

The Commission on Domestic Violence's remit is domestic violence as per Domestic Violence Act Chapter 481

4. Are the following acts criminalized?

(Please specify in the space provided for this purpose "yes" or "no")

(Yes) female genital mutilation

If yes, are there any exceptions to these prohibitions and under what circumstances do exceptions apply?

No exceptions

B. Safety

5. Does your country have regulations (in the constitution, legislation or in other legal codes) that guarantee:

(Please specify in the space provided for this purpose "yes" or "no")

(Yes) Special protection against gender based violence

Although the law is not specific in this regards, it does guarantee that special protection is given since that there is the protection order and restraining order in the Criminal code. These orders are issued by the Court in various cases that involve domestic violence, sexual offence, trafficking of human being and other crimes that are gender-based.

Certain crimes such as grievous bodily harm, harassment, and fear of violence that are motivated on grounds of gender have an increased punishment in line with the Malta Criminal Code article 251D.

(Yes) Equal access for women to criminal justice

15. Are there any statistics on crimes amounting to violence against women in public spaces and/or domestic violence?

Yes () No ()

The Commission on Domestic Violence works on the harmonisation of statistics by collecting data, regarding domestic violence cases, from various entities in Malta. This data is made available on the Commission on Domestic Violence Report 2014-2015

<https://socialdialogue.gov.mt/en/Commission%20on%20Domestic%20Violence/Documents/Publications/report%202014%20dv%20final.pdf>

18. Are there specific health and safety protective measures for women, and/or with special provisions for mothers with young children, in "closed" institutions including in:

(Yes) women's shelters (shelters for women victims of domestic violence)

If "yes", please provide any information about the protective measures established.

The following are the specific health and safety protective measures provided, as informed by the shelters for women victims of domestic violence and their children:

- i) One of the shelters has confirmed the following measures: Police Protection, Fire Fighting, medical services, CCTV around the premises, Security services all night, Family Unit services, First Aid Box,
- ii) Another shelter has confirmed the following:

As an Emergency Domestic Violence Shelter, they are equipped with;

- 24 / 7 Staff of Duty,
- The premises is covered with a CCTV System both indoors and outdoors,
- Fire-extinguishers according to their designated place,
- Fire blankets,
- Fire Exit routes,
- Fire Assembly Point,
- Smoke detectors; in every room,
- Logged Record of who is in-house and who is out
- Emergency breakable key boxes situated in every exit,
- Voice Record system on all of out telephone lines,
- Tele-Care button system
- All windows and doors are safe guarded with iron bars
- They have recently carried out a Health and Safety Audit. Out of which they have enhanced the staff and residents skills vis-a-vis ; health, safety and security. Moreover, from time to time they will be providing in-house training to new employees and also residents in this area.

At the moment, they are setting up a new project which is the lay-by system. The lay-by shall be a 2 door garage leading to a safe parking area both for the residents and also for staff members. This system shall operate by; the person entering the lay-by drive in shall open the 1st gate with the use of a remote control, then they drive through the 1st door and the door closes. At this stage the 2nd door would remain closed. If a perpetrator might flee in, then the person in the car has to close the windows of the car and press the panic button situated on the remote control. Once the panic button has been pressed a siren danger sound will take place and the worker on duty will control the situation through the assistance of the CCTV cameras in the area and also by immediately phoning up the police for assistance.

Once this system would be in place and in full operation, the system will enhance their safety protective measures and the whole premises would be safe and secure not only for residents and children but also for staff members and visitors.

- iii) Another women's shelter for victims of domestic violence, that supports 9 families who live in separate flatlets confirms the following:

Before victims of domestic violence are actually admitted they emphasise on the confidentiality rule that whatever they see or hear at the shelter stays at the shelter. They have also started a health

and safety committee which consists of discussing health and safety measures in general in relation to the running and living at the shelter.

On a more psychosocial/emotional need the social workers and the programme manager discuss matters such as:

- protection for the women when they have to attend court such as if they see that the case is too unsafe they seek support from Agenzija Appogg or even from the police. Social workers do support women to talk about their fears in relation to legal matters and they empower women to file a report when they are being harassed or threatened by their perpetrators. In fact social workers do attend with the women when the latter decide to go to the police station to file a report.
- another health and safety policy is that when there are mental health issues they will always ask for a doctor report or from the psychiatrist with the referral. They do not take any risk in this matter and the more information they get, the better they can support the client through her care plan. This also applies for children and adolescents.
- they always explain to women that while living at the shelter, if there will be acts of aggressive behaviour or violence they will be asked to leave the shelter, and even when there is abuse with substance since they do not cater for these cases. In the latter case they refer to other agencies that provide support in addiction.
- as already explained families have their own flat at Programm Sebh. They discourage residents to stay in other's flats for a long time and if they are inside other's flat the door is to remain open.
- The staff is not allowed to take minors in their cars unless the mother is present and more so staff do not use their personal cars for work.
- Recently both the families and staff were given training in First Aid organized by ETC.

Feedback from another shelter for women victims of domestic violence:

The physical structure of the shelter is equipped in such a way as to ensure the safety of the women and their children. Safety measures include CCTV, Smoke Detectors Systems as well as window bars and steel doors. These physical safety measures provide the necessary protection for women and their children from the alleged perpetrators. Health and Safety Officers from the Head Office visit the premises in order to ensure that the premises is up to standard.

A risk assessment is carried out on admission and it is revised frequently. This measure is undertaken in order to minimize the risk and thus enhance the safety of the women and their children in as well as outside the shelter.

Safety planning is also incorporated in our interventions in order to ensure the safety of the women and their children in as well as outside the shelter.

As regards to health, this aspect is assessed on admission and throughout their stay. Referrals to General Practitioners as well as Specialised Consultants are made when necessary. A Child Development Check List is also being performed in order to ensure that the children are reaching the milestones. A Pediatrician is consulted and visits regularly in order to ensure that the children are growing up healthily. All this is done with the mother in order to ensure consistency and continuity once they terminate their stay from the shelter and also because the shelter operates on the principle of empowerment of women. In addition, a healthy life style is being promoted and women are empowered to raise their children in a healthy manner and live a healthy life themselves. This is also incorporated in the care plan and specific interventions are designed when necessary.

As regards to emotional health and safety, the women at the shelter are provided with group and individual space to enhance this aspect. The residential staff receives training and supervision in order to enhance the emotional safety of the children and women who reside at the shelter.