

The Equal Opportunities (Persons with Disability) Act 2000

Annual Report 2011/12

Twelve Years of the Equal Opportunities Act

National Commission Persons with Disability

www.knpd.org

Introduction

Throughout the year 2011 the work carried out by the Equal Opportunities Act Section within the National Commission Persons with Disability continued to increase at a faster pace. This is a clear indication that with each year that passes, persons with disability are becoming more aware of their civil rights and are therefore becoming more insistent and assertive in order that such rights are safeguarded while equal opportunities continue to increase and grow stronger in all aspects of the life we are leading.

A major part of KNPD's legal work for the year 2011/12 was aimed at the ratification of the United Nations Convention on the Rights of Persons with Disability, as well as other work that ensures that KNPD is ready by the time this ratification takes place. At the same time the social obstacles in our daily life continued to hamper the progress of several youth, adults and senior citizens with disability. For this reason the work carried out by the Equal Opportunities Act Section was incessant throughout 2011/2012

Very briefly we must remember the positive way by which the unions collaborated with us. Thanks to such collaboration and the full sense of trust between some unions and KNPD, the Equal Opportunities Act Section succeeded in reaching a positive conclusion regarding a number of individual cases, to the satisfaction of all parties concerned. The same can be said of its work with the Church, both in Malta and in Gozo. Throughout 2011/2012 we observed a substantial increase in accessibility in parish churches.

With regard to accessible transport, there was a mixed outcome. Undoubtedly the change in the transport system brought with it a period of uncertainty for those who were used to the previous system, but for persons with disability it brought about a whole revolution. For the first time wheelchair users could travel around our islands independently. It is also worth mentioning that for the first time in history, persons with disability started complaining to KNPD about routes, timetables, the attitude of a minority of bus drivers...in other words making the same complaints as persons without disability! On the one hand this was a positive step and a good example of the principle of mainstreaming, while on the other hand this meant more work for the Equal Opportunities Act Section.

On behalf of all persons with disability I would like to take the opportunity to thank the whole team working within the Equal Opportunities Act Section, and wish them to continue to follow new and existent cases with the same characteristic determination and tenacity for which KNPD has been renowned for these last 25 years.

This year there was also an interesting complaint placed by persons with disability who could not book an accessible cabin on a cruise liner. This is because the foreign companies are not allocating accessible cabins to Maltese travel agents. This is an obvious case of discrimination on both a local and European level, which KNPD is doing its utmost to solve in a positive manner.

Joe Camilleri
Chair, National Commission Persons with Disability

Executive Summary

- In the first 12 years of work, KNPD investigated a total of 1196 complaints, an average of 100 complaints per year. The smallest number of new complaints was investigated throughout 2003/2004 (71) while the largest number was investigated in 2008/2009 (172).
- Throughout the year 2011/2012 KNPD worked on a total of 274 complaints, of which 152 were pending from the previous years and 122 were new. This meant an increase of 15 complaints from the previous year.
- The number of new complaints for this year (122) mean an increase of 26 complaints over those of last year. This is due to the fact that last year KNPD worked on 96 new complaints.
- In the employment sector, the number of new complaints rose from 19 to 20.
- In the education sector, the number of new complaints was the same as that of the previous year (19).
- For yet another year, the accessibility sector was not the sector with the most complaints. In fact this year 31 new complaints were registered, an increase of 6 complaints from last year.
- The provision of goods and services sector was once more confirmed as the sector about which KNPD received the most complaints. In fact this year 42 new complaints were registered, an increase of 11 complaints over those received last year.
- This year 8 new complaints were registered in the housing sector, resulting in the highest number of complaints within this sector in a single year. In fact throughout this year there was an increase of 6 complaints in comparison with last year.
- 2 complaints were registered in the insurance sector, after no complaints were registered last year.
- The largest number of new complaints related to employment (11), education (16), the provision of goods and services (22) and housing (5) were made against the Government. The highest number of complaints related to the accessibility sector (13) were placed against the Local Councils and the highest number of complaints related to the insurance sector (2) were against the private sector.
- Throughout this year KNPD received more complaints against the public sector (79) than the private sector (43), the reason possibly being that the former provides a wider array of services since it is a much larger sector.
- When compared to last year, it results that there was an increase from 52 to 61 new complaints made against the Government, a decrease from 6 to 1 complaint against the parastatal sector, a decrease from 5 to 2 complaints against the Church, and an increase from 24 to 41 complaints within the private sector.
- Throughout this year KNPD succeeded in closing 97 complaints, or 35% of the complaints it worked on. This meant a decrease of 10 complaints since last year. The largest number of closed complaints consisted of complaints made against the Government (54). 31 complaints against the private sector, 10 against the Local Councils and 2 against the Church were also closed.

