

Front Cover page

The Equal Opportunities (Persons with Disability) Act 2000

Thirteen years of operation of the Equal Opportunities Act

National Commission Persons with Disability

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First Page

The Equal Opportunities (Persons with Disability) Act 2000

Annual Report 2012/13

Thirteen years of operation of the Equal Opportunities Act

National Commission Persons with Disability

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National Commission Persons with Disability

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Introduction

Joseph M. Camilleri, Chairman

The year 2012 was one of significance in the disability sector in Malta because the rights of persons with disability were further strengthened when Malta ratified the United Nations Convention on the Rights of Persons with Disability (CRPD). This convention complements the Equal Opportunities (Persons with Disability) Act 2000 (EOA). Whereas the EOA is linked to the individual's citizenship, that is the rights we enjoy as citizens of Malta and Gozo, the CRPD recognises the rights which are universal and are not connected to any particular country or political region.

If we take a quick look at the cases that were reported to KNPD's Legal Section (EOCU) throughout 2012, we can see that in the employment sector there was an increase in complaints, but that there was a slight decrease in those complaints related to the education sector. This is the contrary of what used to happen until a few years ago, when more complaints from the education sector were reported. This reflects the development that occurred during the last 5 to 8 years, when we started to notice more stability in the inclusive education sector and more pressure on the employment market to provide jobs for persons with disability. Youth with disability who experienced the national inclusive education system today have the same wishes as their friends who are without disability. At the same time, while the majority of people with disability have much better capabilities and a much higher level of education than those in the past.

We persons with disability are going out and mixing in more in society. This is clear from the increase in complaints regarding accessibility (both physical and that related to access to means of information and communication). The fact that we go out, work and spend is also reflected in the rise in complaints with regard to the provision of goods and services. On the other hand there were no new complaints involving the insurance sector.

The EOA as well as the CRPD, in addition to providing legal protection, are instruments with which we can measure the pulse of the disability sector. The work of the EOA sector within KNPD show clearly that while we need to continue working in order to improve the education system for children with disability, we likewise need to invest more energy into the creation of further opportunities of productive employment for youth with disability. Together with this we must increase opportunities and choices within other sectors such as free time, sports and most importantly supported living in community. The new challenge that KNPD needs to face is that of knowing how to use the EOA and CRPD in the best way possible for the ultimate benefit of persons with disability.

Joe Camilleri

Chair, National Commission Persons with Disability

Executive Summary

- Throughout 2012/2013, KNPD worked on a total of 341 complaints. Of these, 177 were pending from previous years while 164 were new. This meant an increase of 67 complaints since the previous year.
- The number of new complaints for this year (164) implies an increase of 42 complaints since last year. This is because last year KNPD worked on 122 new cases.
- In the first 13 years KNPD investigated a total of 1360 complaints, which equals an average of 105 complaints per year. The lowest number of new complaints was investigated in the year 2003/2004 (71) while the highest number was investigated in 2008/2009 (172).
- In the employment sector, the number of new complaints throughout this year rose from 20 to 22.
- In the education sector the number of new complaints fell from 19 to 15.
- The accessibility sector registered 57 complaints, which means 26 more complaints than last year.
- The provision of goods and services sector retained the highest number of new complaints received by KNPD. 65 new complaints were received this year, registering 23 more new complaints than last year.
- In the housing sector a decrease by 3 new complaints was registered over last year (from 8 to 5).
- As in the years 2001/2002 and 2010/2011, this year no complaint was registered in the insurance sector.
- The highest number of new complaints related to employment (13), education (12), the provision of goods and services (41) and housing (4) were made against the Government. On the other hand the highest number of complaints concerning accessibility (21) was lodged against the private sector. For the first time since the EOA was put into force, one complaint was registered against a workers' union.
- Yet again, this year KNPD received more complaints against the public sector (114) than against other sectors. This may be because the former provides a wider array of services in addition to being much larger in capacity.

- Following last year's 61 new complaints made against the Government, this year resulted in an increase of 24 complaints, leading to a total of 85. There was also an additional complaint against parastatal entities since last year's single complaint, resulting in 2 complaints this year; an increase of 10 complaints (from 17 to 27) against Local Councils, an increase of 2 complaints (from 2 to 4) against the Church, and 4 more complaints (from 41 to 45) made against the private sector. As already explained, for the first time in 13 years one complaint was registered against a workers' union.
- Throughout this year KNPD closed 140 complaints from a total of 341 which it worked on (41% of complaints). This means an increase of 43 complaints (or 6% more) over last year. The highest number of closed complaints regarded the Government (67). 31 complaints made against the private sector were also closed, as were 26 complaints against the Church, 12 against Local Councils, 3 against parastatal entities and one complaint against a workers' union.
- In the coming year, in addition to the new complaints it will receive, KNPD will need to work on 187 complaints that for some reason or other were not concluded this year. Of these, the largest number of complaints (84) concerns the private sector. 53 complaints regard the Government, 28 address Local Councils, 21 were made against the Church and one was lodged against parastatal entities. Apart from these there are also 14 pending complaints that ended up in court through a case being opened or the presentation of a judicial protest. Of these, 12 concern the private sector, one regards the Government, and another relates to the parastatal sector. 5 of these are related to physical accessibility while the other 9 regard the provision of goods and services.
- The number of cases that were presented to the Test of Reasonableness Board amounted to 66, which means 4 more cases than the average number per year since its operation. This is also the fifth highest number in the 10 years of the board's operation. In addition to this, this is the third consecutive year that fewer requests for exemptions were made. This decrease may be a positive one since the developers and their architects seem to be taking more care to ensure that they satisfy the Access for All Guidelines from the start, thus enabling a better utilisation of the resources. It also results that the past year ranked fourth highest in the number of cases accepted by the Board as reasonable (28 or 42% of cases considered). There were also 17 cases (or 26%) where further information was requested in order that a decision could be made.

A Look at the Main Complaints

KNPD holds a section named the Equal Opportunities Act Section within its secretariat, which has the role of coordinating work related to the Equal Opportunities (Persons with Disability) Act. It is worth noticing that it is KNPD's responsibility to ensure that the EOA is

observed and in this manner safeguard the interests of persons with disability and of society in general. In fact, the EOA, which is anti-discriminatory, is intended to bring about positive change by improving the quality of life of persons with disability and those around them.

The work of this section concentrates on two levels. The first level, which is the level of reaction, consists of the investigation of complaints received by KNPD from persons with disability, their relatives, and organisations they belong to, all of whom feel discriminated against on the basis of their disability. It is worth noting that most of the times the section intervenes after persons with disability have already made their complaint to the entity which they feel is being discriminatory towards them, when no solution is agreed upon for some reason or other. KNPD utilises this strategy in order to encourage – as it has always done -- persons with disability to speak for themselves. The second level is the proactive one, whereby the section itself intervenes wherever it notices that there are physical and social obstacles that limit the quality of life of persons with disability. On these two aforementioned levels, the section makes an effort to find, wherever possible, remedies within a reasonable time frame, and in cases where a lack of good intention is perceived it enforces the act in order to impose change.

At present the members of the Equal Opportunities (Persons with Disability) Act are as follows:

- Mr Joseph M. Camilleri, KNPD Chairman
- Dr Anne-Marie Callus, KNPD Executive Director
- Ms Marianne Debono, Section Manager
- Mr Elvin Sciberras, Assistant Manager
- Ms Victoria Grech, Services Officer
- Dr Peter Fenech, Legal Advisor

As it has done every year since the Equal Opportunities (Persons with Disability) Act came into force, KNPD is presenting a booklet with a report of the work carried out in relation to the act throughout the past 12 months comprising the period between October 2012 and September 2013. The work reports on the act concerned which KNPD presents start from October, not January, since the act came into full force in October 2000. This means that we are in the 13th year of operation of the EOA, a period which has witnessed interesting developments regarding those areas which have a most immediate effect on persons with disability. These developments also demonstrate the change experienced in the lives of persons with disability in our country, in terms of quantity, quality as well as the time it takes for a change to come about.

The Equal Opportunities Act is divided into various sections, with Section III stating that there can be no discrimination made against people on the basis of their disability. These sections are grouped under 5 main headings which are:

1. Employment
2. Education
3. Access (physical)
4. The provision of goods, facilities or services
5. Accommodation (housing)

Heading no. 6 under this same act provides information on exemptions. Additionally it safeguards persons with disability from discrimination in relation to insurance.

This part of the work report will provide an account of the main complaints which this Section within KNPD addressed this past year. These complaints are selected according to the sector they belong to, with each sector being further divided into three categories:

- Closed complaints
- Pending complaints
- Complaints presented in court.

The number assigned to individual complaints according to the Table on page 45 appears after the name of each complaint.

1. EMPLOYMENT

CLOSED COMPLAINTS

Alleges having received termination of employment when on sick leave (Complaint 11)

KNPD received a complaint from a Learning Support Assistant who alleged that her employment was terminated while she was on leave due to illness. In order to possess all the facts to help it in its investigation, KNPD met with the school authorities where it was explained that in the preceding 4 months, the person with disability was on sick leave for two weeks every month. In one particular month she was on unnoticed sick leave for 6 weeks without presentation of a medical certificate. This goes against the conditions stipulated in the contract signed by LSAs, which specifies that a certificate must be presented even if just for one day of absence. Moreover they remarked that the child concerned was regressing in his education and it was therefore decided that the LSA's employment should be terminated.

Transport to work (Complaints 13 and 14)

KNPD received complaints from two persons with disability in view of the means of transport to their place of work. In both cases the persons with disability were not provided with subsidised transport, the reason being that the service provider did not offer a route that could pick them up from their homes and take them to their workplace. KNPD discussed these two cases with the Ministry of Justice, Public Consultation and the Family since such transport subsidy is issued by the said Ministry. The Minister made the necessary arrangements in order that these persons with disability could receive the transport service they required and in this way ensure they do not lose their job. KNPD fully believes that such transport service should be personalised and not based on routes determined by the transport provider.

Ill-treatment in the workplace (Complaint 24)

KNPD received a complaint that a person with intellectual disability working in an educational institution was not being treated well by his director. A meeting was held with the person with disability, his parents and the management of the institution during which the difficulties that the employee with disability was facing were discussed. During this meeting it was agreed that the work assigned to this employee should be explained to him in a way that he would be able to understand while it was emphasised that he should be aware of his obligations towards the educational institution he worked for.

PENDING COMPLAINTS

Request for parking space close to the workplace (Complaint 4)

KNPD continued to investigate a complaint made by a person with disability who is an employee at Mater Dei Hospital. This person, who has limited mobility and who has for this reason been issued a Blue Badge, complained of having to walk a very long distance from the parking area for hospital employees to their office. This person requested that a closer parking place be provided but this was refused by the hospital administration for the reason that there were other employees in the hospital with a Blue Badge, as well as the fact that parking is limited. Because of this the person with disability was forced to pay for parking close to the office in order to safeguard her employment. KNPD wrote to the Minister for Health about the case and recommended that a Mobility Centre should be set up at the hospital to provide assistive equipment to employees and persons who frequent it.

Lack of accommodation in the workplace (Complaint 19)

A person with disability suffering from fibromyalgia and who is employed by a public entity complained to KNPD that his superiors were not understanding of his at times painful condition which prevented him from carrying out physically exerting work. Such work

involves bending down and carrying items. This person with disability also complained that on certain occasions he was ridiculed because of his condition and encouraged to stop working. KNPD wrote to the employer and is working towards a solution for this situation.

