

Submissions	Feedback received and proposed changes	Reasoned Response
Repubblika	<p>Proposed to include the following text in the description of the commitment: “The Forum will discuss proposals for reforms in the Justice sector brought to it by any of its participating entities. It will strive to reach consensus and in any case record any different views of participating entities on these proposals. The Forum will be invited by the Ministry to review legislative changes in the Justice sector before these are proposed to Parliament or adopted by Legal Notice to allow due consideration of the views of civil society organisations about the changes. The Forum will also take stock of outstanding recommendations for the sector made over the last few years, including but not limited to the Venice Commission, the Daphne Caruana Galizia Public Inquiry, the EU Commission Rule of Law Reports, the OECD recommendations to the Commissioner for Standards in Public Life, and relevant resolutions of the Parliamentary Assembly of the Council of Europe and the European Parliament. The Forum will seek to prioritise these outstanding recommendations and reach consensus on their early implementation. Members will not receive honoraria for participation in the forum but may be reimbursed for ad-hoc out-of-pocket expenses that are necessary for participation”.</p>	<p>The original idea of the Forum was to engage with Civil Society on ongoing and new initiatives to be adopted in the area of Justice. The nature of the Forum is to create a consultative forum suitable for justice initiatives to be discussed with a wider audience. Whilst there is agreement that any of its participating entities can bring about proposals in the Forum for discussion, and to record any different views on these proposals, however, this Forum is not the appropriate vehicle where review of legislative changes should take place or where government has to justify decisions taken as there are other fora for this. Government adopts a more wider consultation process when legislative changes take place and interested entities including the general public can provide its feedback when the document announcing the proposed reform is issued for consultation on the official public consultation portal. As regards prioritisation of the recommendations and resolution issued by various EU and other international organisations these go beyond the scope of the Forum which is a consultative forum.. While the Forum shall discuss matters related to justice, it is being proposed that when the drafting of the Terms of Reference of the Forum is being discussed, this item is brought up in order to reach a consensus. As regards reimbursement of out-of-pocket expenses, no commitment can be made, however, such matters can also form part of the discussion to be held when the Terms of Reference of the Forum is held. In the circumstances, given that these proposals go beyond the original idea, the feedback received is being accepted in part and further discussion would be required when the Terms of Reference of the justice forum is developed.</p>
aditus foundation	<p>In order to define the problem aditus proposes to include <i>“Furthermore, public participation in the legislative making process is the essence of democracy and allows for citizens to scrutinise and</i></p>	<p>The original idea of the Forum was to engage with Civil Society on ongoing and new initiatives to be adopted in the area of Justice. Whilst there is agreement that any of its participating</p>

contribute to the development of effective laws and policies. In fact the 2023 Rule of Law report has highlighted that Malta needs to enhance public participation in the legislative process by creating formalised processes and structures”.

Would also like to include in the text that *“Furthermore, it is noted that external stakeholders, including NGOs, may have access to specialised knowledge that could enhance the quality of policy and legislation.”*

The following text is proposed to be included in the last paragraph of the Commitment description Sect 1: *“However, the EU 2023 Rule of Law Report highlighted that there is still need to improve access to official documents and has recommended that Malta adopts legislative safeguards to improve access to official documents.”*

Sect 2 Proposed solution is being proposed to be amended by aditus and DCG Foundation as follows: *“Government will back its commitment to participative communication by ensuring a space where civil society and government entities within the justice sector become active participants and partners in the discussion of specific justice initiatives, which may include legislation and policy and address lacunae in the justice system. The Forum will adopt a participatory approach, upholding the principles of transparency, participatory involvement and accountability throughout its operations, and ensure that these principles are integrated in all justice-related initiatives.”*