- In addition to the new complaints it will receive in the coming year, KNPD will work on 164 complaints that are still pending. Of these 71 are complaints against the private sector, 42 are placed against the Government, 35 complaints concern the Church, 13 confront Local Councils and 3 address the parastatal sector.
- There are also 13 pending complaints that found their way in court when either a case was opened or a judicial protest presented. Among these, 12 are related to the private sector while another case addresses the Government. 4 of these are related to physical accessibility while the other 9 pertain to the provision of goods and services sector.
- The number of cases that were presented before the Test of Reasonableness Board was 76, which means 14 more than the average number of complaints per year since its 9 years of operation. This is also the third highest number recorded in these 9 years. This past year received the highest number of cases deemed reasonable under certain circumstances by the Board (35 or 46% of cases considered).

A Look at the Main Complaints

KNPD is responsible for ensuring, among other things, that the Equal Opportunities (Persons with Disability) Act is safeguarded and that in this way the interests of persons with disability and of society in general are respected. As one can infer from its name, this is an anti-discriminatory law where its success is primarily measured by the positive change which it brings about for persons with disability. As it has done every year since the EOA came into force, KNPD is presenting a report on the work carried out over the preceding twelve months, in this case between October 2011 and September 2012. The work report presented by KNPD starts from October and not January due to the fact that the EOA came into force in October 2000. This means that the EOA has reached its twelfth year of operation and, as can be observed in this publication, interesting developments have taken place as regards which areas of this Law are affecting persons with disability in our country. These developments give a good indication of the change taking place in the life of persons with disability in terms of quantity, quality and duration of change.

The EOA is a small section within the KNPD secretariat which coordinates this work. The aim of this section is to investigate the complaints which it receives from people who feel discriminated against due to their disability and to seek solutions within a reasonable time frames. It is worth noting that in general the Section intervenes after persons with disability have already presented their complaint to the entity in question, with no action taken. This is done in order that, as KNPD always encourages should happen, persons with disability speak for themselves. In the case where certain people find it difficult to approach the entity concerned, KNPD provides them with a model letter of complaint.

At present the members of this Section 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, Assistant Services Officer
- Dr Peter Fenech, Legal Consultant

Section III of the Equal Opportunities Act gives details about the areas in which discrimination on the basis of disability is not permitted. These sectors are grouped under five main Headings:

1. Employment
2. Education
3. Access (physical)
4. Provision of goods, facilities and services
5. Housing

In addition, Heading 6 within the same Act gives details regarding exemptions, and also protects persons with disability from discrimination relating to insurance.

This part of the report takes a look at the main complaints which KNPD worked on over the past year by giving an account of the complaints. These complaints are chosen according to the sector they belong to while each sector is then divided into three parts:

- Closed complaints
- Pending complaints
- Complaints presented in Court or to the Arbitration Centre

The number of each complaint according to the Table on page 40 appears after each particular complaint mentioned.

1. EMPLOYMENT

Harassment in the workplace (complaints 16, 17, 18)

KNPD received three complaints regarding harassment of persons with intellectual disability and persons with mental health conditions in the workplace. In two of these cases the situation was resolved following discussions that KNPD held with the employers, where in one case the intervention of the General Workers' Union was also required. Nevertheless in the other case the person with disability who had issued the complaint decided to leave their job.

The need for accessible transport to and from the workplace (complaint 23)

The Employee Support Unit within the Office of the Prime Minister referred a case to KNPD which regarded a person with disability working in the public service sector who experienced daily difficulties reaching their workplace and arriving home after work. KNPD contacted this person and referred them to the individualised accessible transport service managed by Dar il-Kaptan.

PENDING COMPLAINTS

Need for accommodation due to hospital treatment requirements (complaint 14)

KNPD was contacted by a person with disability who works for a private company and whose employment contract is about to expire. This person was worried that their contract would not be renewed due to the fact their disability condition required them to undergo frequent hospital treatments. The person also requested that their employment conditions would accommodate their health requirements in order that they could keep their job. KNPD contacted the company management and is still investigating the case.

COURT OR ARBITRATION

No case within the employment sector ended up in court or at the arbitration centre.

2. EDUCATION

CLOSED COMPLAINTS

Application by a person with dyslexia for entry to the National Sport School refused (complaint 33)

KNPD received a complaint from the parents of a female student with dyslexia who was not accepted at the National Sport School, with the reason being the low marks obtained in the English exam. During the investigations of this complaint the Education Division explained the student selection method to KNPD, and in fact it resulted that there had been a misunderstanding between the school administration and the parents. In fact, as a result of these discussions, the student was accepted to start attending the mentioned school.

