**Child, early and forced marriage questionnaire (WHRGS/OWC/RES/73/153)**

**Feedback by the Government of Malta**

**Question 3**

Childrenare all those under 18 years of age. The age at which children can marry with consent of a public authority is 16 years. In this case, Article 3 of the Marriage Act refers also to the required consent of parents/tutor.

The National Children’s Policy (NCP), published in November 2017, contributes towards the development and implementation of holistic, comprehensive and coordinated responses and strategies to prevent and eliminate child, early and forced marriage. The NCP promotes the holistic development and wellbeing of children by focusing on the physical, psychological and socio-economic aspects in the life of the child and puts forward 110 actions.

**Question 5**

The following are practices that promote the meaningful participation of and active consultation with all children and adolescents.

The drafting of the National Children’s Policy (NCP)

* Drafted in close collaboration with children by taking on board the views of a wide stratum of children between the ages of 4 and 17 years.
* An age-sensitive, bilingual tool in the form of a simple questionnaire addressing the five key dimensions was distributed to a total of 311 students from schools in Malta and Gozo.
* Findings from these consultation exercises were then translated into realistic policy actions.
* Builds upon and complements various previous consultation exercises aimed at eliciting and airing the views of children and empowering them to become active partners in the development, implementation and evaluation of policies and measures which concern them.

Puts forward various policy actions aimed at enhancing the meaningful participation of children and adolescents in society. Some of these policy actions include monitoring, awareness raising and sensitisation of information regarding issues that directly or indirectly concern children; children’s empowerment, inclusion and active involvement; children’s access to remedial action in the case of a breach of their rights; and the promotion of CfC’s functions.

The functions of the Office of the Commissioner for Children (CfC)

CfC, which constitutes the main national entity dealing with children’s rights issues, was set up in terms of the Commissioner for Children Act of 2003, to promote the welfare of children and ensure compliance with the rights enshrined in the UNCRC.

Among other responsibilities, CfC (which is advised and assisted by the Council for Children):

* is responsible to promote the rights and interests of children, and ensure that they are able to express their views and participate fully in society;
* is entrusted to voice the rights, needs and interests of children, and ensure quality, accessible, responsive and tailored child-related services;
* undertakes regular initiatives to encourage children’s participation in policy development and delivery;
* carried out a series of workshops in over 25 schools to familiarize children with a child-friendly version of the NCP, and to involve them in its monitoring and implementation;
* throughout 2019, worked together with students to create videos and other material which will be used to promote the UNCRC.

The Child Participation Assessment Tool (CPAT)

Since November 2018 till present, the Ministry for the Family, Children’s Rights and Social Solidarity (MFCS), in collaboration with the Malta Foundation for the Wellbeing of Society (MFWS), has been working on the implementation of the Council of Europe Child Participation Assessment Tool (CPAT). The said joint project will end soon in November 2019, and shall capture the reality of child participation in different sectors and at various levels in Malta, with a view to improving this access to participation. A wide range of stakeholders, including Government, NGOs and children themselves, were asked to provide their feedback on the 10 indicators of the CPAT. This project will lead Malta to:

- undertake a baseline assessment of current implementation of child participation;

- help identify measures needed to achieve further compliance;

- provide benchmarks to measure progress over time; as well as

- strengthen monitoring and accountability.

The National Strategic Policy for Poverty Reduction and for Social Inclusion 2014-2024

During the drafting of the National Strategic Policy for Poverty Reduction and for Social Inclusion 2014-2024, consultative outreach was carried out, consisting of eight public meetings (involving local organisations) and a week of artistic and cultural activities with a focus on Children and Poverty.

This Policy:

* identifies and targets four key population groups, amongst which are children and young people;
* amongst others, puts forward the promotion of children’s and young people’s social participation, as well as the consolidation of outreach and preventative services to enable early identification and intervention of high-risk children and youth.

**Question 6**

Free and quality education is provided to both boys and girls up to Tertiary level of education. Education is compulsory for all children up to the age of 16 years.

The NCP provides 32 policy actions to improve the education prospects of all children. All 32 policy actions are aimed at enhancing empowerment, remove barriers to education and promote equal access to free and quality education, and promote technical and vocational training and skills development for all children (including girls).

**Question 7**

Access to healthcare and social welfare services are free for all (including women and girls).

A number of universal and targeted measures are in place to enhance the income of families and individuals with parental responsibilities. MFCS provides social benefits as well as measures aimed at improving their employability and inclusion prospects through activation and social welfare services. These social benefits and welfare services not only provide social protection, but also act as activation measures to encourage the entry, re-entry and retainment of parents in the labour market, particularly single parents.

Some of these main initiatives/measures include:

1. universal benefits and services such as children’s allowance, maternity benefit, free childcare, free breakfast clubs and subsidised after-school services for all children aged 3-16 years and subsidised adult learning; and
2. targeted benefits and services such as the Youth Guarantee Scheme, the tapering of benefits, the in-work benefit, the Fund for European Aid to the Most Deprived (FEAD) and the State Funded Food Distribution project (SFFD), *Servizz Għożża*[[1]](#footnote-1), guidance and empowerment programmes[[2]](#footnote-2), as well as projects by the community-based LEAP Centres.