In the Commitment analysis part Sect 1 aditus commented: We were told that the digital forum would be open only to the participants of the justice forum. The text here implies that the digital environment would receive feedback from citizens and would be a vehicle to inform citizen of what is happening. Could you clarify? I am not sure whether CSOs in

entities can bring about proposals in the Forum for discussion, and to record any different views on these proposals, however, this Forum is not the appropriate vehicle where review of legislative changes should take place. Government adopts a more wider consultation process when legislative changes take place and interested entities and the general public can provide its feedback when the document announcing the proposed reform is issued for consultation on the official public consultation portal. There is agreement that external stakeholders including NGO’s may have access to specialised knowledge that could enhance further the quality of policy. As regards the recommendations highlighted in the EU 2023 Rule of law Report, since the recommendations target remits beyond the scope of the consultative nature of the Forum. The Ministry for Justice cannot commit itself on this proposal as a wider consultation beyond its remit would be required, hence this part of the text is not being accepted. With regards to the clarification requested on the digital forum, text is being amended to reflect that this would be accessible only to the digital forum and not to the public. As regards to the query on what way will CSO be answerable to the public, this would need to be discussed during the initial meetings of the Justice Forum and can be included in the Terms of Reference. As already stated initiatives to be discussed in the Forum may be proposed both by government and also by civil society, as long as these initiatives are related purely to justice matters. It is being proposed that a discussion when the Terms of Reference of the Forum are being discussed, is brought up in order to reach a consensus on what initiatives should be discussed in the Forum. As regards budgeting there is no commitment for any budgetary allocation at this stage, however, the possibility for funding will be taken on and discussed further during the

	<p>the forum have the capacity to evaluate citizen’s feedback & data, to update the information etc.</p> <p>In the Commitment analysis Sect 2, aditus enquired “ In what way will CSO’s be answerable to the public, seeing as the ultimate legislative power lies in the hands of government? Can you clarify?”</p> <p>Aditus wants to include that the initiatives to be discussed in the Forum are proposed both by government and also by civil society;</p> <p>In the Commitment analysis Sect 3: Aditus commented that civil society, at least aditus foundation does not have the capacity to reach out / incorporate citizen’s opinions, joint research projects etc. There is a need to clarify what is government’s responsibility and CSOs’. Please note that the work of the staff of CSOs participating in this forum is not covered by any funding and is being done on a pro bono basis.</p>	<p>Forum meeting. In this regard the feedback received is being accepted in part</p>
DCG Foundation	<p>Reworded 1st paragraph of the commitment description as follows: <i>The commitment entails the establishment of an inclusive stakeholder consultative forum that will discuss new, ongoing, and lacunae in justice-related reforms and initiatives. Drawing on the experience of the government and civil society alike, the purpose of the forum is to be a collaborative space marked by open and constructive dialogue, with the aim of meeting international standards of justice for all stakeholders and to ultimately strengthen the rule of law in Malta.</i></p> <p>Reworded 2nd paragraph of Sec 1 Problem Definition as follows: <i>So far, a lack of cooperation by government with civil society is that the two sectors are seen as being opposing forces, and trust in the justice system is being eroded. Jointly pursuing the goals of ensuring the rule</i></p>	<p>The inclusion in the text for the commitment description is being accepted as there are no issues for this forum to serve as a collaborative space marked by open and constructive dialogue that meets international standards. As regards the inclusion in the text to define further the problem definition that this commitment seeks to address, the proposed text is being accepted as it has improved further the wording by providing more clarity to the problem definition that is being addressed through this commitment.</p>