Lack of accommodation during an exam leading to the loss of a promotion (Complaint 20)

A person with hearing impairment working for a public entity could not show their true potential during an exam which was held in relation to an internal call for applications for a promotion. The reason behind this was that the person concerned was not provided with a sign language interpreter neither during the preparatory course held prior to the exam nor during the exam session itself. KNPD wrote to the executive director of the entity in question who explained that he will meet with the person with disability concerned.

COURT

There were no cases related to the employment sector that ended up in court.

2. EDUCATION

CLOSED COMPLAINTS

Lack of accessibility in Gozo schools (Complaint 27)

KNPD closed a complaint it had received regarding physical access in various schools in Gozo. Persons with disability who attend these schools complained to KNPD that they were having difficulties due a lack of physical accessibility. Following a meeting held in these schools between KNPD and the Gozo Ministry, an extensive report was compiled by an architect from the Ministry, listing the major problems requiring work over a period of time. Following the fact that at the end of the previous year the installation of a platform lift at the post-secondary school M.A. Refalo was still pending, an inspection carried out by KNPD this year it was confirmed that this had been installed and the case was therefore closed.

Need for supervision while a student with disability uses school transport (Complaint 36)

KNPD continued with its discussion and succeeded in closing a complaint received from the parents of a student with ADHD. The parents were concerned about the fact that their son requires supervision during school transport use from and to school. Following KNPD's discussions with the authorities concerned, supervision was provided and the case was closed.

MUT directives bear negative repercussions on persons with disability (Complaint 42)

KNPD received a complaint by an organisation led by parents of children with disability, among whom is a child requiring a visit by his private psychologist in his school environment. According to information received by KNPD, permission was not granted following an MUT directive. While an arrangement was made for this student to obtain this

urgently required report, KNPD worked towards the establishment of a system that would enable the provision of such a service whenever required.

PENDING COMPLAINTS

Misses extracurricular lessons because these are held in classes on the first floor and there are no lift facilities in the school (Complaint 49)

KNPD was contacted by the parents of a girl with severe mobility issues who attends the Għaxaq primary school. They complained that the extracurricular activities were being held on the upper floor when the school is not equipped with a lift, meaning that their daughter could not participate in such activities. They also complained about the fact that the school stage is inaccessible, which makes their daughter unable to take part in any activity that takes place on stage. KNPD contacted the Education Division whereby it was informed of a plan to have a lift installed at the said school. KNPD is still waiting for the installation plan to be carried out within a reasonable time frame.

Sent home because of disability-related behaviour (Complaint 52)

The parent of a female student with disability who exhibits very challenging behaviour and who attends a Resource Centre contacted KNPD after the school authorities proposed that when her behaviour cannot be controlled, she should be sent home. They also requested that in certain cases a police escort should also be made use of. KNPD did not agree with the proposals made by the school and maintains that another solution must be found within a reasonable time frame.

COURT

There were no cases pertaining to the education division that ended up in court.

3. ACCESS (PHYSICAL)

CLOSED COMPLAINTS

Accessibility at Portomaso (Complaint 82)

KNPD continued to investigate and succeeded in closing a complaint regarding physical access at Portomaso complex. After it was observed that at the end of last year work had still to be carried out in a restaurant situated on level -2 of the complex, this year it was confirmed that a platform lift was installed to rectify the difference in level on the restaurant premises. In this way the restaurant became accessible to all which meant that the complaint could be closed. KNPD notes with satisfaction the genuine efforts made by the company managing the complex through its cooperation with KNPD and its work to improve physical accessibility in spite of the technical challenges that arose.

Lack of accessibility at China House Restaurant (Complaint 95)

The complaint against the owner of China House Restaurant in St Julians was also closed. This occurred after a platform lift was installed at the entrance. It is worth noting that the restaurant has entrance steps which did not render it possible for a ramp to be constructed as according to the Access for All guidelines. It was therefore decided that a platform lift would be installed to provide access for all. During an inspection carried out by KNPD on the premises it was confirmed that the lift installed complies with the Guidelines and it was therefore decided that the case, which was opened in 2008, could be closed.

Restaurants at Malta International Airport (Complaint 119)

KNPD closed a complaint it had received with regard to accessibility for all in the restaurants situated on level -1 at the Malta International Airport. The lack of accessibility was caused by the fact that the ramp granting access to these restaurants as well as the toilet facilities was not according to the Access for All guidelines. The airport management was informed of the complaint and presented plans to remedy the situation. KNPD found these plans to be conformant with the Access for All guidelines and informed the management accordingly. Throughout this year it was confirmed that the work in question had been completed and therefore the case was closed.

PENDING COMPLAINTS

Accessible entrance to Gozo parish churches (Complaints 59 ad 60)

KNPD continued to work with various Gozo parishes in order to improve the accessibility of church entrances. After it was felt that no progress was being registered, in agreement with the Gozo Diocese KNPD began to communicate directly with the parish priests on an individual level regarding the works required while keeping the Diocese updated. It is worth noting that this year two churches (Qala and Ghajnsielem) were rendered accessible while the situation of the churches on which discussions are ongoing is as follows:

- Gharb: an application was submitted to MEPA for the construction of a ramp at the entrance. This plan was approved by KNPD and works will commence as soon as MEPA issues a permit.
- Marsalforn: KNPD requested that the parish priest provide a reasonable time frame for the works to be completed.
- Munxar: After the Munxar Local Council submitted an application to MEPA for works to be carried out in the square and on the church parvis (the plans for which were approved by MEPA), KNPD requested that the Council grant a reasonable time frame for the completion of work related to the MEPA permit in question.
- Sannat: A meeting between the church architect and KNPD's architect was held on site and an agreement was reached with regard to the works required. KNPD will see that these works are completed within a reasonable time frame.

- St George's Basilica, Victoria: A meeting between the architect of the Basilica and KNPD's architect was held on site, during which an agreement was reached as regards the works required. KNPD will follow these works to ensure that they reach completion within a reasonable time frame.
- St Mary's Cathedral, Victoria: KNPD was informed by the Gozo Ministry that the embellishment project plan for the Citadel will improve physical access to the Cathedral. This project is still in the planning phase and will be implemented in the coming months.
- Xaghra: After KNPD made an on-site visit and gave its recommendations regarding adequate access to the church, the church architect presented a plan reflecting what was requested by KNPD. KNPD will see that these works are completed within a reasonable time frame.

Accessible entrance to parish churches in Malta (Complaints 61 and 62)

In collaboration with the Archdiocese of Malta, KNPD continued to work on an exercise which was initiated years ago in order that, where technically possible, the entrance to parish churches in Malta can be made accessible for all. Throughout this year considerable improvement was registered in this regard, leading to the closure of no less than 21 cases. In the case of other churches regarding which discussions are still ongoing (10 in all), KNPD wrote to the parish priests concerned and met with a number of them on site, requesting that the necessary actions be taken to render these entrances accessible within a reasonable time frame. This has so far yielded a positive response and work in this regard is proceeding at a productive pace.

Lack of accessibility on roads in various localities (Complaint 65)

This year progress was registered on a number of roads falling under the remit of Transport Malta. Following a meeting with the latter, KNPD was presented with a plan of action with the aim of addressing the lack of accessibility on these roads. It is worth noting that most of these cases concern pavements. Transport Malta continues to work on implementing this plan and is providing KNPD with regular updates regarding the work being carried out. Some of these roads upon which the required work has been completed include the pavements on Great Siege Road in Floriana, Birgu Wharf, Quarry Wharf in Valletta, the customs zone in Valletta, and near the zebra crossing in Colonel Mas Street in Tarxien.

Lack of accessibility in public toilets in Mellieha centre and Ghadira Bay (Complaints 74 and 75)

Persons with disability complained to KNPD that there are no accessible toilets in Mellieha. KNPD contacted and met with Local Council representatives to discuss ways of how the locality could become accessible for all. In addition to accessibility in public toilet facilities, the parties discussed the possibility of publishing a directory containing information about the locality, which would include, among other things, a list of places and outlets that are

accessible for all. KNPD emphasised the need to render the Local Council website accessible, and following a request for assistance from the Foundation for Information Technology Accessibility (FITA), the necessary work was carried out. Regarding the toilets for persons with disability in the centre, in view of the fact that the Local Council had informed KNPD that it was not financially able to remedy the situation straightaway, KNPD requested a reasonable plan of action to construct an accessible toilet. As regards the toilets for persons with disability in Mellieha Bay, the Local Council informed KNPD that works will soon be completed. KNPD plans to inspect the location when it receives a confirmation that all works have been finalised.

Lack of accessibility in McDonald's outlets (Complaint 86)

Since 2008 KNPD has been discussing with the McDonald's franchise about the accessibility of its outlets, with substantial progress being registered for many of the cases. Throughout this year KNPD received complaints about the new premises in Sliema, which was not accessible for all. Following discussions it resulted that a temporary ramp had been installed in lieu of a panoramic lift which would be eventually permanently installed. In fact this lift had been included in the plans which KNPD itself had approved when consulted by MEPA prior to the issuing of the permit. The owners informed KNPD that the lift was due to be completed this year.

Accessibility at Police Stations (Complaint 121)

KNPD continued to investigate complaints regarding the Police Force, and following the appointment of the new Commissioner KNPD requested a meeting with him where points regarding the rights of persons with disability, among which physical access to police stations, were discussed. The Force was asked to continue working on a report on accessibility in police stations and during this meeting it was made known that this would be finalised by the end of 2013. The meeting also included a discussion of the accessibility of the Police Force website and of the abuse of Blue Badges. With regard to the latter KNPD recommended that there should be an increase in the number of fines imposed on those caught abusing of the system, and that the fines should be indicated on the reserved parking signs. It was also agreed that an agreement on equal opportunities for all should be signed by both parties. Since this meeting KNPD is still awaiting response from the Police Force.

Lack of accessibility at the Reef Club at the Westin Dragonara Hotel (Complaint 143)

Another complaint received by KNPD concerns lack of physical access at the Reef Club, a private beach of the Westin Dragonara Hotel. After contact was established with the owners, these requested advice on how the premises could become accessible. KNPD made an on-site visit and prepared a detailed report on the measure that should be taken. This report was sent to the hotel owners who were requested to provide a reasonable time

frame for the completion of works as suggested by KNPD. KNPD is still awaiting receipt of this information.

Lack of accessibility at Little Armier Bay and adjacent parking zone (Complaint 184)

KNPD was contacted by the parent of a person with disability who is a wheelchair user with regard to the lack of physical access at Little Armier Bay in Mellieha. This person explained that there is only one parking space reserved for persons with disability when according to the Access for All Guidelines this should increase proportionate to the number of parking spaces available on site. In addition to this it appears that if a person with disability (or their helper) parks their car in the reserved parking space currently available, they would have to walk a long distance to reach the sea; this is because there will be several umbrellas fixed on the sandy beach which makes it impossible for a wheelchair to pass through. Therefore KNPD requested that the Local Council increase the parking spaces reserved for persons with disability on the other side of the bay; this way one would have a much shorter distance to reach the sea, and the fact that umbrellas are not present on this side of the beach is also an advantage for wheelchair users. KNPD also requested that the Local Council make a plea to the Malta Tourism Authority to have a wooden pathway leading from the sand up to the water's edge (as has been done on other beaches) on the same side of the proposed additional reserved parking.