Student with severely challenging behaviour not allowed to continue attending school before examination by a psychiatrist and subsequent treatment (complaint 36)

KNPD received and closed a complaint related to lack of accommodation of a student with disability in a government school. It was requested that this student, who exhibits very challenging behaviour, be examined by a psychiatrist and receive the necessary treatment in order for him to be able to attend school. His parents maintained that his difficult behaviour resulted from the negative attitude shown by the Learning Support Assistant in their son's regard. Following work carried out between the Student Services Department, the school in question and KNPD, the situation was resolved and the student is also attending a Resource Centre twice a week.

Student with autism has to remain at home due to lack to supervision on school transport (complaint 47)

The parents of a student with disability who attends secondary school complained that their son could no longer attend his school. This was because his Learning Support Assistant was not carrying out supervision during school transport time. This occurred after a directive was issued by the Malta Union of Teachers. Following discussions an agreement was reached between the Educational Services Directorate and the Malta Union of Teachers which allowed the student to continue attending school under the supervision required during school transport time.

PENDING COMPLAINTS

Arrangement for modifications to exam papers (complaint 38)

KNPD received a complaint from parents of students with intellectual disability who were not being given modified exam papers that reflected the level of work they were capable of doing, due to a directive issued by the Malta Union of Teachers. KNPD contacted the Union about this and called a meeting in the hope of settling the matter. KNPD insisted with the Union that it should be consulted whenever a directive affecting persons with disability is issued. During this meeting it was decided that another meeting should be held between KNPD, the Union and the Education Division in the attempt to come to a solution that is of benefit of the students and that is satisfactory for all parties

concerned. This meeting took place and KNPD continues to follow the development of this case.

Lack of accommodation during Home Economics exam (complaint 41)

KNPD received a complaint regarding the lack of accommodation of a student with disability who is a wheelchair-user. This student reported that she was following a Home Economics course in a Government secondary school and that in order to sit for the SEC exam, she would require equipment specifically adapted to her needs. KNPD contacted the authorities concerned in order to solve the situation and allow the student to complete her course.

COURT OR ARBITRATION

No case within the education sector was presented in court or the arbitration centre.

3. PHYSICAL ACCESS

CLOSED COMPLAINTS

Accessibility to the MCP Car Park in Floriana (complaint 134)

KNPD received complaints regarding physical accessibility at the MCP Car Park in Floriana. During a meeting held with representatives of the company managing this private parking space, KNPD was informed that as part of the Valletta Main Gate project, the entrance and exit system in this parking space will have to be changed and the space between advertisements on the pavement will be closed access in order to prevent accidents. During the meeting KNPD also requested that the parking reserved for persons with disability should not be used for other services while the signs indicating these reserved spaces should specify the price of the fine one would have to pay in case of abusive parking. Subsequently it was noted that what had been discussed during this meeting was executed by the company management and KNPD therefore closed the complaint.

Accessibility at Dolmen Hotel (complaint 91)

This year KNPD closed the complaint regarding the shortage of accessible rooms at Dolmen Hotel in Qawra. After a letter was sent to the hotel management and meetings were held on the premises between the two parties, it was agreed that the work required would be completed within a stipulated time frame. In fact the works were completed in this past year with the result that the hotel now holds enough accessible rooms which include accessible showers. It is worth noting that the hotel management fully cooperated with KNPD, also by asking for advice in order to ascertain that any inadequacies pointed out would be addressed and rectified in the right manner. Eventually KNPD was informed by the management that the now accessible rooms were in great demand among residents with disability.

Accessibility at the Catholic Institute Entrance, Floriana (complaint 58)

KNPD managed to close the complaint regarding lack of accessibility at the Catholic Institute after a platform lift was installed in the building's entrance according to the Access Guidelines. Following various discussions with the Church of Malta, where

various solutions to provide access for all in the building were carefully considered, it was found that the installation of a platform lift to the side of the stairs situated in the entrance was the only possible solution. Although the case was closed, KNPD requested that the Church of Malta work on a plan in order that the Institute's main hall become accessible for all, with the plan including seating for persons with disability.

PENDING COMPLAINTS

Accessibility at Evans Building (complaint 50)

KNPD continued to follow closely the complaint regarding lack of accessibility at Evans Building, from where various Government entities operate, among which the Passport Office and Public Registry. Throughout the previous year two meetings were held in order to establish the best possible solution in view of the technical difficulties faced. In fact it was decided that a wooden ramp should be set up on the granaries (Merchants Street side) which would enable people with mobility problems to access the first floor of the building to avail of the lift facilities situated there in order to reach upper floors.

Throughout this year KNPD's architect designed an accessible ramp and gave advice on the material to be utilised. An application was also submitted to MEPA in this regard and work was begun upon the issue of a tender. As a temporary solution until completion of the ramp construction, the Passport Office began providing its services to persons with disability from the ground floor (ID Cards Office entrance) which is accessible.

