

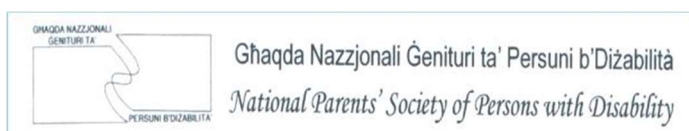
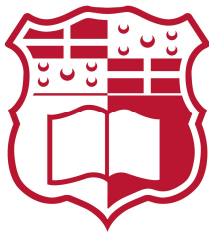
NATIONAL ACTION PLAN FOR A CHILD GUARANTEE

2022-2030

Consolidated feedback



Consolidated feedback by:



Introduction

The purpose of this document is to provide consolidated feedback on the National Action Plan for a Child Guarantee 2022 – 2030 (NAP-CG). This report comprises feedback following consultations with various entities with a view to collating and forwarding their views. Consultation processes were held with The Child’s Rights Observatory Malta (CROM) and MaltaCAN which brings together 16 national organizations that work with and for children.

This consolidated feedback about the National Action Plan for a Child Guarantee was compiled by Dr. Sue Vella and Prof. Moreen Cole.

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Consolidated feedback - Malta Foundation for the Wellbeing of Society

1.0 General remarks on the NAP-CG process

The marked absence of children's voices was highlighted, as was the need for a vision of children as equal collaborators in policies concerning them.

The information provided about the consultation process adopted in the drawing up of the NAP-CG is not sufficiently clear. This relates to both the consultation with NGOs and other stakeholders; it is not clear who these were. The report also refers to consultations with children; however, the characteristics and number of the children consulted are not stated. Were children from vulnerable situations and who form part of minority groups included in the consultation process? Furthermore, what were the themes considered during the Focus group discussions with the participating children?

Authorship of the NAP-CG is not stated.

2.0 General remarks on the NAP-CG document

The NAP-CG was submitted well within the timeframe of the EU recommendation, which is particularly commendable given its non-binding nature. The NAP-CG offers a useful collation of interventions relevant to children in Malta, presented according to the sections requested in the EU recommendation. Without taking away from these merits of the document, respondents flagged several issues that they believe deserve more visibility, and in some cases, have made concrete proposals. This feedback is presented hereunder.

The document largely reads as a showcase of current initiatives rather than an action plan with any new initiatives. There is no clear distinction between ongoing or planned measures, and no timelines are mentioned. The budgets are not always realistic.

Several vulnerable groups (such as unaccompanied minors and children of refugees/asylum seekers, children with disability, children in poverty, children in out-of-home care, and intersex children) were not given due attention. A stronger and sharper focus on the objectives of the European Child Guarantee (ECG) was merited, such as breaking the cycle of intergenerational poverty and fostering equal opportunities for children in need. Generalized policies are unlikely to sufficiently address risks faced by children in poverty and other challenging situations. More research is needed into why and how children are, or become, poor or socially excluded. Addressing economic fragility (as stated on page 10) is an important but not sufficient way to address child poverty. No reference is made to the Positive Parenting Policy in reaching those at higher risk through early intervention.

The creation of a Child Guarantee Coordinator role is commendable. That said, this role needs to go beyond information gathering to champion the needs of vulnerable children in collaboration with other stakeholders and to ensure a focused vision, periodic research, and monitoring/evaluation of what works and what does not.

Thus, the monitoring and reporting section of the NAP-CG needs to be stronger. It is not clear who will be monitoring nor how they will do it. In Section 2, the distinction between ongoing and planned measures is not clear; this is rather confusing when Section 3 deals with planned measures specifically. Planned measures show no timelines, nor SMART indicators to allow for the determination of whether investments are effective, particularly for the most vulnerable. *Ex ante* research, before services are established, is necessary. Also, service evaluation is necessary at the level of the person and/or the family unit and must be ongoing, not simply a one-time snapshot, for instance, through longitudinal research. One respondent suggested an activity to involve the NSO, the MFWS, the UoM, and other relevant entities in creating a set of well-being metrics for children in Malta.