CLOSED COMPLAINTS

Lack of accessibility at Vernel Restaurant (Complaint 97)

KNPD received a complaint in 2009 when this restaurant was still under the name Penang. From KNPD's investigations it turned out that the entrance was not accessible for all, in spite of the fact that the construction plans were correct and had been approved by KNPD when it had been approached by MEPA as part of the consultation process prior to the issuing of the building permit. Meanwhile the owner of the restaurant decided to sell with the guarantee that the premises were conformant with the law, which was not the case. The restaurant is now named Vernel and during an on-site inspection carried out this year it was confirmed that the restaurant has now become accessible for all.

Lack of accessibility at the entrance to the Chapel of Our Lady of the Miraculous Medal in Blata I-Bajda (Complaint 117)

In 2012 persons with restricted mobility complained to KNPD that the Chapel of Our Lady of the Miraculous Medal in Blata I-Bajda had no adequate access. KNPD wrote to the MUSEUM Society about the matter, who explained that there were immediate plans for the embellishment of the area in front of the chapel, and that as part of the project a ramp providing access for all would be installed. Throughout this year KNPD maintained its contact with the MUSEUM Society, and after it was informed that the work on the project

was complete, it carried out an on-site inspection and confirmed that the new ramp is indeed accessible.

Lack of accessibility of a pavement in front of a senior citizens' home (Complaint 167)

KNPD received complaints from relatives of senior citizens residing at Charella Home at the Strand in Sliema. These people explained that the pavement in front of the home was not accessible for all due to the fact that it was not equipped with a ramp leading onto the road. This meant that a person with disability residing at this home were experiencing difficulty entering and exiting the premises. After KNPD contacted the Local Council, also providing information on ways in which the pavement could be made more accessible, the Local Council informed KNPD that the work requested had been carried out and the case was therefore closed.

COURT

Accessibility at Gzira Health Centre (Complaint 56)

This year saw the proceedings of the Civil Court hearings in connection with the case that KNPD opened against the Health Division in view of the lack of accessibility at the Gzira Health Centre. This centre is located on the first floor of a building that is rented out to the Division but that does not have lift facilities available. It is worth mentioning that the Health Division had informed KNPD that it was looking for another site that would be accessible for all in the same locality, but so far the Health Centre is still operating from the same premises.

Accessibility at St Anne Hall in Marsascala (Complaint 84)

KNPD filed a judicial protest against the owner of St Anne Hall in Marsascala on grounds that the premises are accessible for all. KNPD insisted with the owner that he should offer a solution within a reasonable time frame, but so far no agreement has been reached in this regard.

Accessibility at Huggins Pub in Paceville (Complaint 92)

KNPD also filed a judicial protest against the owner of Huggins Pub in Paceville since this establishment is not accessible for all and in view of the fact that the owner did not collaborate with KNPD by failing to reply to the correspondence sent to him by the Commission. The correspondence required the owner to provide a reasonable time frame to render his premises accessible for all. It is important to note that prior to the opening of the pub, the owner had applied for a MEPA permit, presenting plans that conformed to the necessary requirements for access. However when the establishment opened its doors, it was discovered that the works had not been carried out according to the plans. In the discussion regarding this complaint it emerged that the premises could be made accessible and that the permit for the application submitted to MEPA had never been issued. KNPD

was also informed that the owner appealed the decision taken by the MEPA Board and is awaiting a final decision.

Accessibility at Sky Club in Paceville (Complaint 98)

A judicial protest was also filed against the owner of Sky Club in Paceville. The owner had presented KNPD with a bank guarantee obliging him to render his premises accessible for all within a time frame agreed on by the two parties. However the owner failed to honour his duties and lost the guarantee money. With the ultimate aim of ensuring that persons with disability are not discriminated against, KNPD continued to insist that the owner should honour the agreement established with the Commission as well as the obligations imposed on him by the Law. Following a request it received, KNPD also agreed that the guarantee money lost by the owner could be utilised to carry out the necessary works to render the club accessible for all. KNPD continues to insist on the establishment of a reasonable time frame for the installation of a lift and accessible toilets, and for a sign indicating the accessible entrance to the club.

Lack of accessibility at Ta' Qali National Stadium (Complaint 106)

In February 2013 a judicial protest was filed against the Malta Football Association (MFA) for the reason that the West Stand (otherwise known as the Enclosure Side) was not accessible for all. The West Stand is the only stand that is utilised for local football matches and where, in addition to accommodating the supporters of both teams, it holds a VIP Area. KNPD took into consideration the fact that the complaint had reached it in November 2010, that the correspondence sent to the MFA (including reminders) remained unanswered, and that an on-site visit with MFA's architect had also been held in October 2011, where the works required were agreed upon. In response to KNPD's judicial protest, the MFA presented a counter-protest with its own arguments. Since KNPD gave the MFA a month's period to present concrete proposals before proceeding further, which MFA failed to carry out, a Civil Court case was filed against the Association. KNPD also issued a press release regarding the case upon the filing of both the judicial protest and later on the court case.

4. PROVISION OF GOODS, FACILITIES AND SERVICES

CLOSED COMPLAINTS

Lack of physical accessibility at ATMs (Complaints 147, 150 and 151)

KNPD worked on and closed a case regarding accessibility at a BOV ATM for a person with a small body frame. It is worth mentioning that this ATM conforms to Access for All Guidelines but it still posed a difficulty for the said person to use in view of its being located high up, making it unreachable by the person concerned. Following a meeting held on site with Bank of Valletta management, a solution was found by providing the person in question with special equipment allowing her to be served by the bank branch in her locality. In addition

to this case, this year KNPD also received two further complaints from a person of small bodily stature regarding HSBC and BOV ATMs in Qawra. In this case it also resulted that the ATMs were in accordance with Access for All Guidelines. Separate meetings were held on site with the management of both banks and the person concerned, and discussions regarding the adjustment of these two ATMs to enable the person to reach them are still ongoing.

Sign indicating filled parking is displayed at reserved parking area for persons with disability at Mater Dei Hospital when this is not so (Complaint 249)

KNPD received a complaint from a person with disability regarding abusive parking in reserved spaces at Mater Dei Hospital. The said person explained that a sign indicating that the parking area is full is being put up when this is not the case. KNPD contacted the hospital authorities and requested that the necessary measures be taken to stop such abuse. Following confirmation of such action having been taken, the complaint was closed.

Person with disability usurped of driving licence (Complaint 252)

A person with disability complained to KNPD that Transport Malta had taken away his driving licence after his daughter, who came to Malta on holiday, was concerned that her father wouldn't be able to drive on what had become such heavily traffic-filled roads. KNPD contacted Transport Malta requesting that the person with disability should undergo a test to establish whether they were able to drive or otherwise. This person passed the test and the driving license was therefore returned to him.

PENDING COMPLAINTS

Lack of accessibility at bank ATMs with touch screen operation (Complaints 260, 261, 262 and 263)

Persons with visual impairment drew the attention of KNPD upon noticing that local banks were introducing touch screen ATMs. This was done as the persons concerned wished that they could be ascertained that these new ATMs would also be accessible for them. KNPD contacted four main banks (APS, Banif, Bank of Valletta and HSBC) and is following closely the work of the individual banks in ensuring that their ATM services are accessible for all. It is also insisting that these should present a reasonable time frame within which to carry out the necessary procedures. In the case of HSBC, KNPD agreed to forming part of a working group purposely set up by the bank to help it reach its aims in this regard.

Reserved parking for persons with disability and abusive use of the Blue Badge (Complaints 219, 222, 226, 229, 230, 231, 234, 235, 237, 242 and 244)

KNPD continued to receive complaints regarding reserved parking for persons with disability, both those in front of private residences of persons with disability and communal reserved parking spaces. In the case of the former, there is great demand from persons with

disability to have a personalised parking space in front of their private residence. In the case of communal spaces, KNPD had to write to various local councils which did not paint over the parking space borders after the re-tarmacking of squares and streets. KNPD also received a number of reports regarding the use of communal parking spaces by persons who did not possess a Blue Badge. These reports were referred to the Police to take action.

Person with disability is denied swimming with dolphins (Complaints 139 and 265)

A person with severe physical disability asked to swim with the dolphins at Mediterraneo Marine Park, but her request was denied. KNPD contacted and met with the executive director of the park's managing company who explained that the person who is in charge of this activity and who trains dolphins is not trained for such a situation and could not assume responsibility. To compensate for this the person with disability was offered the opportunity of touching and interacting with the dolphins from above ground, but the person refused. In agreement with the company, KNPD is working in order to ensure that the services offered are as accessible for all as possible. First of all it worked towards the improvement of physical access on the premises, where it was pleased to note that all the changes requested were carried out by the company within a short period of time. KNPD is also working in order to render the company website accessible for all, and to include an inclusion policy that explains the access to facilities and services offered to persons with disability. It is also aiming to bring about change in the declaration that persons who are to swim with the dolphins are required to sign, since KNPD felt that this was too restrictive. KNPD is also planning to provide Disability Equality Training to the marine park employees towards the end of 2013.

A person with hearing impairment is not granted a sign language interpreter to help him explain the outcome of a traffic accident (Complaint 212)

KNPD received a complaint from a person with hearing impairment who, after having been involved in a car accident while driving his car, requested a Maltese Sign Language interpreter while the accident report was being prepared by the local warden. The local warden refused to provide this service and for this reason the person with hearing impairment is contesting the validity of the report compiled by the warden. KNPD is still carrying out its investigations with regard to this case.

Sign language interpretation during television programmes (Complaint 210)

Earlier this year KNPD received a complaint from the Deaf People Association regarding Maltese Sign Language interpretation during political debates. Following KNPD's intervention, the Broadcasting Authority started providing this service on programmes it produces. However PBS failed to provide this service for other programmes of interest, among which is Xarabank. In July of this year a meeting between KNPD, the Association and PBS was held, during which methods of how this programme could be rendered accessible

for persons with hearing impairment. KNPD intends to continue playing its part in ensuring that persons with hearing impairment benefit from the same opportunities as everyone else, which would include the signing of a Memorandum of Understanding with PBS.

Broken ramps and difficulty for persons with visual impairment to recognise Arriva bus numbers (Complaints 198 and 200)

Earlier this year a meeting was held with the Arriva company directors as well as with Transport Malta representatives with regard to accessibility for all on buses utilised for public transport service. During this meeting Arriva informed KNPD that it was carrying out an exercise to change the ramps on the bendy buses, since these were suffering considerable damage. A discussion regarding the visibility of the bus numbers was also held, with the company confirming that work is being carried out to render these numbers clearer and more visible to persons with visual impairment. Regarding this KNPD requested a reasonable time frame within which such changes would be carried out. As for the bendy buses, since during the summer it was provisionally decided that the bus fleet would be taken off the streets, KNPD requested -- and was later assured by the Minister for Transport and the Infrastructure -- that if these should be removed altogether, the vehicles which would be permanently used by Arriva would be accessible for all, including persons with restricted mobility.