Accessible entrance in Gozo parish churches (complaint 56)

KNPD maintained its contact with the Gozo Diocese in order to register the progress of the parish churches. After it appeared for some time that progress was rather slow, from the start of this year there was a change in strategy with KNPD – with prior agreement with the Gozo Diocese – making direct contact with the chaplains for feedback and keeping the Diocese informed of the progress registered. It is also worth noting that this year there was one church which was made accessible (Kercem), three churches (St George's Basilica in Rabat, Rabat Cathedral, Gharb Church) for which an application for accessibility was submitted to MEPA, and one church (Munxar) for which a tender was issued after the permit for accessibility-related works was granted by MEPA.

Accessible entrances in Malta parish churches (complaint 57)

In collaboration with the Malta Diocese, KNPD continued its work in order that the parish churches in Malta become accessible for all. Throughout this year another meeting was held between the two parties, during which KNPD was presented with an update on the present situation regarding physical access in various churches on which discussions are still ongoing. In fact it was decided that complaints about certain churches should be closed since accessibility for all had been implemented. In the case of other churches about which complaints are still ongoing, KNPD wrote to the chaplains and met a number of them on church sites, and requested that the necessary measures for ensuring accessibility be taken within a reasonable time frame. There was a positive response and work in this regard is being carried out at a regular pace.

Accessibility at Portomaso (complaint 81)

KNPD continued to investigate the complaint on physical access at Portomaso. Due to the fact that KNPD was informed that other works related to physical accessibility had been carried out (as agreed between the two parties), this year a meeting was held on site to confirm that the work was up to KNPD standard. This included the putting up of a sign indicating the location of the accessible entrance to the complex, access to a restaurant on Level 1, and the installation of of a handrail along a ramp that provides access to two restaurants on Level 3. During this meeting it was agreed that work should be carried out in a restaurant on Level 2, which would mean that once completed the whole complex would have been rendered accessible. KNPD is happy to note the genuine efforts shown by the company since the complaint case was opened, evident in its full cooperation with KNPD and its committed work to improve physical access in spite of technical difficulties.

Accessibility at Europharma shop in Birkirkara (complaint 87)

KNPD remained in contact with the owners of Europharma in Birkirkara in order to try to find a solution to the lack of accessibility inside the shop entrance. It is worth noting that after the complaint case was opened, the shop owners applied for MEPA permits to render their premises accessible, and after the plans were sent to KNPD for vetting as part of the procedure, these were deemed acceptable according to Access for All Guidelines. Unfortunately for a time the owners failed to provide KNPD with the information required, so much so that the stipulated time frame for the completion of works expired. According to the owners, this delay was caused by a change of architect as well as their decision to buy a platform lift from another agent. Recently it was confirmed that the platform lift had been purchased and in fact this is now being installed inside the shop entrance. KNPD will continue to follow the case and to insist that the work required is completed within a reasonable period of time.

Excelsior Hotel, Floriana and Riviera Hotel, Mellieha (complaints 89, 90)

KNPD continued to investigate the complaints regarding the lack of accessibility in these two hotels.

With regard to the Excelsior, in 2009 a detailed report with recommendations had been drafted by KNPD and sent to the owners of the hotel so that they could be implemented within a reasonable period of time. Following a period when the owners were not providing the information requested by KNPD, throughout this year another meeting was held on the premises with the aim of resolving the pending issues regarding accessibility for all. These issues include the building of a ramp to grant access to the outdoor pool as well as the purchase of a portable pool lift to assist persons with mobility problems to descend into the pool. During this meeting KNPD was informed by the owners that the works on the ramp would start after the summer of this year and that they also intended to ask KNPD for advice regarding the type of portable pool lift required. In fact such advice was given and KNPD is awaiting the purchase of this lift.

With regard to Riviera Hotel, the complaint concerns the number of accessible rooms that a hotel should have. After the owners insisted that such a number stipulated by KNPD

was unreasonable, they eventually accepted KNPD's request and in fact the hotel is currently undergoing the necessary modifications in order for it to conform to Access for All Guidelines. The owners have also committed themselves to ensuring that any future structural changes would be carried out according to these guidelines.

Accessibility at the Sports Complex and National Pool Complex in Ta' Qali (complaint 107)

Discussions with the Malta Sports Council on the lack of accessibility at the Sports Complex and National Pool Complex in Ta' Qali were ongoing. As regards the National Pool Complex, last year a portable pool lift was purchased and is now being used. With regard to the Sports Complex, throughout this year KNPD's architect inspected the premises and compiled an extensive report which indicates the various points that should be addressed in order to make the building accessible to all. This report was sent to the Malta Sports Council which requested time frames for each of the points proposed in the report.