The document is focused on statutory benefits and services. The significant work carried out by NGOs for children and families is not given attention, nor is there any evident plan to support NGOs' work in this respect.

The NAP-CG does not refer to the Children's Manifesto, produced through collaboration between MFWS and the University of Malta and which features 99 proposals relevant to children's wellbeing. Its 100th target was that the proposals in this document be incorporated into a National Strategy for Children, including the setting up of a specific Department for the Rights of the Child, bringing together a group of experts including a network among all ministries.

3.0 Specific remarks on the NAP-CG

3.1 *Children in precarious family circumstances*

The NAP-CG needs to clarify:

- Whether specialized services are contemplated for children in situations of domestic violence.
- Whether services, other than social work, are offered within FSWS Intake and Family Support Services
- Whether the Children's House is already operating
- What interventions are occurring/planned with young inmates; the report of DG Justice sheds light on various issues within YOURS.

Caseloads in social work services for looked-after children are too high, reducing their benefit for the children concerned.

Children in fostering services have repeatedly expressed their concern about the number of times their social worker was changed, creating instability in the relationship with the key worker who is meant to be the voice of the child. Action needs to be taken to ensure that the voice of the child is heard during review boards where decisions are taken on the child's present and future situation. Decisions must be based on the child's interests and readiness, not on parents' needs or wishes. Care plans need to be revised regularly, not once a year as is currently the case, and these plans need to have a longer time horizon (e.g., for five years) to ensure the child's best interests.

Birth parents need to be helped to understand why their children were removed from them, and helped to work on those skills that can help them connect with and care for their children. A respondent suggested the setting up of a separate unit to focus on supporting parents to meet the criteria required of them; separating this function from social workers following the children will reduce role conflict.

When it is determined to be in the foster child's best interests to be adopted by the foster family, the considerable Court expenses sometimes make this impossible. Furthermore, upon adoption foster families lose the fostering benefits, which however remain necessary because the child would still need specialized services to address their past traumas.

Another source of vulnerability for children is the eventuality of illness or loss within a family. Serious illness can bring a great financial burden, through additional expenses and reduced/lost income. This can happen suddenly, and support measures should be in place to address this, including the support of NGOs who provide services in this area.

It was recommended that legislative amendments be included to recognize and address parental alienation. Parental alienation may be a harsh reality for some separated couples in our society seeing that separation can sometimes become adversarial. The only reference to parental alienation is in the Mandatory Reporting Guidelines for Professionals and it is still not recognized in Maltese Law. Both parents should be obligated to care for the child and can make decisions regarding the child's personal circumstances based on the child's needs and interests.

- All parties involved in a case should be heard equally such as all the children and both parents.
- Training on parental alienation to the Judiciary should be offered.
- The establishment of an agency to examine custody cases outside the courtroom.
- Improved notification system in the Family Court
- Strengthening of the Child Protection Services, especially in relation to Court presentation
- Institute Mandatory Parenting Classes and parental coaching in Child Custody Disputes
- In custody cases there should be a Board set up consisting of a lawyer, mental health professional, and a child psychologist.

3.2 Early Childhood Education and Care (ECEC)

High-quality early years programs have very positive effects on various aspects of children's development, in the immediate- and longer term. The Education Act should be revised to include those aged 0 to 5 and acknowledge childcarers and kindergarten educators as professionals. An ECEC strategic action plan is needed, which addresses among others the professionalization of the ECEC workforce and a rethinking of the formalized approach to education for those below 7.

This workforce should be upskilled, with a view to paying parity with teachers in primary education. ECEC in Malta needs a dedicated network or advisory group (including all relevant stakeholders and sectors) to create a systemic approach rather than a programmatic one.

Other issues beyond ECEC also arise.