COURT

Hire service of hand-controlled cars (Complaints 188, 189, 190, 191, 192, 193, 194, 195, 216 and 217)

KNPD filed a judicial protest against a number of leading car hire garages for failing to provide a purposely designed kit which, once attached to the car, would enable hand driving without the use of the feet. This kit does not involve a lot of expenses and a technical person, who does not need to be an expert in the field, can easily attach and detach such equipment to and from any vehicle in a short period of time. Originally KNPD had made contact with a number of leading garage companies who were requested to provide the above-mentioned kit, but these suggested that KNPD should contact their representative association, the Rent-A-Car Association (RACA). No progress was registered with the latter and KNPD therefore asked a number of leading car hire garages to provide a reasonable time frame during which to bring their companies in conformance to the Law. Since these failed to satisfy KNPD's request, a number of judicial protests were filed against them. Subsequently there was one garage (Budget Car Rentals) that remedied the situation and also declared that the company is providing information on the availability of this facility on its website, as requested by KNPD. KNPD has information that other garages are providing this kit but are not declaring so on their website. As soon as it is known that this information has been included in the companies' websites, KNPD will be able to close the judicial protests against these companies.

5. ACCOMMODATION (HOUSING)

CLOSED COMPLAINTS

A step in front of an apartment block in Valletta (Complaint 273)

A person with disability who lives in a government apartment block drew KNPD's attention to the presence of a step in front of the lift which provides access to the upper floors. This step was blocking the passage to the lift, with the consequence being that the person concerned was having difficulty entering and leaving her residence. KNPD wrote to the Housing Authority and requested that immediate action be taken. Eventually the person who had complained confirmed to KNPD that the necessary steps had been taken since the said obstacle to physical access was no longer there.

PENDING COMPLAINTS

Physical access in government buildings (Complaints 274, 275, 276 and 277)

KNPD worked on the complaints made by persons with restricted mobility who live in apartment blocks owned by the Housing Authority which are not accessible. KNPD worked with the Authority to find a solution for them. Meanwhile the two entities are working so that, in the case of existent buildings belonging to the Authority, a plan for reasonable accommodation that would maximise accessibility for all can be drafted. Work is also being carried out in order that a Memorandum of Understanding that safeguards the interests of persons with disability may be signed between the two entities.

6. INSURANCE

CLOSED COMPLAINTS

No cases relating to the insurance sector were closed.

PENDING COMPLAINTS

No cases concerning the insurance sector were left pending.

COURT

No cases regarding the insurance sector were presented in Court.

General Overview

WORK 2000-2013

This year happens to be the 13th year since the Equal Opportunities (Persons with Disability) Act came into force. During this period KNPD has worked on a total of 341 complaints which can be divided into two categories. In fact this number includes 177 complaints which, for some reason or other, were left pending since last year, and 164 new complaint cases which were opened this year. When one compares the number of new complaints with last year's, one can note that:

- KNPD received 42 more new complaints than last year, which registered 122 complaints.
- KNPD worked on a total of 341 complaints, which entails an increase of 67 complaints over last year.
- Since as shown in Table 2 the average number of complaints received by KNPD over this 13-year period is of 105, the number of new complaints received this year is exceeds the average number by 59 complaints.

Table 1 provides information on all the complaints from each sector which KNPD worked on during this year.

TABLE 1: Complaints investigated throughout 2012-2013

	Employment		Educ.		Access		Goods & Serv.		Housing		Ins.		Total
	No	%	No	%	No	%	No	%	No	%	No	%	No
From previous years	4	2	39	2	111	6	21	12	2	1	-	-	177
New	22	1	15	9	57	3	65	40	5	3	-	-	164
		3				5							
Total	26	8	54	1	168	4	86	25	7	2	-	-	341
				6		9							

Table 2 compares the new complaints received by KNPD during this year with the complaint cases opened each year since the coming into force of the EOA. From this table one can deduce that:

- In these 13 years of operation, KNPD investigated a total of 1360 complaints, which as already explained equals an average of 105 complaints per year. The year

2003/2004 registered the lowest number of new complaints (71) while 2008/2009 recorded the highest total (172).

- In the employment sector, the number of new complaints (22) meant an increase of 2 new complaints over last year's figure (20) and an increase of 10 complaints over the yearly average (12). It is worth mentioning that in the recent years KNPD always reported an increase in complaints pertaining to the employment sector. This clearly shows how persons with disability in Malta are becoming increasingly aware of the essential role and use of the EOA in this regard.
- In the education sector, the number of new complaints (15) entailed a decrease of 4 complaints since last year. It also means 5 fewer complaints than the yearly average of 20. The low figure representing new complaints regarding the education sector may imply a substantial decrease in discrimination against persons with disability in this sector. However this may also mean that persons with disability or their family members are not fully acknowledging the importance of the EOA within a sector of such great importance to them.
- For the third consecutive year, the accessibility sector retained the lowest number of new complaints received by KNPD. In fact this year 57 new complaints were registered, which means 26 more than last year (31). Since the average number of complaints regarding the accessibility sector is 40, this means that the new complaints received by KNPD in relation to this sector amount to 17 more than the yearly average.
- The provision of goods and services sector confirmed itself once again as the most complained about sector. In fact this year KNPD received 65 new complaints, an increase of 23 since last year (42). One should mention here that the average number of complaints for the total number of years of operation is 27, which means that the total number of new complaints received by KNPD this year scored 38 above the yearly average. This increase wholly reflects how in the recent year, and particularly this year, persons with disability in Malta made full use of the EOA within such an instrumental sector.
- During this year 5 new complaints were registered in relation to the housing sector, which spells a decrease of 3 complaints since last year (8). This is also 3 complaints above the yearly average of 2 complaints. This average is the lowest among all the sectors, together with the insurance sector average.
- No complaints were registered for the insurance sector, after last year's low of 2 complaints. It is worth mentioning that this sector (2) and the housing sector have the lowest yearly complaint averages among all the sectors covered by the EOA.

This analysis clearly shows that persons with disability locally feel discriminated against and are availing of the Equal Opportunities (Persons with Disability) Act to minimise discrimination in the sectors related to the provision of goods and services, physical access, employment and education. On the other hand not much use is being made of the EOA in matters pertaining to housing and insurance.

TABLE 2: Complaints through the years

	Employment		Educ.		Acc.		Goods & Serv.		Hous.		Ins.		Total
	No	%	No	%	No	%	No	%	No	%	No	%	
00/01	13	14	10	11	50	53	19	20	1	1	2	2	95
01/02	10	13	8	11	42	55	14	18	2	3	-	-	76
02/03	11	15	23	31	18	24	16	21	5	7	2	3	75
03/04	9	13	16	23	25	35	16	23	2	3	3	4	71
04/05	7	8	26	29	27	30	25	27	4	4	2	2	91
05/06	6	7	24	26	42	46	18	20	1	1	1	1	92
06/07	9	9	14	13	57	54	22	21	1	1	2	2	105
07/08	8	8	28	29	44	45	15	15	2	2	1	1	98
08/09	11	6	38	22	65	38	50	29	6	3	2	1	172
09/10	14	14	22	21	35	34	22	21	5	5	5	5	103
10/11	19	20	19	20	25	26	31	32	2	2	-	-	96
11/12	20	16	19	16	31	25	42	34	8	7	2	2	122
12/13	22	13	15	9	57	35	65	40	5	3	-	-	164

Total 00/13	159	12	262	19	518	38	355	26	44	3	22	2	1360
Average of all 13 years	12		20		40		27		3		2		105

The complaints that are presented to KNPD regard different entities and for the purposes of this publication these are being classified into 6 categories. These categories concern Government , parastatal, Local Council, Church, and private entities and, for the first time since the EOA came into force, workers' unions.

Table 3 analyses the complaints received by KNPD in these 13 years distributed according to the above-mentioned entities. As presented in this table, during this last year there were once again more complaints made against public entities (114 or 69% of the total number of complaints) than any other sector (50 complaints or 30% of total complaints). As regards public entities there was a rise in complaints amounting to 35 additional complaints (from 79 to 114), while in the others sectors there was an increase by 8 complaints (from 43 to 51).

WORK 2012-2013

Table 4 provides an explanation of the results obtained in the investigation of the complaints received by KNPD throughout this year -- in other words, how many of these complaints are still pending and how many have been closed. As explained at the beginning of this report, KNPD worked on a total of 341 complaints, of which 140 were closed. The remaining 187 require further investigation and work. In addition to these, 14 complaints that were investigated ended up in court through the filing of a judicial protest or a court case. Five of these cases concern physical access while the other 9 refer to the provision of goods and services.

The complaints on the accessibility sector that appeared in Court consist of the case that was opened this year against the Malta Football Association (MFA) with regard to physical access at Ta' Qali National Stadium; the case being heard against the Health Division in relation to lack of physical access at the Gzira Health Centre; and 3 judicial protests filed against the owners of St Anne Hall in Marsascula, and Huggins Pub together with Sky Club in Paceville.

The complaints in the provision of goods and services sector which became court cases consist of 9 judicial protests. These were filed against Rent-A-Car Association (RACA) and the owners of 8 leading garages which rent cars to the general public. These protests were filed since the garage companies in question failed to provide a kit which, when attached to a hired vehicle, would allow for the car to be driven by hands only without the use of feet.

This occurred in spite of KNPD having given enough time for the provision of this kit to be effected. The garages in question against which a judicial protest was filed are Merling International, John’s Group, Meli Car Rentals, Avis Rent A Car, Hertz Rent A Car, Percius Car Hire, United Garage and Enroute.

TABLE 3: Entities about which complaints were made

	Gov.		Para.		Councils		Church		Private	
	No	%	No	%	No	%	No	%	No	%
00/01	38	40	23	24	6	6	9	9	19	20
01/02	23	30	13	17	16	21	14	18	10	13
02/03	34	45	11	15	9	12	2	3	19	25
03/04	43	61	6	8	8	11	4	6	10	14
04/05	29	32	15	16	11	12	11	12	25	27
05/06	28	30	14	15	5	5	25	27	20	22
06/07	16	15	25	24	15	14	17	16	32	30
07/08	16	16	10	10	15	15	13	13	44	45
08/09	72	42	14	8	9	5	23	13	54	31
09/10	41	40	7	7	12	12	8	8	35	34
10/11	52	54	6	6	9	9	5	5	24	25
11/12	61	50	1	1	17	14	2	2	41	34
12/13	85	52	2	1	27	16	4	2	45	27
Total 00/13	538	40	147	11	159	12	137	10	378	28
Average for all 13 years	41		11		12		11		29	

From Table 4 what emerges is that during this year KNPD succeeded in closing 140 complaints out of the 341 it worked on (or 41% of complaints). This percentage shows an increase of 6% in the complaints it succeeded in closing during the period covering last year (35%). It is worth mentioning that KNPD uses the resources it has in a careful manner so that it can find solutions to the complaints that are as fair as possible. KNPD also works so that these solutions are reached within a reasonable time frame even though this is not always possible. The reasons for this may be various, including the fact that the entities concerned may not always have the resources necessary to remedy the situation in an immediate manner and requires the planning of a time-bound strategy. Also sometimes unfortunately not all entities show their availability and willingness to put a stop to the discrimination against persons with disability.

Apart from this, KNPD prefers to use the strategy of information, education/awareness, negotiation, mediation and persuasion in confrontation with entities which are found to inflict discrimination. KNPD chooses to resort to Court only in cases where the entities in question do not collaborate with it and refuse to offer a reasonable solution to the discrimination they have caused. This strategy is perfectly reflected in Table 4 since, as explained, the number of complaints which are in Court at present (through the filing of a Court case or judicial protest against them) is 14.