	<i>of law and that justice meets international standards will enable all parties to become partners in the development of a healthy justice system that serves the needs of the country and its citizens.</i>	
Malta Sociological Association	To include "Democracy ratings such a V-DEM, Freedom House and the democracy index by the Economist Intelligence Unit can also be used as a point of reference, wherein these indicate the need to strengthen participation in a deliberative democracy, and so this proposal (setup of forum) is a desirable outcome that responds to the need"	Note has been taken on this feedback and there is agreement that the establishment of such a Forum will be a step forward in meeting the need noted by various indices, ratings and other reports as indicators to strengthen participation in a deliberative democracy. The text is being updated to reflect this.
Themes 2 & 3	Victims Rights & Victims Support	
Rapporteur	<p>During the workshop CSO's stated that "The main cause of the problem is that promotion, support and guidance is sporadic and not concerted between all stakeholders "</p> <p>As a solution to the problem proposes the following text "Victims of crime must be treated with dignity and respect, This means that it is very important to raise awareness amongst different stakeholders both those within the Justice Process and the public in general. The Solution here is to devise an inclusive information campaign that involves Government and all Civil Society in order for Victims of Crime to become far more aware of their rights and the services that are readily available for support and guidance, throughout the whole journey. A particular focus should be given to specific areas where the number of victims has increased drastically in number. In this regard it is also, ideal that an online common referral system is created, this tool helps all service providers identify whether the victim is already being supported, when making use of such a tool on a daily basis a larger number of victims will ultimately be helped.</p>	The inclusions being suggested improves further the text. However, with regards to reference to an online common referral system this cannot be taken on board at this stage since this cannot be developed over a span of 2 years and the services fall under the remit of different agencies. However, through this commitment, such mechanism whereby one is creating a common on-line portal/gateway that will give the user accessibility in one site to all the possibilities of available support and information is a first step to the mainframe of the common referral system.
SOS Malta	Suggest change in Commitment name from "Creation of an awareness raising campaign"to "Public Education through an information Campaign on Victims' Rights and Services on Victims' Rights"	Most of this feedback is more consonant with the proposal to be committed. Some of the suggestions and proposed text submitted by SOS Malta are being taken on board.

	<p>Proposes changes to commitment description to read “ <i>The adoption and implementation of a comprehensive action plan for public education on Victims’ Rights and Services is emanating from Article A4(e) of the newly revised Victims Rights Directive.</i>”</p> <p>As cause to the problem proposes to include the following text “The awareness gap stems from insufficient education and outreach efforts together with fragmented systems. The information is scattered and not easily accessible due to a lack of coordination and resources. Organisations providing victim support face constant resource constraints, limiting their ability to conduct widespread public education campaigns.</p> <p>Cultural and linguistic diversity within communities is creating barriers to accessing information. Material is not available in multiple languages and is not culturally sensitive making the understanding of rights and support services difficult.</p> <p>Understanding victims’ rights is legally complex with the legal language challenging for the general public. This is contributing to a lack of awareness and understanding. Comprehensive FAQs are lacking.</p> <p>Media coverage more often focuses on the perpetrators of crime rather than the experiences and rights of the victims. Limited media attention to victims’ rights is contributing to a lack of public education and information.</p> <p>To address these challenges, concerted efforts are needed from all stakeholders to raise awareness, streamline information and ensure that victims are informed about their rights and the available support services.</p> <p>As solution to the problem refined the text with the highlighted inclusion “Victims of crime must be treated with dignity and respect, This means that it is very important to raise awareness amongst different stakeholders both those within the Justice Process and the public in general. The Solution here is to develop public information tools that will provide access to information on victims’ rights and</p>	<p>It is to be noted that improvement has been registered with regards to removing barriers for multicultural communities in accessing information. In view that Government is working in other fora to further improve support services available to these communities it would be best for this issue to continue to be tackled in other fora in order to avoid duplication of work</p> <p>The text related to Media Coverage and challenges is being taken on board and included in the action plan</p> <p>This proposal is agreed with</p>
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	<p>available support services. The tools will be designed to facilitate the dissemination of the information and promote transparency involving Government and Civil Society.</p>	
<p>Victims Support Malta</p>	<p>Victims Support Malta did not attend the meeting but provided the following feedback:</p> <p>Concerns regarding the awareness campaign regarding victims rights stems from the fact that the main reason why victims don't report is due to lengthy judicial processes and lack of support and empathy from the police.</p> <p>Just to put this into perspective, 50% of our clients opt not to report to the police after a crime has been committed to them for the following reasons:</p> <p>COURT - It is common knowledge that there are not enough Magistrates, Judges and also spaces for cases to be heard within the current building.</p> <p>POLICE - It is common knowledge that some police officers are not trained enough or interested enough in empowering victims to report. Victim blaming and re-traumatisation still happens at the police stations.</p> <p>These two issues need to be addressed prior to creating an awareness campaign as I worry that if we create this promotional material and individuals do report, this will only be a further burden for the system in general. Thus this would ultimately re-victimise a victim further as justice was not served even if the victims would have put in all the effort and courage</p>	<p>Note of this feedback has been taken. As regards concerns raised dealing with Courts, there are planned initiatives that the Court Services Agency will be adopting in the near future to safeguard victims rights and provide support. In this regard a meeting with the Court Services Agency is being proposed to discuss in more detail these initiatives. The Ministry for Justice will be coordinating such a meeting</p>