Vulnerable school children

School absentees are among the most vulnerable of children and miss out on those services that reach children through schools. They are also already – or quite likely to become – early school leavers with very reduced life chances. The NAP-CG should include absenteeism data and identify how children who do not attend schools will be reached and supported.

Looked-after children should have special support to continue their education after school-leaving age. This cannot be seen in isolation from their housing requirements, as many end up working to meet their basic needs such as rent.

Children with disability

The fact that certain schools are still not accessible should be addressed.

Children with disability need better support to transition from secondary to post-secondary and tertiary levels, for instance, by appointing inclusion coordinators in the receiving institutions.

The number of children being segregated into specialized programs and resource centers is rising, resulting in their social exclusion. There is no mention of a plan to improve inclusive education in mainstream schools, for instance, through better training, resourcing, and service integration.

It was recommended that training for teachers also include training specialists in dyslexia/ neurodiversity, in addition to the development of dyslexia-friendly strategies in the class environment.

Inclusion in cultural events

In relation to the tax reduction for sports, artistic or cultural activities, the document should also contemplate those children whose parents cannot afford to pay for such activities in the first place. Similarly, children with disability face barriers when participating in cultural events not deemed compulsory education, for instance, the refusal to provide LSE support for children pursuing courses such as those at the School of Music.

School Design

Efforts should be made to ensure that schools foster inclusion and joy among children. This requires the availability of open spaces for play; classrooms with natural light and adequately sized; gender-neutral bathrooms; LGBTIQ-inclusive curricula; provision of healthy food.

3.3 Healthcare

Many respondents highlighted the long waiting lists for many services mentioned in the document, especially for CDAU, ACTU, and CYPS. In addition to this delay, most services are only offered in the morning during school hours, which negatively impacts children's education. It would be good to clarify whether and how the Child Guarantee investments will address these issues.

In respect of mental health, young people need specialized psychiatric services outside the hospital environment. In addition, the document should address the safeguarding of children of parents with mental illness.

In respect of trans healthcare, the document only refers to the policy and nothing more than this. It should refer to the Gender Wellbeing Clinic and the Rainbow Support Services, both of which support children and their families when the child is questioning their gender or is gender variant, and provide therapy as appropriate. The document should also refer to the working group on intersex children, which is developing a clinical pathway for children and adults born with an intersex condition. This pathway will include both health and psychosocial care provisions to support the child and parents.

3.4 Housing and Environment

More attention should be paid to children's needs for safe outdoor spaces to play, bearing in mind the context of densely built-up space; high traffic and air pollution; and a lack of safe pedestrian infrastructure generally. Maltese children express low satisfaction with their neighbourhoods; they face increasing traffic risks; rates of obesity are very high, as are those for internet use with all its risks for young people. More safe spaces to be physically active and socially interactive are much needed.

To date, children remain absent from the debates on housing and on development projects. Urban policies should take better account of children's needs and how important it is to have a safe, playful, secure, aesthetically pleasing and inclusive infrastructure during childhood. Similarly, adequate housing needs to be thought of from a spatial perspective not only from a service and scheme perspective. Efforts are needed to connect social and private housing to open and green spaces. It may be desirable to encourage the inclusion of playrooms in the planning of domestic spaces, especially in the context of shrinking household sizes. It should be ensured that at least 10% of social housing be given to families that have children with disabilities. Encouraging lifetime, inclusive design is necessary in both social and private housing.

3.5 Other issues

Children from outside the EU

The NAP-CG should engage with the issue of unaccompanied minors in Malta, particularly in view of the concern shared by NGOs with the Human Rights Commissioner of the Council of Europe about the continued detention of children pending age assessment.

The NAP-CG should refer to the needs of the children of asylum seekers and other third-country nationals who are not eligible for certain services in the document.

Other documents

There are several other documents that should be brought into the NAP-CG, which include:

- The Children's Manifesto
- Positive Parenting Policy
- National Youth Policy
- National Alcohol Policy
- National Drug Policy