Table 4 also gives an account of the work carried out and the results obtained by KNPD in the last year according to the type of complaint received. From this table it is clear that the greatest number of closed complaints pertain to the accessibility sector (59 out of 140). It results that the second highest number of closed complaints is related to the provision of goods and services (42). In the employment sector KNPD managed to close 21 complaints while closing 17 complaints in the education sector and one complaint in the housing sector. There were no complaints closed in the insurance sector.

On the other hand, in the coming year KNPD will need to proceed with its investigations regarding the 187 pending cases, not including the complaints it is yet to receive. Regarding the complaints that remained pending by the end of the year, the greatest number is related to physical access (104 of the 187 complaints discussed). It is worth mentioning that most of these cases regard parish church entrances and road pavements in various localities. The second greatest number of complaints which it did not succeed in closing concerns education, with 37 pending complaints. Most of these cases concern schools which offer information technology education. There are also 35 complaints in relation to the provision of goods and services, 6 related to housing, and 5 related to employment, all of which remained pending.

Over and above these 187 cases, 14 complaints that were left pending appeared in Court when a case or judicial protest was filed. Five of these are related to physical access while the other 9 concern the provision of goods and services.

TABLE 4: Work on complaints 2012-2013														
	Employment		Educ.		Acc.		Goods & Serv.		Hous.		Ins.		Total	
	No	%	No	%	No	%	No	%	No	%	No	%	No	%
Closed	21	15	17	12	59	42	42	30	1	1	-	-	140	41
Pending	5	3	37	20	104	56	35	19	6	3	-	-	187	55

Court: case/protest	-	-	-	-	5	36	9	64	-	-	-	-	14	4
Total	26	8	54	16	168	49	86	25	7	2	-	-	341	100

ENTITIES AGAINST WHICH COMPLAINTS WERE MADE

Table 5 provides information on the new complaints KNPD received throughout this past year, which is classified according to different entities within each sector. It is clear that the greatest number of complaints related to employment (13), education (12), the provision of goods and services (41) and housing (4) were made against the Government. What also emerges is that the greatest number of complaints against the accessibility sector (21) were lodged against private entities.

When one compares the figures for this year with the same period last year one can notice that the new complaints against the Government increased from 61 to 85, those against parastatal entities increased from 1 to 2, cases relating to Local Councils soared from 17 to 27, complaints against the Church doubled from 2 to 4, and those confronting the private sector rose from 24 to 41. What should also be observed is that this was the first time that a complaint (1) regarding a workers' union had ever been registered.

TABLE 5: Complaints against different entities and sectors

	Gov.		Para.		Councils		Church		Private		Unions		Total
	No	%	No	%	No	%	No	%	No	%	No	%	
Empl.	13	59	1	5	1	5	1	5	6	27	-	-	22
Educ.	12	80	-	-	-	-	2	13	-	-	1	7	15
Acc.	15	26	1	2	20	35	-	-	21	37	-	-	57
Goods & Serv.	41	63	-	-	6	9	1	2	17	26	-	-	65
Hous.	4	80	-	-	-	-	-	-	1	20			5

Ins.	-	-	-	-	-	-	-	-	-	-	-	-	-
Total	85	52	2	1	27	16	4	2	45	27	1	1	164

Lastly one must mention that most likely the main reason why KNPD received many more complaints against the public sector (114) than against other sectors (50) is that the former provides a much wider range of services. Another reason is that this sector is also much larger in scale.

Table 6 presents the results obtained by KNPD through its investigation of 341 complaints, which are grouped according to the entities against which the complaints were made.

This table shows that KNPD succeeded in closing 140 complaints, or 41% of the complaints investigated during this year, which entails an increase of 43 complaints over the previous year (or 6%). The greatest number of complaints that were closed had been made against the government (67) while the second greatest number regarded the private sector (31). KNPD also closed a complaint made against the Church, 12 complaints against Local Councils, 3 with regard to parastatal entities and one complaint against a workers' union.

The same table indicates that there are 187 complaints pending. Of these, 84 concern the private sector, 53 address the Government, 28 regard Local Councils, 21 are related to the Church and one complaint is against the parastatal entities.

There are also 14 cases which ended up in Court, with the majority of these (12) regarding the private sector, one complaint concerning the Government and another the parastatal entities.

TEST OF REASONABLENESS BOARD

KNPD's work in safeguarding the Equal Opportunities (Persons with Disability) Act does not only involve the investigation of complaints received in order to find solutions. KNPD is also committed to continuously offering advice on the operation and enforcement of the Act to both persons with disability and their family members (those directly affected) and other people in society on whom the Act imposes certain obligations (those indirectly affected).

TABLE 6: The outcome of the complaint investigations according to entity								
	Closed		Pending		Court		Total	
	No	%	No	%	No	%	No	%
Government	67	55	53	44	1	1	121	35
Parastatal	3	60	1	20	1	20	5	1

Councils	12	30	28	70	-	-	40	12
Church	26	55	21	45	-	-	47	14
Private	31	24	84	66	12	9	127	37
Unions	1	100	-	-	-	-	1	-
Total	140	41	187	55	14	4	341	100

KNPD coordinates this work within a framework of what the EOA refers to “reasonable” (Chapter IV). In order to help it to make decisions in particular cases, KNPD has a board that meets regularly and assists it in determining what should be considered reasonable or otherwise. This year celebrates the 10th anniversary of this board’s operation, which at present is headed by Mr Joseph M. Camilleri (KNPD Chairman) and whose other members are Ms Marianne Debono (Manager of KNPD’s EOA section), Mr John Peel (the parent of a person with disability who cannot represent themselves) and M Anne McKenna (private sector representative). In addition, it is ensured that one of the KNPD architects attends each board meeting, acting as a technical consultant. These are architects Patrick Camilleri, Philip Grech, Frank Muscat and Dr Joseph Spiteri, while Ms Marie Barbara (KNPD’s draughtsperson) occupies the role of board secretary.

The majority of cases that are presented to the board consist of requests for exemptions as according to Chapter IV after KNPD would have vetted applications for development submitted to MEPA. These applications will be referred to KNPD for consultation as stipulated in a circular that MEPA itself issued. The cases discussed by the board are negotiated together with the applicants (who are invited to attend the board meeting) and in fact most requests are usually accepted as reasonable even if subject to certain conditions. In other cases, the board requests that applicants provide further information in order to enable it to come to a decision. Table 7 provides information regarding the work carried out by the board over the last 10 years, that is, since it was set up. It results that this year the board considered 66 cases, or 10 fewer cases than last year. Of these, 28 were accepted as reasonable but subject to certain conditions and 21 were not accepted. There were also 17 cases about which further information was requested.

It is also worth mentioning that the number of cases that were presented to the board this year (66) was higher than the yearly average obtained over 10 years (62) by 4 cases. This is also the fifth highest number in the board’s 10 years of operation. In spite of this, it is important to remark that this is the third year in which fewer requests for exemptions have been registered. This decrease may be a positive one, since it appears that as the years pass developers and their architects are being more careful to ensure that the plans they submit to MEPA are according to Access for All guidelines from the very start, meaning that they provide adequate access for persons with disability as required by law.

Undoubtedly this is leading to better use of the resources for all parties concerned, including KNPD. It also results that the past year has ranked fourth in terms of the most accepted cases deemed reasonable (28 or 42% of cases considered). There were also 17

cases (or 26%) about which further information was required for a final decision to be taken. The reason for this is, as explained, that most cases are negotiated together with the application and a compromise is reached. KNPD feels that this is an effective strategy as in this way applicants understand better their legal obligation to provide full access to persons with disability. Additionally this manages to attain a balance in the best interest of all parties concerned.

TABLE 7: Test of Reasonableness Board

	Cases discussed	Reasonable subject to certain conditions		Not reasonable		Additional information required		Referred to KNPD Board	
		No	%	No	%	No	%	No	%
2003/2004	51	30	59	21	41	-	-	-	-
2004/2005	71	27	38	44	62	-	-	-	-
2005/2006	59	15	25	44	75	-	-	-	-
2006/2007	29	11	38	18	62	-	-	-	-
2007/2008	39	15	38	24	62	-	-	-	-
2008/2009	73	27	37	29	40	16	22	1	1
2009/2010	82	32	39	26	32	24	29	-	-
2010/2011	77	30	39	21	27	26	34	-	-
2011/2012	76	35	46	18	24	23	30	-	-
2012/2013	66	28	42	21	32	17	26	-	-
Total 2003/2013	623	250	40	266	43	106	17	1	-
Average over 10 years	62	25		27		11		-	

CONSULTATION

The work of KNPD is not limited to finding solutions to the complaints received. Another function KNPD is entrusted with is that of giving importance to the educational aspect of the Equal Opportunities (Persons with Disability) Act. Throughout this year work proceeded on the provision of a consultation service regarding the Act. Such service is offered to persons with disability, their family members, organisations and professionals. KNPD also rendered a consultation service to persons who are indirectly affected, such as employers, service providers and educational entities in view of the obligations imposed upon them by the EOA. As in the previous years, the number of consultations KNPD had in this regard was an encouraging one. A number of the consultations KNPD held during this year are being included below:

- Advice to two employers regarding benefits and procedures in relation to the employment of persons with disability

- Advice to a person with disability who is employed via ETC's Bridging the Gap scheme to talk to her employer regarding the continuation of her employment
- Consultation with the mother of a student with visual impairment regarding his requirements to enable him to sit his SEC exams and continue with his studies after secondary school
- Information to various tourists who inquired about accessibility in Malta, particularly with regard to hotels, restaurants, taxis and vans that can accommodate wheelchairs, the Gozo ferry, the use of the Blue Badge and reserved parking, and public toilets
- Information regarding the installation of a lift in a private apartment block
- Examination arrangements for a student with disability
- A voting system for persons who cannot vote by themselves
- Priority at Mater Dei Hospital and Health Centres for Special Identity Card holders
- Accessibility in the common areas of an apartment block
- Arrangements for a person with disability to receive payment after finding employment through ETC
- Inappropriate language used by a Social Security Department doctor
- Disability pension refused in spite of the fact that the person concerned has an amputated leg
- Security officials do not enforce rules for reserved parking for persons with disability on private premises
- Rights to accessibility for all in the common area of an apartment block
- Advice to an employer regarding arrangements required for a person with disability to be employed on a part-time basis
- Advice to an employer regarding the necessary arrangements for an employee with disability
- Consultation meeting with a person with disability who was fired from their job
- Clarification regarding personalized reserved parking for persons with disability
- Advice to a person with disability (who was given refugee status) regarding services he can avail of in Malta
- Advice to a person with visual impairment who owns a guide dog and who was refused service in a hotel
- Advice for the parents of a student with disability regarding the quality of the service provided by the Learning Support Assistant.

CONCLUSION

As regulator of the Equal Opportunities (Persons with Disability) Act in Malta, KNPD is committed to ensuring that this Act is respected. In this way discrimination against persons with disability is minimised while these enjoy the highest quality of life possible. KNPD's commitment continued to grow stronger as our country ratified and put into full force the International Convention on the Rights of Persons with Disability as well as the Non-Obligatory Protocol (that is linked to the Convention), where KNPD was considered the Independent Mechanism in Malta.

This Convention was adopted by the United Nations General Assembly on 13 December 2006 with the main aim of having countries approve and promise to work to implement,

promote and safeguard the Convention with the best interest of persons with disability at heart.