Projects by LEAP Community Centresconsist of*:* a) *Wonder Women*- to empower all women in Cottonera aged 18 years and over by providing them with knowledge and skills to have a better quality of life; b) *Qawsalla* - a support group for women in Qawra; c) *Primi Passi -* a form of ‘mother and baby club’ in Bormla that also provides a space to stimulate babies and tips on parenting and child care. The women targeted are mostly those needing extra support to care for their young children, and who are at high risk of poverty; d) *Befriending the Community* - a women’s support group in Birkirkara; e) *Tuesday Morning group* - a women’s groupin Birkirkara to increase the participants’ level of self-awareness by providing them with tools to realise their potential and self-worth; and f) *Ftit Ħin Għalijja –* a project targeting women living in Valletta. This group serves as a self-help group and the participants seek ways of becoming more active in their community (such as through exhibitions of their handmade objects).

In addition to these measures and initiatives, Malta commits to certain national policies which promote access to healthcare, social services and childcare. Various policy actions are viewed as increasingly targeting women and girls. The main national policies in this regard include the:

* *National Strategic Policy for Poverty Reduction and for Social Inclusion (2014-2024):* Several strategic policy actions within this policy highlight Malta’s commitment to reduce poverty and social exclusion through the promotion of well-being and improving the quality of life for all, whilst specifically targeting four population groups: (a) children and young people, (b) elderly, (c) unemployed, and (d) working poor.
* *National Strategic Policy for Positive Parenting (2016-2024):* This policy aims to build and sustain a positive culture and infrastructure for parents as well as their children.
* *The Strategy for Retirement and Financial Capability (2017-2019):* This strategy focuses on long term planning giving importance to the saving aspect with the aim of having a decent living during the retirement phase.
* *National Children’s Policy:* This Policy supports and engages children’s’ families/parents/guardians in the protection, provision and participation of children, with particular reference to mothers in certain areas. This policy puts forward 110 actions, for which the CfC is responsible for its implementation monitoring and evaluation. The following policy actions are seen to especially promote women’s and girls’ access to healthcare and social services:
* Enhance pre-natal and post-natal support to parents, primarily mothers.
* Promote and support the benefits of breastfeeding and facilitate other effective alternatives when necessary.
* Strengthen the provision of support to families whose children require special attention due to certain conditions (e.g. mental health, addiction, disability, etc.) and/or situations (e.g. poverty, teenage pregnancy, etc.).

**Question 8**

With a view to strengthen child protection systems and eliminate any forms of discrimination among children, the National Children’s Policy sets out various policy actions including:

* Ensure that legislation, policies and services that affect children are systematically reviewed to better safeguard the protection, participation and provision in the best interest of children.
* Revise the system and mechanism by which a child is deemed “at risk” so that these, effectively and in a timely manner, capture various situations that can expose a child to significant harm.
* Strengthen initiatives that address the unique protection risks and needs of migrant children, particularly those who are unaccompanied.
* Encourage training and strengthen enforcement mechanisms to render child protection more effective and efficient so as to curb all forms of abuse.
* Promote best practice among retailers, media and the entertainment industry with the aim to eliminate sexualisation and commercialisation of childhood.
* Combat all forms of discrimination and intolerance primarily among groups that are at greater risk of marginalisation (e.g. children with mental health challenges and addictive behaviour or children living with persons experiencing such challenges or behaviour, children of imprisoned parents or children having imprisoned siblings, migrant children, children with a disability, children in care, LGBTIQ+ children and children from ethnic and religious minorities).
* Provide children with access to remedy if there has been a breach of their rights as provided by the UN Convention on the Rights of the Child
* Promote the functions of the Office of the Commissioner for Children.
* Intensify outreach and community-based initiatives to provide greater support to vulnerable families with children.
* Ensure that all child victims and perpetrators are given support.
* Strengthen awareness and education on the pros and cons of social media, more specifically, the risks of bullying, sexting, grooming, abuse, privacy, etc.

**Question 9**

The reply to question 8 also applies to this question.

**Question 10**

On the collection and use of data on violence against women and girls, Malta is bound to collect data as per the standards set by Eurostat. These can take the form of both ad hoc and regularly collected data. At a national level, data is kept by the Police and the Courts of Justice.

In addition, the NCP puts forward the following policy actions regarding the collection and use of data concerning children (including girls):

* Promote and support research to understand and better address current and emerging needs of children.
* Facilitate the sharing of general observations and/or statistical information concerning children whilst ensuring that children are not identifiable to unauthorised persons, with a view to recognise trends and thus be in a better position to enhance the development of services that address actual priority needs.
1. provides services and educational programmes to pregnant minors, with the aim of adopting a positive attitude towards motherhood. [↑](#footnote-ref-1)
2. such as parental skills programmes, social work service and educational support to children coming from different social backgrounds. [↑](#footnote-ref-2)