	to face the perpetrator by reporting to the police and moving on with the criminal proceedings.	
Rapporteur	During the workshop on Theme 3 Stakeholders present for the breakout session group discussed the possibility that theme 2 and theme three are either joined or are to build on each other as they are very much interlinked (the awareness campaign should also promote this toolkit). A Client Common Referral System should be included as this would decrease the occasions where one client in being supported by different stakeholders, ultimately meaning, that a larger number of victims are given guidance.	<p>A common referral system cannot be considered at this stage as it requires resources to set up in just two years and to maintain. However, the suggestion to amalgamate the two themes has been taken on board.</p> <p>Furthermore developing further these two themes could be the basis to built the common referral system in the near future and could be a topic to discuss in the next National Action Plan Cycle.</p>
SOS Malta	<p>Propose change in name of commitment to read “Development of a common referral system for supporting Victims of Crime “</p> <p>Proposes changes to the commitment description to read “A common referral system for supporting Victims of Crime involving a network of organizations and agencies working collaboratively to provide comprehensive assistance to individuals affected by crime”</p> <p>If theme 3 goes for the common referral system a possible solution would be “Developing a common referral system will involve creating a coordinated and efficient process to connect victims of crime with the appropriate support service available. It will be developed as a centralized system to manage referrals efficiently using technology such as a database or software to track and update victim information securely”.</p> <p>Suggests that the Action Plan needs to include measurable activities. A results framework to include a baseline - indicators - outputs - outcomes should be included.</p>	<p>A common referral system cannot be considered at this stage as it requires resources to set up in just two years and to maintain. However, such mechanism could form part of the discussions to be held for the development of Malta’ 5th National Action Plan which is due to commence in the second half of 2025.</p> <p>The original proposal to create an Online Toolkit whereby Victims can access all services by using one digital platform is to remain.</p>

Martina Urso – DCG Foundation	As cause to the problem the following text is suggested “Despite awareness and information campaigns, victims need to be encouraged to file reports and to seek support services. It is a fact that, in Malta, victims are reluctant to report and the ambience in most police stations is not conducive to a positive experience for the victims. Additionally, despite the establishment of the Victim Support Agency which should act as a one stop shop, we do not have a seamless service provision as yet with the victim having to recount the traumatic experience to more than one service provider. In addition, and most crucially, victims currently need to visit multiple venues and consult multiple information sources to access information about their rights, which aggravates an already confusing and stressful experience and which may discourage them from trying to get the information they need.	The text for Themes 2 & 3 has been amended to reflect the amalgamation of the two themes
Victims Support Malta	Victims Support Malta did not attend the meeting but provided the following feedback: I like the idea of having an online platform which would give the public an interactive modality to understand what services are available and they can then select what services suit them best. If all entities are mentioned, not just government services, then it would benefit the victim.	No issues encountered
Theme 4 – Facilitating access to justice for minors		
MSPC	Proposed to include the Commissioner for Children as a supporting Stakeholder. Text improved further with particular reference to the Children’s Policy Framework 2024 – 2030 which is currently launched for Public Consultation. Moreover, reference to other good practices which were launched by MSPC were also mentioned to highlight what Malta has been doing in respect of minors.	The proposed suggestions have all been taken on board