Dr Anne-Marie Callus

Executive Director

Marianne Debono

EOA Section Manager

Elvin Sciberras

Assistant Manager – EOA Section

LIST OF ALL COMPLAINTS

*Details about the complaints marked with * are found on pages 10 to 28*

EMPLOYMENT – COMPLAINTS FROM PREVIOUS YEARS					
No	Complaint	Status	Sector	Entity	Opened
1	Accommodation in the workplace	Closed	Government	Agenzija Sapport	Septemb 2012
2	Harassment in the workplace	Discussed	Government	MCAST	August 2012
3	Request for transfer to another ATC	Closed	Government	Agenzija Sapport	June 2012
4*	Request for parking space close to the work office	Discussed	Government	Mater Dei Hospital	August 2012
EMPLOYMENT – NEW COMPLAINTS					
No	Complaint	Status	Sector	Entity	Opened
5	Lost his job after an accident	Closed	Government	Civil Service	October 2012
6	Not interviewed for job applied for	Closed	Government	Education Division	October 2012
7	Job application refused because he is not in possession of qualifications	Closed	Government	Education Division	November 2012
8	Person with hearing impairment faces obstacles during ECDL course and in the workplace	Closed	Private	Private	January 2013
9	Not eligible to work with local councils because of long-term registration for employment	Closed	Government	ETC	January 2013
10	Leave is taken off when person goes for hospital therapy	Closed	Government	Mater Dei Hospital	February 2013
11*	Alleges she received termination of employment notice when on sick leave	Closed	Church	Archbishop's Seminary	April 2013

12	Clerical work changed to security job	Discussed	Private	GO plc	April 2012
13*	Changes in transport and reduction of working hours	Closed	Government	Centre for Adult Learning, Mtarfa	October 2011
14*	Request for transport from home to workplace	Closed	Government	<i>Dar il-Kaptan</i>	May 2011
15	Request to be accompanied by another person during work hours	Closed	Parastatal	<i>Kunsill Malti għall-Isport</i>	May 2011
16	Lack of accommodation in the workplace	Discussed	Local Councils	Kirkop Local Council	October 2011
17	Accommodation in the workplace	Closed	Private	Private	November 2012
18	Request to be transferred to another workplace	Closed	Government	ETC	April 2012
19*	Lack of accommodation in the workplace	Closed	Government	Health Division	May 2011
20*	Lack of accommodation during exam leading to loss of promotion	Discussed	Government	St Vincent de Paule Residence	May 2011
21	Request for transfer to an office	Closed	Private	Arriva Malta Ltd	July 2011
22	Request for accommodation in the workplace	Closed	Private	Comlux Aviation Group	July 2011
23	Ill-treatment in the workplace	Closed	Private	Business Intelligence Ltd	June 2011
24*	Ill-treatment in the workplace	Closed	Government	MCAST	August 2011
25	Person with disability requests not being boarded out from their job	Closed	Government	Social Security Department	January 2011
26	Person with disability is boarded out from their job	Closed	Government	Social Security Department	February 2013

EDUCATION – COMPLAINTS FROM PREVIOUS YEARS

No	Complaint	Status	Sector	Entity	Opened
27*	Lack of accessibility in Gozo schools	Closed	Government	Ministry for Gozo	November 2006
28	Lack of accessibility on stage at Attard Primary School	Discussed	Government	FTS	December 2006
29	Lack of accessibility in IT schools (see Table A)	Discussed	Private	IT schools	August 2006
30	Lack of accessibility in the Junior College foyer	Closed	Government	University of Malta	October 2006
31	Lack of accessibility at Guardian Angel School	Closed	Government	Education	February 2006

				Division	2011
32	Accommodation during exams	Discussed	Government	MCAST	March 2012
33	Modifications in exam papers for a person with Down Syndrome	Closed	Government	Education Division	February 2012
34	Exam paper modifications	Closed	Government	Education Division	February 2012
35	Learning Support Assistant refuses to assist a person with ADHD	Closed	Government	Education Division	September 2012
36*	Supervision required during use of school transport by a student with disability	Closed	Church	Stella Maris College	May 2012
37	Request for a person with disability to start attending a Training Centre for Adults	Closed	Government	<i>Agenzija Sapport</i>	August 2012

EDUCATION – NEW COMPLAINTS

No	Complaint	Status	Sector	Entity	Opened
38	Not allowed to attend school when the Learning Support Assistant is absent	Closed	Church	St Angela School	January 2012
39	Learning Support Assistant changes student's clothes in class	Closed	Government	Gzira Primary School	January 2012
40	Shower required in a school so that the Learning Support Assistants can clean children with disability	Closed	Government	Msida Primary School	October 2011
41	Lack of a Learning Support Assistant at Chiswick Junior School	Closed	Government	Education Division	April 2012
42*	MUT directives negatively affect students with disability	Closed	Unions	MUT	March 2012
43	Transport provided by the College	Discussed	Government	Education Division	June 2012
44	Transport provided at no cost but subject to certain conditions	Discussed	Government	Education Division	June 2012
45	Transport provided for <i>Skola Sajf</i> subject to certain conditions	Discussed	Church	Archdiocese of Malta	May 2012
46	Learning difficulties	Closed	Government	Education Division	March 2012
47	Learning difficulties	Closed	Government	MCAST	May 2012
48	Learning difficulties owing to student's hearing impairment	Closed	Government	MCAST	November 2012
49*	Misses extracurricular lessons because these are held on the school's first floor and there are no lift facilities	Discussed	Government	Ghaxaq Primary School	June 2012
50	Exam modifications required	Closed	Government	ITS	December 2012
51	Assessment of a student with disability	Closed	Government	Zebbug Primary School	January 2012

52*	Sent home because of behaviour related to disability	Discussed	Government	Education Division	June 2003
ACCESSIBILITY – COMPLAINTS FROM PREVIOUS YEARS					
No	Sector	Status	Sector	Entity	Opened
53	Lack of accessibility at main entrance of Evans Building	Discussed	Government	Health Division	November 2000
54	Lack of accessibility to Public Registry	Discussed	Government	Public Registry	July 2000
55	Lack of accessibility at Social Security District Office	Discussed	Government	Social Security Department	November 2005
56*	Lack of lift facilities at Gzira Health Centre	Court/case	Government	Health Division	July 2000
57	Accessibility to Clinics and Health Centres	Discussed	Government	Health Division	August 2000
58	Lack of Accessibility at Psychiatric Outreach Services in Floriana	Discussed	Government	Health Division	January 2000
59*	Lack of accessibility at main entrances to Gozo parish churches (see Table B1)	Discussed	Church	Gozo Diocese	August 2000
60*	Lack of accessibility at main entrances to Gozo parish churches (see Table B2)	Closed	Church	Gozo Diocese	August 2000
61*	Lack of accessibility at main entrances to Malta parish churches (see Table C1)	Discussed	Church	Archdiocese of Malta	October 2000
62*	Lack of accessibility at main entrances to Malta parish churches (see Table C2)	Closed	Church	Archdiocese of Malta	October 2000
63	Lack of accessibility at Gharb Parish Centre	Discussed	Church	Gozo Diocese	December 2010
64	Lack of accessibility at Aula Magna in Valletta	Closed	Government	University of Malta	October 2000
65*	Lack of street accessibility in various localities	Discussed	Government	Transport Malta	July 2000
66	Lack of accessibility in Mosta streets	Discussed	Councils	Mosta Local Council	March 2000
67	Lack of accessibility in Naxxar streets	Discussed	Councils	Naxxar Local Council	March 2000
68	Parking reserved for persons with disability is timed when regular parking spaces are not	Closed	Councils	Zejtun Local Council	June 2000
69	<i>Zebra Crossings</i> without pavement ramps	Discussed	Government	Transport Malta	April 2000
70	Lack of pavement ramp	Discussed	Government	Transport Malta	April 2000
71	Illegal parking on ramp blocks pavement accessibility	Closed	Councils	St Paul's Bay Local Council	July 2011
72	Lack of accessibility on Qawra Promenade	Discussed	Government	Malta Tourism	August 2000

				Authority	
73	Traffic lightsblock pavement accessibility	Discussed	Government	Transport Malta	March 2007
74*	Lack of accessibility in public toilets in locality centres	Discussed	Councils	MelliehaLocal Council	May 2007
75*	Lack of accessibility at Ghadira Bay	Discussed	Government	Malta Tourism Authority	June 2007
76	Lack of accessibility at Buskett toilet facilities	Discussed	Government	Ministry for Resources and Rural Affairs	July 2007
77	Lack of accessibility to the Mдина Belvedere	Discussed	Government	Ministry for Resources and Rural Affairs	October 2007
78	Lack of accessibility to band club	Discussed	Private	San Gwann Band Club	March 2008
79	Lack of accessibility to band club	Discussed	Private	St Anthony Band Club	August 2008
80	Lack of accessibility at bank branches	Discussed	Church	APS Bank	April 2008
81	Lack of accessibility at bank branches	Discussed	Private	Lombard Bank	April 2008
82*	Lack of accessibility at Portomaso	Closed	Private	Hilton Malta	September 2005
83	Lack of accessibility to cinema	Discussed	Private	Empire Cinema	March 2008
84*	Lack of accessibility to hall	Court/Protest	Private	St Anne Hall	July 2008
85	Lack of accessibility at Food Chain Holdings Ltd stores	Discussed	Private	Food Chain Holdings	June 2008
86*	Lack of accessibility at McDonald's chains	Discussed	Private	McDonald's	June 2008
87	Lack of accessibility at new Europharma shop in Birkirkara	Discussed	Private	Michele Peresso Ltd	March 2008
88	Lack of accessibility atEden Superbowl	Discussed	Private	Eden Leisure Group	March 2008
89	Lack of accessibility in hotel	Discussed	Private	Excelsior Hotel	July 2008
90	Lack of accessibility in hotel	Discussed	Private	Riviera Hotel	March 2008
91	Lack of accessibility in hotel's communal toilets	Discussed	Private	Riu Seabank & Spa Hotel	January 2008
92*	Lack of accessibility in establishment	Court/Protest	Private	Huggins Pub	January 2008
93	Lack of accessibility in cafeteria	Discussed	Private	Għall-Kafè	January 2008
94	Lack of accessibility in restaurant	Discussed	Private	Ta' Pawlu Restaurant	November 2007
95*	Lack of accessibility at restaurant	Closed	Private	China House	December 2008