Restaurants at Malta International Airport (complaint 130)

KNPD contacted the Airport management about the lack of accessibility at airport restaurants on Level -1. Such a problem is caused due to the fact that the ramp which provides access to these restaurants as well as the toilet facilities is not according to Access for All Guidelines. The management was also informed that the toilet facilities were not according to these same guidelines. KNPD received the plans which contained proposals of corrective measures and in fact it resulted that these conformed to Access for All Guidelines. KNPD will continue to follow this case in order to ensure that the necessary works are begun and completed according to plan within a reasonable time frame.

Accessibility at Police Stations (complaint 132)

Since KNPD received complaints relating to the Police, it decided to call a meeting with the Police Corp in order to confirm certain points and find a solution to such issues. These complaints included accessibility in police stations, among which is the one in Paola. During this meeting it was decided that the Corp should stipulate a reasonable period of time within which the Paola Police Station is rendered accessible to all according to the Access for All Guidelines. It was decided that the Corp should also present a report that would cover accessibility in all the other police stations. Other points that were discussed during the meeting included abusive parking in spaces reserved for persons with disability, Blue Badge abuse, accessibility on the official Police Corp website, training that should be provided to policemen regarding areas of disability, and the need for the signing of an agreement between the two parties which would cover aspects related to the disability sector.

COURT OR ARBITRATION

Accessibility at Gzira Health Centre (complaint 53)

The court hearings of the case that KNPD opened against the Health Division with regard to the lack of accessibility at Gzira Health Centre continued this year. This centre is situated on the first floor of a building which is rented out to the Division and contains no lift to provide accessibility. Meanwhile KNPD was informed by the Division that it was working hard to seek alternative premises in this locality that would be accessible for all.

Accessibility at Huggins Pub in Paceville (complaint 93)

A judicial protest was made against the owner of Huggins Pub in Paceville on the basis of his failure to collaborate with KNPD since he did not reply to the letters sent to him by the Commission requesting him to make the place accessible to everyone. In 2004 the owner applied for MEPA permits, presenting plans that conformed to KNPD guidelines. However when the place was opened it was found that the works carried out were not as shown in the plans. In fact persons with mobility problems cannot access the premises. During an investigation it carried out KNPD was informed that the building in question can be rendered accessible and that MEPA never issued a permit for the owner's application submitted in 2004.

Accessibility at Sky Club in Paceville (complaint 99)

A judicial protest was also made against the owner of Sky Club in Paceville. In spite of the fact that the owner had presented a bank guarantee to KNPD, with which he had committed himself to making the club accessible to all within the stipulated time frame, he did not honour his obligations. Even though the owner lost the guarantee sum, KNPD continued insisting that he should honour the agreement with the Commission and especially the obligation he held in the eyes of the law. It also accepted the request made by the owner for the guarantee sum to be used in order to carry out the necessary modifications.

4. PROVISION OF GOODS, FACILITIES AND SERVICES

CLOSED COMPLAINTS

Reserved parking spaces for persons with disability at Mater Dei Hospital (complaints 153, 166)

KNPD received complaints from persons with disability who own a Blue Badge concerning the use of reserved parking at Mater Dei Hospital. The reason given for these complaints was the great demand for such badges and the fact that they are often being misused. KNPD called a meeting with the hospital management representatives to discuss various measures in order to accommodate persons with disability in the best possible manner.

Public transport service provided by Arriva (complaints 149, 150, 155, 156, 157)

After closely following the complaints received with regard to accessibility for all through the public transport service provided by Arriva, this year KNPD called a meeting and maintained regular contact with the company's Managing Director with the aim of

providing a more accessible transport system within a reasonable period of time. The complaints regarded broken bus ramps, the small type, faintly illuminated route numbers on bus windscreens, the routes themselves, the subsidy on fares, lack of SMS service for persons with hearing impairment, as well as reckless driving and the bus drivers' attitude towards persons with disability. While KNPD will continue to follow other complaints related to the public transport service, it notes with satisfaction the hard work of the Arriva company which is fully collaborating in order to improve access for all across its services, thus ensuring that the general public benefits from equal opportunities.

Services offered to persons with disability (complaints 181, 182)

KNPD received complaints about the condition of services offered to persons with disability by *Agenzija Sapport* and Inspire Foundation. Separate meetings with representatives of both entities were held, where discussions focused on how the contracts between these entities and persons with disability (or their parents) could better reflect the rights and duties of persons with disability and members of staff who work with them. There were also discussions concerning the number of services provided by *Agenzija Sapport* and the fact that parents were obliged to pay part of the expenses for the services provided by Inspire Foundation. The reason given to KNPD was that the amount funded by the Government to assist these entities is not enough to cover the ever increasing demand for their services.

