what is known informally as the 'Shelters' Meetings'. This is an informal group of practitioners (state and NGO social workers, shelter workers and other frontline workers) that meet a few times a year to discuss challenges being faced and possible good practice solutions. These meetings act as a sounding board, allow the letting off of steam, provide support, and work to re-engage that original commitment to social justice that most practitioners in the field of violence against women originally entered with. It helps to prevent burn out and to retain good practitioners.

Actions resulting from this forum include:

- suggestions for provision of services for individual women;
- revision of policies/ practice of individual agencies;
- letters to and meetings with policy makers and people in positions of power;
- inviting agency representatives to explain any new services;
- organising and participating in demonstrations.

With a strong backlash against women's rights everywhere we look, with politicians often speaking the talk, but not walking the walk, the importance of a forum such as this increases. Notwithstanding the very many difficulties faced by practitioners in the field, this helps them to remain staunch in their prioritisation of the women and children they serve, victim centred. Younger practitioners join and gain much from the forum. Knowledge and strategies are passed on from older to younger; energy and zest are passed on from younger to older. Knowledge and energy gained is transformed into good practice with women experiencing violence against women and domestic violence, as well as continuing to fight the 'system', which at times can be experienced as overwhelming.

4. Transferability aspects

4.1 Good practice 1: A national network of 42 sheltered houses

Keeping in mind the small size of Malta, having shelters in different parts of the island are not a priority, except for needing one in the second most populated island of Gozo. Up till around ten years ago, Malta was one of the few countries that met the Council of Europe recommendation of one shelter family space per 10,000 population. Since then the population of Malta has expanded, and shelter beds have not kept pace. However, this is not a major issue. All the existing shelters provide accommodation, information, counselling and support services to women and their children. Thanks to the informal 'Shelters' meeting', these shelters liaise well together as well as with other state and NGO services that offer further support, including peer led support groups and legal advice and accompaniment.

An issue here though is lack of resources. Many of the services are overstretched and under-resourced. Whilst some efforts have been made to increase staff in state agencies, more are needed. NGOs resort to fund raising and 'charity' to cover their running costs. This takes time and energy which could/should be applied to working with survivors.

4.2 Good practice 2: referral centres for victims of sexual violence

Over ten years ago a Sexual Assault Response Team was planned by the state in partnership with an NGO which unfortunately did not materialise due to a change in government Ministers. The NGO concerned continued to give a limited service over the years. There is now, once more, a one-stop shop being planned for rape and sexual assault victims/survivors in partnership with Government Ministries. This is something that needs to be actualised, as was originally planned, with medico-social services offered in one place, included the collection of evidence. For this to occur, sufficient resources need to be made available, and all staff need to receive specialised training.

4.3 Good practice 3: protection and inclusion of displaced persons

Malta received people displaced by the Ukrainian conflict, as did many other countries. However, Malta also receives many displaced persons from other parts of the world too. There is a state agency responsible for the welfare of asylum seekers, a Catholic Church Commission and several NGOs that work in this field. Screening for gender based violence however does not appear to be a priority, and is an area which needs to improve.

5. Conclusions and recommendations

Combatting domestic violence, gender based violence, intimate partner violence, femicide always requires a two-pronged approach. Services need to be provided, resourced and accessible, including police and legal, psycho-social, accommodation and re-integration, etc. The other aspect however requires the changing of mind-sets. This is an important part of prevention, the eradication of the traditional gender stereotypes that make violence against women less unacceptable.

The proper implementation of the Istanbul Convention requires both these aspects to be worked on and achieved. To do so, sufficient resources need to be made available for both state and NGO services and agencies, with good cooperation and communication between them.