96	Lack of accessibility at Marks & Spencer store, Valletta	Closed	Private	Marks & Spencer	May 200
97*	Lack of accessibility in restaurant	Closed	Private	Vernel	June 200
98*	Lack of accessibility in discotheque	Court/Protest	Private	Sky Club	July 200
99	Lack of accessibility in shop toilet	Discussed	Private	Heat Bar & Diner	Decemb 2009
100	Lack of accessibility at new Forestals showroom in Mriehel	Closed	Private	Forestals	March 2
101	Lack of accessibility at Tiptoes shop in Paola	Closed	Private	Tiptoes	March 2
102	Lack of accessibility at Vodafone shop in Paola	Closed	Private	Vodafone Malta	March 2
103	Lack of accessibility in cafeteria	Closed	Private	Creme Cafè	July 201
104	Lack of accessibility at Tal-Qroqq Sports Complex	Discussed	Parastatal	Malta Sports Council	June 20
105	Lack of accessibility at Victor Tedesco Stadium	Discussed	Private	Hamrun Sports Complex	Novemb 2010
106*	Lack of accessibility at Ta' Qali National Stadium	Court/Case	Parastatal	Malta Football Association	Novemb 2010
107	Lack of accessibility of pavements in Mimosa Street, Pietà	Discussed	Councils	Pietà Local Council	January
108	Lack of accessibility of pavements in Karmenu Mifsud Street, Pietà	Discussed	Councils	Pietà Local Council	October
109	Lack of accessibility in <i>Triq ir-Ramel</i> , St Paul's Bay	Discussed	Councils	St Paul's Bay Local Council	October
110	Lack of accessibility owing to the installation of an electricity pole in the middle of a pavement in Braille Street, St Venera	Closed	Parastatal	Enemalta	March 2
111	Lack of accessibility in <i>Sqaq Ta' B'Xejn</i> , limits of Zurrieq	Discussed	Government	Ministry for Resources and Rural Affairs	May 201
112	Lack of accessibility in <i>Triq il-Vlontin</i> , Birkirkara	Discussed	Councils	Birkirkara Local Council	October
113	Lack of accessibility in St Paul's Street and the Old Hospital Street	Discussed	Councils	Valletta Local Council	April 20
114	Lack of accessibility of pavements in front of the Phoenicia Hotel in Floriana	Closed	Government	Transport Malta	Novemb 2011
115	Lack of accessibility at Menqa in St Paul's Bay	Discussed	Councils	St Paul's Bay Local Council	August 2
116	Person with restricted mobility does not go out of the house because of street demolition	Discussed	Councils	Xewkija Local Council	August 2
117	Lack of accessibility at the Our Lady of the	Closed	Private	MUSEUM	April 20

*	Miraculous Medal Chapel, Blata l-Bajda			Society	
118	Lack of accessibility at St Mary Cemetery in Victoria	Discussed	Government	Land and Public Registry	March 2012
119*	Lack of accessibility of a ramp at Malta International Airport	Closed	Private	Malta International Airport	November 2011
120	Lack of accessibility to <i>Il-Majjistral</i> Park in Mellieha	Discussed	Councils	Mellieha Local Councils	August 2012
121*	Lack of accessibility at Paola Police Station Entrance	Discussed	Government	Police	March 2012
122	Lack of accessibility in shop	Discussed	Private	Summer Nights	February 2012
123	Installation of a stair lift instead of a platform lift at the Malta Inter Club	Discussed	Private	Inter Club (Malta)	October 2012
124	Lack of accessibility at restaurant entrance	Discussed	Private	L'Orange Bar & Restaurant	June 2012
125	Lack of accessible ramp to pharmacy	Discussed	Private	Saint Simon Pharmacy	September 2012
126	Lack of accessible ramp to pharmacy	Discussed	Private	Promenade Pharmacy	September 2012
127	Lack of accessible ramp to pharmacy	Discussed	Private	Euro Chemist Pharmacy	September 2012

ACCESSIBILITY – NEW COMPLAINTS

No	Complaint	Status	Sector	Entity	Opened
128	Lack of accessibility at the VAT Department, Birkirkara	Discussed	Government	VAT Department	October 2012
129	Lack of accessibility at place of entertainment	Discussed	Private	Funland	October 2012
130	Lack of accessibility in restaurant	Discussed	Private	Caesar's House	October 2012
131	Lack of accessibility at restaurant entrance	Discussed	Private	l Place	October 2012
132	Lack of accessibility at MUSEUM Fgura	Discussed	Private	MUSEUM Society	January 2013
133	Lack of accessibility in coffee shop	Discussed	Private	Tavola Calda	January 2013
134	Lack of accessibility at Mosta outlet	Discussed	Private	Tal-Lira	January 2013
135	Lack of accessibility in hotel	Discussed	Private	Canifor Hotel	January 2013
136	Lack of accessibility in club	Closed	Private	Royal Malta Golf Club	February 2013

137	Lack of accessibility at Europe House	Discussed	Government	KE representatio n in Malta	March 2
138	Lack of accessibility at pharmacy entrance	Discussed	Private	Bella Vista Pharmacy	March 2
139 *	Lack of accessibility at Marine Park	Closed	Private	Mediterraneo Marine Park	May 201
140	Lack of lift facilities in abattoir	Discussed	Government	Slaughter House, Marsa	June 20
141	Lack of accessibility in shop	Discussed	Private	Clobber	June 20
142	Lack of accessibility in shop	Discussed	Private	Gary's Gift Shop	July 201
143 *	Lack of adequate access for a person with disability to descend into the sea	Discuss	Private	Reef Club	July 201
144	Lack of accessibility at shop entrance	Discussed	Private	BHS Valetta	August 2
145	Lack of accessibility in restaurant	Discussed	Private	Harry's B'Kara	Septemb 2013
146	Lack of accessibilityat Mosta cemetery	Discussed	Government	Health Division	January
147 *	Lack of accessibility at San Gwann bank branch ATM	Closed	Private	Bank of Valletta	January
148	Lack of accessibility at Hamrun bank branch ATM	Closed	Private	Bank of Valletta	April 20
149	Lack of accessibility at Zebbug bank branch ATM	Discussed	Private	HSBC Bank plc	April 20
150 *	Lack of accessibility Qawra ATM	Discussed	Private	HSBC Bank plc	June 20
151 *	Lack of accessibility at Qawra ATM	Discussed	Private	Bank of Valletta	June 20
152	Lack of accessibility in front of an apartment block where a person with disability resides	Closed	Councils	Kirkop Local Council	January
153	Lack of accessibility of pavements in Victor Denaro Street	Discussed	Councils	Msida Local Council	October
154	Billboard close to Kennedy Grove blocks ramp access	Closed	Government	Transport Malta	October
155	Lack of accessibility of a pavement in Carmelite Street/ Villegaignon Street??	Closed	Councils	Mdina Local Council	October

156	Lack of accessibility of new pavements in Fleur-de-Lys	Closed	Councils	B'Kara Local Council	October
157	Lack of accessibility of pavements in Kirkop centre due to the installation of benches	Discussed	Government	Ministry of Transport and Infrastructure	November 2012
158	Lack of accessibility of pavements	Discussed	Councils	Swieqi Local Council	November 2012
159	Lack of accessibility of a pavement beside St Michael School in St Venera	Closed	Government	Transport Malta	November 2012
160	Lack of accessibility in zone around Pretty Bay	Closed	Councils	Birzebbugia Local Council	February 2013
161	Lack of accessibility of pavements on Cospicua Waterfront	Closed	Government	Transport Malta	February 2013
162	New pavements in Republic Street and Melita Street may be of hazard to persons with visual impairment because they are the same colour as the road	Discussed	Government	Valletta Regeneration Project	March 2013
163	Lack of accessibility of pavements on Labour Avenue and in Sardinell Street	Closed	Councils	Xewkija Local Council	March 2013
164	Lack of accessibility of pavements in <i>Triq il-Qanpiena</i> and <i>Triq tas-Sisla</i>	Closed	Councils	B'Kara Local Council	March 2013
165	Lack of accessibility of pavement since it is parked on	Closed	Councils	Valletta Local Council	March 2013
166	Need for reserved parking for persons with disability close to the workplace	Discussed	Councils	Valletta Local Council	April 2013
167*	Lack of accessibility of pavement in front of senior citizens' home	Closed	Councils	Sliema Local Council	April 2013
168	Lack of accessibility at entrance to senior citizens' home	Discussed	Government	Cospicua Senior Citizens' Home	May 2013
169	Lack of accessibility of pavements of St Francis Street	Discussed	Councils	Qormi Local Council	May 2013
170	Lack of accessibility of pavements in front of Ping Dining in Fortunato Mizzi Street, Victoria	Discussed	Government	Transport Malta	May 2013
171	Pavement is modified by the owner of a garage, rendering it inaccessible	Discussed	Councils	Naxxar Local Council	July 2013
172	Lack of accessibility of pavements in St Catherine Street	Discussed	Councils	Attard Local Council	July 2013

173	Ramp required in front of house door so that a person with disability can enter their home in a scooter	Closed	Councils	Valletta Local Council	July 2011
174	Lack of accessibility of pavements in Marsaxlokk because of tables and chairs causing obstruction	Discussed	Government	MEPA	August 2011
175	Lack of accessibility of pavement near the National Aquarium	Discussed	Councils	St Paul's Bay Local Council	August 2011
176	Lack of accessibility of pavement in Constitution Street after an electricity pole was installed in its middle	Discussed	Councils	Mosta Local Council	September 2013
177	Lack of accessibility of pavement near a zebra crossing in Tourist Street Qawra owing to the ramps having a dangerous edge	Discussed	Councils	St Paul's Bay Local Council	September 2013
178	Lack of accessible ramp to ferry	Closed	Private	Gozo Channel Co. Ltd	October 2011
179	Reserved parking for persons with disability is obstructed by a kiosk	Closed	Government	Police	October 2011
180	Reserved parking for persons with disability obstructed by tables, chairs and plants	Closed	Government	Police	November 2012
181	Parked cars obstruct entrance to a supermarket lift while the reserved parking for persons with disability near the same building requires moving to a better space	Discussed	Councils	Swieqi Local Council	December 2012
182	Need for increased reserved parking spaces for persons with disability close to Ta' Qali National Stadium	Closed	Parastatal	Malta Football Association	
183	Reserved parking for persons with disability removed from near Castille	Discussed	Government	Transport Malta	August 2011
184*	Lack of accessibility at Little Armier Bay and parking zone	Discussed	Councils	Mellieha Local Council	September 2013

PROVISION OF GOODS AND SERVICES – COMPLAINTS FROM PREVIOUS YEARS

Nr	Complaint	Status	Sector	Entity	Opened
185	Accessibility in internet banking	Discussed	Private	BOV	March 2011
186	Accessibility in internet banking	Discussed	Private	Lombard Bank	September 2009
187	Lack of subtitles on television programmes	Discussed	Private	GO/Melita	April 2011
188	Rental service of hand-controlled cars	Court/Protest	Private	RACA	June 2011

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189*	Rental service of hand-controlled cars	Court/Protest	Private	Merlin International	December 2009
190*	Rental service of hand-controlled cars	Court/Protest	Private	John's Group	December 2009
191*	Rental service of hand-controlled cars	Court/Protest	Private	Meli Car Rentals	December 2009
192*	Rental service of hand-controlled cars	Court/Protest	Private	Avis Rent a Car	April 2010
193*	Rental service of hand-controlled cars	Court/Protest	Private	Hertz Rent a Car	April 2010
194*	Rental service of hand-controlled cars	Court/Protest	Private	Percius Car Hire	April 2010
195*	Rental service of hand-controlled cars	Court/Protest	Private	United Garage	April 2010
196	Discriminatory online check-in services by Air Malta	Discussed	Private	Air Malta	May 2010
197	Arriva bus fares	Closed	Private	Arriva	June 2010
198*	Persons with visual impairment experiencing difficulty reading route numbers on Arriva buses	Discussed	Private	Arriva	July 2010
199	Arriva bus drivers' attitude towards persons with disability	Closed	Private	Arriva	October 2010
200*	Broken ramps on Arriva bendy buses	Discussed	Private	Arriva	November 2011
201	Removal of signs indicating reserved parking for persons with disability	Discussed	Government	Transport Malta	June 2012
202	A person with disability's application for pension refused	Discussed	Government	Social Security Department	August 2012
203	Person with disability received only 75% of social assistance	Discussed	Government	Social Security Department	August 2012
204	Person with disability stops receiving pension	Discussed	Government	Social Security Department	September 2012
205	Allocation of accessible cabins on cruise ship	Closed	Private	SMS Travel	August 2012