PENDING COMPLAINTS

Air Malta's online check-in service (complaint 148)

Throughout this year a meeting was held with Air Malta with the aim of finding a solution to the complaint which is being investigated regarding the company's online check-in service. In particular, persons with disability reported that when they ask for assistance while booking their flights online, the system is blocked. During the meeting it was agreed that, since the company is going to be working on a new website and online check-in system, the Foundation for Information Technology Accessibility (FITA) should be contacted to ensure that these are made accessible for everybody. KNPD regrettably notes that not only has the agreed time frame for rendering these services accessible expired, the company has unfortunately stopped consulting with FITA in this regard. KNPD will therefore continue to insist that Air Malta respect and legally conform to their agreement.

Accessible cabins on cruise ships (complaints 192, 193)

Persons with disability who wished to book accessible cabins on cruise ships wrote to KNPD due to the fact that they had not been provided with the requested cabins. KNPD wrote a letter to the companies in question, these being Hamilton Travel and SMS Travel. The former explained that since these cruises originate from Italy, when a request for an accessible cabin is made they have to write to the Italian partner company, and if such a cabin is available this is reserved for the Maltese client. This arrangement is not possible if the person with disability makes a late booking since such cabins would already be booked by Italian clients. In this particular case it resulted that the person with disability was eventually granted the services they had requested following a complaint made to the

Italian company. SMS Travel have not yet explained their position and KNPD will therefore continue to insist on a clarification.

Subsidy on a part-time MCAST course (complaint 196)

KNPD received a complaint that a course offered at MCAST on a part-time basis was not being subsidised for persons with disability as with elderly people. KNPD contacted and worked with MCAST in order to resolve the situation and the case was closed.

COURT OR ARBITRATION

Hire service of cars equipped with hand controls (Complaints 144, 145, 146, 147, 173, 174, 175, 176, 177, 178)

KNPD received a large number of complaints from persons with disability who wished to rent a car but could not do so due to the fact that local companies did not equip their vehicles with purposely-fitted kits to enable driving by hand without the need for using the legs. These kits are not very expensive and a technical person could install and uninstall such equipment on any vehicle in a short amount of time and without the need for expert knowledge. After establishing individual contact with a number of large companies which were requested to remedy the situation, these asked KNPD to contact their Association, Rent-A-Car Association (RACA). Unfortunately no progress was registered with RACA and therefore KNPD wrote to nine big car hire companies, requesting that they conform to the law within a reasonable time frame. Since this was not honoured, KNPD presented a judicial protest against these companies. In reaction to this one company informed KNPD that it had taken the necessary measures and in fact KNPD will shortly inspect one of its vehicles. If it results that the said company is conforming to KNPD's request, the judicial protest against it will be closed.

5. ACCOMMODATION

CLOSED COMPLAINTS

Blocked passage in Housing Authority block due to wall construction (complaint 203)

KNPD received a complaint from a person who is wheelchair-bound and who live in an apartment block of the Housing Authority. The latter was going to build a wall as a precaution to the problems caused by the rain but at the same time this was going to block the passage used by this person to access their home. Following discussions the Housing Authority assured this person as well as KNPD that the necessary works would be carried out ensuring that physical access is not restricted.

6. INSURANCE

CLOSED COMPLAINTS

Conditions for the booking of holidays with Britannia Services Ltd (complaint 207)

This year KNPD succeeded in closing a complaint it had received regarding documentation relating to holiday bookings with Britannia Services Ltd. After having contacted the company, the latter agreed to revise its documentation by removing any discriminatory wording, and in fact the newly published leaflet was written according to the company's agreement with KNPD. Nonetheless KNPD drew the attention of the

company to the fact that it had failed to revise the wording in the comprehensive version and the online prospectus. Throughout this year the company revised such conditions as indicated by KNPD and the case was therefore closed.

Montaldo Insurance Agency Ltd policy (complaint 208)

KNPD received a complaint that the insurance policy of Montaldo Insurance Agency Ltd contained wording that could be discriminatory. KNPD started following this case by requesting the company's comments. In addition to this it requested that its legal consultants evaluate the policy wording in order to determine whether it was in conformity with the law. It resulted that these words were in fact discriminatory and, as it had done in the past with other insurance companies, KNPD requested a revision of the policy. This was carried out within a brief period of time and the case was therefore closed.

PENDING COMPLAINTS

No case within the insurance sector was left pending.

COURT OR ARBITRATION

There were no insurance-related cases presented in court or at the arbitration centre.

GENERAL OVERVIEW

WORK 2000-2012

As already explained, this is the twelfth year since the coming into force of the Equal Opportunities (Persons with Disability) Act. Over this past year KNPD worked on a total of 274 complaints, of which 152 were pending since the previous year. There were also 122 new complaints. When one compares the number of complaints which were addressed this year with that of last year one can note that:

- The number of new complaints which KNPD received this year (122) spells an increase of 26 complaints over last year's number of complaints (96).
- The total number of complaints which KNPD worked on throughout this year (274) implies an increase of 15 complaints since last year (259).
- Since the average number of complaints received by KNPD each year over the past 12 years is 100 (see Table 2), this means that the number of new complaints for this year (122) shows a surplus of 22 complaints above the average amount.