<p>aditus foundation</p>	<p>In the description of the commitment, aditus is proposing to include:</p> <ul style="list-style-type: none"> - <i>"Child-friendly justice should guarantee respect and implementation of all children's rights. In particular, justice should be accessible, age appropriate and should give children the tools to participate in and to understand the proceedings. This means that children should be informed of their rights. The Maltese government is also aware that information structures for children (for example free helplines and the office for the Children's Commissioner) are in place. In addition, children must be aware of how and who to complain to about their treatment.</i> - <i>It is also imperative that the most vulnerable and marginalised children are also aware of their rights, and this commitment will look into ways to reach those children and to provide them with the most relevant information in relation to their rights. These children include those who are at risk of poverty, children in alternative care, children in the adoption and fostering process, children who are involved in civil and criminal proceedings both as victims and defendants, children who are unaccompanied, asylum-seekers and refugees and children who are deprived of liberty in detention or in juvenile correctional facilities.</i> - <i>The commitment seeks the input of civil society stakeholders active in the field of justice and child rights. In particular, civil society stakeholders will provide their expertise, including providing previous studies and research carried out in the field.</i> <p>Aditus also commented that:</p> <p>There are already a number of documents providing child-friendly information on rights: https://tfal.gov.mt/children-young-people/?lang=en.</p> <p>Having children participate might entail specific issues relating to parental consent to participate etc. Maybe this could be done in conjunction with the Children's Advisory Board within the structure of the Commissioner for Children.</p>	<p>The commitment targets all Minors including marginalised children. Whilst there is agreement to adopt the text provided, it is felt that there is no need to specify who these marginalised and vulnerable children are, since this initiative is holistic in its approach and not just targeting marginalised or vulnerable child populations. There is also agreement that the Commissioner of Children should also be involved in the discussions to implement this commitment.</p>
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<p>Malta Sociological Association</p>	<p>MSA commented on the inclusion proposed by aditus regarding who marginalised children are and stated that “Mentioning certain groups of vulnerable children may cloud the right of others, given that the previous sentence indicates the need to target information to vulnerable and marginalised children, and so we suggest rewording the second sentence of this comment. The first sentence is actually clear in expressing the need to reach out to vulnerable groups.</p> <p>As regards aditus inclusion re CSO involvement, MSA stated that they “strongly suggest that a broader remit of civil society organisations/stakeholders: Many other stakeholders are directly linked with work with children and would be important to consider for this scope of this action. Expertise of civil society may not only come in the form of previous studies and research carried out in the field, so at this point in the process it would be better to leave space for wider involvement”</p>	<p>Note has been taken on this feedback and there is agreement that there is no need to elaborate who the marginalised and vulnerable children are. The text already makes reference to all children. As regards the involvement of other actors, the working group can still reach out at their own discretion, and invite other experts in the field to work with in order to implement this commitment.</p>
<p>Theme 5 – Youth Proofing</p>		
<p>Office of the State Advocate</p>	<p>Proposes to include a reference to <u>AI and emerging technologies</u> for, <i>inter alia</i>, the following reasons:</p> <ul style="list-style-type: none"> • When looking at new digital technologies, young people have too often been seen as <i>consumers</i> rather than <i>legitimate stakeholders</i> who can shape both AI policies and technologies, thus giving a direction for future initiatives. • Current processes do not often identify young people or youth civil society as specific stakeholders. Where there are references to this group, it is mostly in association with <i>skills development, jobs of the future or included as part of general civil society organisations</i>, with much less focus on the <i>impact of AI</i>, for instance, on <i>youth rights or the role of youth in shaping AI governance</i>. 	<p>Accepted. To include reference to AI and other IT solutions in the commitment form. Furthermore the possible use of AI or other IT solution can be considered when the development of the Youth proofing mechanism, takes place.</p>

- There is also a strong connection *between AI and mental health*, which is already being mentioned as one of the identified areas in the original draft. The excessive use of online platforms combined with the filtering role of algorithms has led to increased negative body image, depression or even suicide. Moreover, bullying has been transposed and grown online into cyberbullying as a complex phenomenon in itself.

For main source and further information please refer to the document "[Shapers & Shakers, Young people's voices in the world of Artificial Intelligence](#)" published jointly between the European Union and the Council of Europe [Author: Veronica Stefan; Editor: Tanya Basarab], April 2023