PROVISION OF GOODS AND SERVICES – NEW COMPLAINTS

No	Complaint	Status	Sector	Entity	Opened
206	Special Identity Card not accepted for cutting the queue	Closed	Government	Mater Dei Hospital	January 2012
207	Special Identity Card not accepted for cutting the queue	Closed	Private	HSBC Bank plc	January 2012
208	Long waiting time in queue	Closed	Government	Mater Dei Hospital	January 2012
209	Bank manager refuses meeting with a person with disability to discuss additional expenses	Closed	Private	HSBC Bank plc	January 2012

	she was requested to incur				
210*	Sign language interpretation on television programmes	Discussed	Government	Public Broadcasting Services Ltd	January
211	Sign language interpretation at the hospital	Discussed	Government	Mater Dei Hospital	March 2013
212*	Person with hearing impairment is not given the chance of having a sign language interpreter to give his version of the facts following an accident	Discussed	Private	The Guard & Warden Service House Ltd	April 2013
213	<i>Dar tal-Providenza</i> not allowed to make their own decisions regarding treatment	Discussed	Government	Mater Dei Hospital	January
214	Accessible transport to Valletta not provided	Closed	Government	<i>Dar il-Kaptan</i>	October
215	Excessive payment requested for use of accessible transport offered by the company	Discussed	Private	Coop Services	December 2012
216*	Hand-controlled car hire service	Closed	Private	Budget Car Rentals	October
217*	Hand-controlled car hire service	Court/Protest	Private	Enroute	October
218	Accessible taxi cabs not subsidized like mini vans	Closed	Government	<i>Dar il-Kaptan</i>	January
219*	Police do not intervene in cases of abusive parking in spaces reserved for persons with disability	Closed	Government	Police	February 2013
220	Abuse of Blue Badge in one of the parking zones	Closed	Private	Lidl Malta	February 2013
221	Abusive parking in reserved spaces for persons with disability by hospital employees	Closed	Government	Mater Dei Hospital	March 2013
222*	Complains about the procedure used in the application for reserved parking in front of residence	Closed	Government	Transport Malta	March 2013
223	Application for reserved parking for persons with disability refused	Closed	Government	Transport Malta	March 2013
224	Three parking spaces for persons with disability wrongly set up in Zabbar	Closed	Government	Transport Malta	April 2013
225	Yellow line in front of the residence of a person with disability effaced during road works	Closed	Government	Transport Malta	April 2013
226*	Abuse of parking reserved for persons with disability	Closed	Government	Police	April 2013
227	Request to have reserved parking space for persons with disability moved in view of its dangerous location	Closed	Government	Transport Malta	May 2013
228	Delay in the application for reserved parking in front of the residence of persons with	Discussed	Government	Transport Malta	October

	disability				
229*	Abuse of Blue Badge in Pretty Bay, Birzebbugia	Closed	Government	Police	October
230*	Parking space reserved for persons with disability occupied by a non-Blue Badge holder	Closed	Private	Westin Dragonara	November 2012
231*	Approval for reserved parking in front of the residences of persons with disability given on the condition that other Blue Badge holders may also park there	Closed	Government	Transport Malta	November 2012
232	Reserved parking for persons with disability not re-established after road is closed	Closed	Government	Transport Malta	November 2012
233	Person requested to remove car from parking space reserved for persons with disability in order to make space for Police officials to park	Closed	Government	Police	November 2012
234*	Abusive parking in space reserved for persons with disability in San Gwann	Closed	Government	Police	November 2012
235*	Persons with disability who are Blue Badge holders allowed to park in reserved spaces in front of the residences of other persons with disability	Closed	Government	Transport Malta	November 2012
236	Requests that yellow lines be painted in front of his garage because continuous parking of cars is blocking access to it	Closed	Councils	Marsascala Local Council	February 2013
237*	Abusive parking in reserved space for persons with disability	Closed	Government	Police	April 2013
238	Application for reserved parking for persons with disability refused	Closed	Government	Transport Malta	July 2013
239	Questions regarding reserved parking for persons with disability assigned in Zonqor Street, Marsascala	Closed	Government	Transport Malta	July 2013
240	Questions regarding reserved parking for persons with disability assigned in Bramel Street, Swieqi	Closed	Government	Transport Malta	July 2013
241	Reserved parking for persons with disability bearing number plate signs	Discussed	Government	Police	July 2013
242*	Abusive parking in space reserved for persons with disability	Discussed	Government	Transport Malta	July 2013
243	Sign indicating reserved parking for persons with disability stands for a long time vandalised while the yellow lines were painted white	Discussed	Councils	St Julians Local Council	August 2013
244*	Abusive parking in space reserved for persons with disability	Closed	Government	Police	August 2013

245	Re-painting of reserved parking space in Gafa Street, Mosta and an indication that it is reserved for persons with disability required	Discussed	Councils	Mosta Local Council	August 2013
246	Two parking spaces reserved for persons with disability near Sirens Waterpolo Club in Sliema removed and replaced with one space near Wignacourt Tower	Discussed	Councils	St Paul's Bay Local Council	August 2013
247	Reserved parking for persons with disability required in Paola	Discussed	Government	Transport Malta	August 2013
248	Re-painting of reserved parking for persons with disability required	Discussed	Councils	Mellieha Local Council	August 2013
249*	Parking reserved for persons with disability at Mater Dei Hospital contains a sign indicating full parking when this is not the case	Closed	Government	Mater Dei Hospital	September 2013
250	Auditory signs should be installed near zebra crossing in St Gregory, Zejtun zone	Discussed	Government	Transport Malta	August 2013
251	Lack of accessibility and parking of cars on a pavement in St Julians Hill forcing pedestrians to walk on a perilous road	Discussed	Councils	St Julians Local Council	April 2013
252*	Person with disability has driving licence withdrawn	Closed	Government	Transport Malta	January 2013
253	Person with disability refused Nautical Licence examinations	Closed	Government	Transport Malta	June 2013
254	Fostering of child with intellectual disability	Closed	Government	<i>Agenzija Sapport</i>	February 2013
255	Request for financial subsidy for a person with intellectual disability to learn to use public transport	Discussed	Government	Ministry for the Family and Social Solidarity	July 2013
256	Ill-treatment of person with disability while being transported to Boffa Hospital	Discussed	Government	Health Division	May 2013
257	Ill-treatment of a person with disability suffering from cerebral palsy	Discussed	Private	Inspire	July 2013
258	Persons with disability receive bills they are exempted from paying	Closed	Private	CVA Technology Co. Ltd	April 2013
259	Lack of accessibility on the intranet	Discussed	Private	Go plc	March 2013
260*	Lack of accessibility of bank ATMs with touch-screen operation	Discussed	Private	APS Bank	May 2013
261*	Lack of accessibility of bank ATMs with touch-screen operation	Discussed	Private	Banif Bank	May 2013
262*	Lack of accessibility of bank ATMs with touch-screen operation	Discussed	Private	Bank of Valletta	May 2013
263	Lack of accessibility of bank ATMs with touch-screen operation	Discussed	Private	HSBC Bank plc	May 2013

* 264	touch-screen operation Request by a person with disability to get into <i>Dar il-Kaptan</i>				
265 *	Person with disability not allowed to swim with dolphins	Closed	Government	<i>Dar il-Kaptan</i>	April 2013
266	Pension refused for a person with disability	Discussed	Private	Mediterraneo Marine Park	May 2013
267	Pension for a person with disability stopped	Closed	Government	Social Security Department	August 2013
268	Person with disability is not granted a pension related to their disability	Closed	Government	Social Security Department	September 2013
269	The European Union's provision of humanitarian food assistance	Closed	Government	Social Security Department	October 2013
270	Person with disability requests adjustments to wheelchair, but the latter is sold instead	Discussed	Church	Archdiocese of Malta	August 2013
		Closed	Private	Be Independent	October 2013
HOUSING – COMPLAINTS FROM PREVIOUS YEARS					
271	The neighbours of a person with disability disagree on the construction of a ramp in the common front porch				
272	Upgraded lift not accessible	Discussed	Private	Private	June 2013
		Discussed	Private	Private	August 2013
HOUSING – NEW COMPLAINTS					
273 *	Step located in front of an apartment block in Valletta				
274 *	Person with disability who is a wheelchair user is given an apartment that is inaccessible for her	Closed	Government	Housing Authority	January 2013
275 *	Work on the installation of a lift in an apartment block halted	Discussed	Government	Housing Authority	April 2013
276 *	Person with disability lives in a Government building which requires structural works	Discussed	Government	Housing Authority	June 2013
277 *	Discussed	Discussed	Private	Re/Max	August 2013
INSURANCE – COMPLAINTS FROM PREVIOUS YEARS					
	None				
INSURANCE – NEW COMPLAINTS					
None					

TABLE A

29.	IT SCHOOLS
1	Compex Computer
2	Computer Domain
3	Electronic Products
4	Execu Train
5	Holistic Technologies
6	Horizon 2000
7	Integrated Business Systems
8	ITIS
9	Key Training
10	Learn Key
11	Malta Institute for Computer Studies
12	STC Training
13	St Mark's
14	St Martin's
15	TCTC
16	Innovate Training Institute
17	Computime Ltd
18	Quantum Solutions
19	St Thomas
20	Future Focus
21	Euro Canadian Electronics Ltd
22	Educational Support Serv Ltd
23	Computer Advisory Service
24	Trigold Ltd
25	Success Malta Ltd
26	Learning & Development Centre
27	IT Studies Centre
28	Hi-Tex Computer Centre
29	Exor Computer Training Centre

TABLE B1

59. GOZO PARISH CHURCHES– DISCUSSED	
1	Gharb Church
2	Marsalforn Church
3	Munxar Church
4	Sannat Church
5	St George's Basilica, Victoria
6	St Mary's Cathedral, Victoria
8	Xaghra Church

TABLE B2

60. GOZO PARISH CHURCHES– CLOSED	
1	Qala Church
2	Ghajnsielem Church

TABLE C1

61. MALTA PARISH CHURCHES– DISCUSSED	
1	Birgu Church
2	Church of St Joseph the Worker, Birkirkara
3	Dingli Church
4	Floriana Church
5	Isla Church
6	Kalkara Church
7	Manikata Church
8	Church of Our Lady of Lourdes, Paola
9	St Dominic’s Church, Valletta
10	St Francis Church, Valletta

TABLE C2

62. MALTA PARISH CHURCHES – CLOSED	
1	Church of St Anthony, Birkirkara
2	St Julians Church
3	Luqa Church
4	Tarxien Church
5	Zabbar Church
6	Zebbug Church
7	Mgarr Church
8	Naxxar Church
9	Rabat Church
10	Church of Christ the King, Paola
11	St Paul’s Bay Church
12	San Pawl tat-Targa Church
13	Santa Lucia Church
14	Nazarene Church, Sliema
15	St Gregory Church, Sliema
16	Stella Maris Church, Sliema
17	Swatar Church
18	Ta’ Xbiex Church
19	St Augustine’s Church, Valletta
20	Xghajra Church
21	Zejtun Church

Back Cover Page

National Commission Persons with Disability

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