Table 1 provides information on all the complaints KNPD worked on this year across all sectors.

TABLE 1: Complaints investigated during 2011-2012													
	Empl		Educ		Acc		Goods & Serv		Hous		Ins		Total
	Nr	%	Nr	%	Nr	%	Nr	%	Nr	%	Nr	%	Nr
From previous years	4	3	34	22	97	64	14	9	2	1	1	1	152
New	20	16	19	16	31	25	42	34	8	7	2	2	122
Total	24	9	53	19	128	47	56	20	10	4	3	1	274

Table 2 provides information on the new complaints which KNPD received throughout this year vis-à-vis other complaints received in previous years. From this table one can notice that:

- In the first 12 years of operation, KNPD investigated a total of 1196 complaints, an average of 100 complaints per year. The smallest number of new complaints was investigated during 2003/4 (71) while the highest number was investigated during 2008/2009 (172).

11/12	20	16	19	16	31	25	42	34	8	7	2	2	122
Total 00/12	137	11	247	21	461	39	290	24	39	3	22	2	1196
Average over 12 years	11		20		38		24		3		2		100
00/01	3	4	0	1	0	3	9	0					5
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

- In the employment sector, the number of new complaints (20) implies an increase of one complaint over the total reached last year (19). This is 9 more complaints

- than the average per year (11). It is worth noting that in the last years KNPD reported a substantial increase in the employment sector, which means that persons with disability in Malta are giving more importance to this law and making use of it more regularly in this regard.
- In the education sector the number of new complaints (19) equalled that of the previous year, and is one complaint short of the average number across all twelve years (20). The fact that the number of new complaints remained low could mean that discrimination against persons with disability in education may have decreased quite substantially. On the other hand it may also imply that persons with disability in Malta are not fully aware of the importance of this Act within a sector that is so important to them.
 - For yet another year the accessibility sector was not one about which KNPD received many new complaints. In fact this year 31 new complaints were registered, which totals 6 more complaints than last year (25). The new complaints received by KNPD for this sector is 7 complaints below the yearly average (38).
 - The provision of goods and services sector reconfirmed itself as the most complained about sector. In fact this year there were 42 new complaints, an increase of 11 complaints over last year (31). Since the yearly average for this sector is 24, this means that the total number of new complaints registered this year was of 18 complaints higher than the average. These numbers continue to confirm that persons with disability in Malta have started making use of this law within such an important sector.
 - This year the housing sector registered 8 new complaints, which is the highest number ever registered in any year in this sector. Since last year only 2 complaints were registered, this means that there was an increase of 6 complaints, which is 5 complaints higher than the average for all years (3).
 - 2 complaints were registered in the insurance sector, after having received no complaints last year. It is worth mentioning that the average per year in this sector (2) is the lowest average across all sectors of this Act.

From this analysis it clearly emerges that persons with disability in Malta feel discriminated against and are making use of the Equal Opportunities (Persons with Disability) act in order to aim for less discrimination in sectors that concern the provision of goods and services, physical accessibility, employment and education. In contrast with this very few people are using this law to prevent discrimination in the housing and insurance sectors.

The complaints received by KNPD concerns various entities which, for the aims of this publication, are being divided into 5 categories. These are Government, parastatal, Local Council, Church and private entities.

Table 3 analyses the complaints received by KNPD throughout these 12 years, organised according to the entities just outlined. As can be seen in this table, during this past year there were more complaints made against the public sector (79 complaints or 65% or the total number of complaints) than against the private sector (43 complaints or 36% of all complaints). With regard to public entities there was an increase of 12 complaints (from 67 to 79) while in the private sector there was an increase of 14 complaints (from 29 to 43).

TABLE 3: Entities about which complaints were made											
	Gov		Para		Councils		Church		Private		Total
	Nr	%	Nr	%	Nr	%	Nr	%	Nr	%	
00/01	38	40	23	24	66	66	99	99	19	20	95
01/02	23	30	13	17	16	21	14	18	10	13	76
02/03	34	45	11	15	92	12	23	33	19	25	75
03/04	43	61	66	88	88	111	46	66	10	14	71
04/05	29	32	15	16	11	12	11	12	25	27	91
05/06	28	30	14	15	55	55	25	27	20	22	92
06/07	16	15	25	24	15	14	17	16	32	30	105
07/08	16	16	10	10	15	15	13	13	44	45	98
08/09	72	42	14	84	95	55	23	13	54	31	172
09/10	41	40	77	77	122	122	88	88	35	34	103
10/11	52	54	66	66	99	99	55	55	24	25	96
11/12	61	50	11	11	174	144	22	22	41	34	122

Total 2011/12	453	38	145	12	132	11	133	11	333	28	1196
Average over 12 years	38		12		11		11		28		100

Work 2011-2012

Table 4 provides an explanation of the result of KNPD's investigation of the complaints throughout the past year. As has already been explained, KNPD worked on a total of 274 complaints. Of these 97 were closed while 164 complaints are still pending. There were also 13 complaints which, following investigation, ended up in court. Four of these concern physical accessibility while the other 9 are related to the provision of goods and services.

The complaints about the accessibility sector that were presented in court relate to the case hearing against the Health Division in view of the Gzira Health Centre's lack of accessibility as well as three judicial protests presented against the owners of St Anne's Hall, Huggins Pub and Sky Club.

The complaints about the provision of goods and services which were presented in court consist of 9 judicial protests against the Rent-A-Car Association (RACA) and the owners of big companies that rent cars to the public. The reason behind this is due to the fact that, in spite of having been given a reasonable period of time, these failed to provide cars for hire equipped with special kits to enable driving by hand without the need for leg use. The companies in question are Merlin International, John's Group, Meli Car Rentals, En Route Malta, Avis Rent A Car, Hertz Rent A Car, Percius Car Hire, London Leasing and United Garage.

Table 4 also shows how KPNP succeeded in closing 35% of the complaints being investigated during this period. This figure shows a decrease by 7% when compared to the total number of complaints closed last year (42%). There is no doubt that while KNPD makes use of its resources in the best possible way in its operation, unfortunately not all entities are willing to stop discrimination against persons with disability.

As already explained, the number of complaints that ended up in court through the issue of a court case of judicial protest totals 13 (an increase of 9 cases since the previous year). This perfectly reflects the method used by KNPD in its investigations, which entails doing everything in its power to negotiate, offer mediation and persuade the discriminator to resolve the situation, and to resort to court only when the latter refuses to cooperate.

TABLE 4: Work on complaints 2011-2012														
	Empl		Educ		Acc		Goods & Serv		Hous		Ins		Total	
	Nr	%	Nr	%	Nr	%	Nr	%	Nr	%	Nr	%	Nr	%
Closed	20	21	14	14	18	19	34	35	8	8	3	3	97	35
Discussed	4	2	39	24	106	65	13	8	2	1	0	0	164	60
Court: Case/ Protest	-	-	-	-	4	31	9	69	-	-	-	-	13	5
Total	24	9	53	19	128	47	56	20	10	4	3	1	274	100

Other information that is of interest is found in Table 4. This shows KNPD's work this past year according to the type of complaint. For example, it clearly emerges that the greatest number of closed complaints belonged to the provision of goods and services sector (34 out of 97 closed complaints), while the second largest number is related to the employment sector (20). In the accessibility sector, KNPD managed to close 18 complaints; 8 complaints in the housing sector and all complaints within the insurance sector (3) were also closed.

With regard to the complaints that were not closed by the end of the year and which require further investigation in the coming year, the highest number is related to accessibility (106 of 164 complaints discussed). 39 complaints are related to education, 13 to the provision of goods and services, 4 to employment and 2 to housing. On the other hand no complaint was left pending in the insurance sector.

13 pending complaints ended up in court when either a case or a judicial protest was filed. 4 of these are related to physical accessibility while the other 9 pertain to the provision of goods and services sector.

TABLE 5: Complaints against various entities and sectors											
	Gov		Para		Councils		Church		Private		Total
	Nr	%	Nr	%	Nr	%	Nr	%	Nr	%	
Empl	11	55	-		1	5	-		8	40	20
Educ	16	84	-		-		2	11	1	5	19
Acc	7	23	1	3	13	42	-		10	32	31
Goods & Serv	22	52	-		3	7	-		17	40	42
Hous	5	63	-		-		-		3	38	8
Ins	-		-		-		-		2	100	2
Total	61	50	1	1	17	14	2	2	41	34	122

ENTITIES AGAINST WHICH COMPLAINTS WERE MADE

Table 5 provides information on the new complaints received by KNPD in the past year, grouped according to the different entities in each sector. From this table one can observe that the greatest number of complaints related to the employment sector (11), education (16), the provision of goods and services (22) and housing (5) was made against the Government. It also emerges that the greatest number of complaints related to the accessibility sector (13) confronted Local Councils while the greatest number of complaints within the insurance sector (2) was against the private sector.

When compared to last year, it results that the new complaints made against the Government increased from 52 to 61, while those against parastatal entities decreased from 6 to 1. The complaints made against Local Councils went up from 9 to 17, and there was a decrease from 5 to 2 new complaints against the Church. The number of complaints related to the private sector increased from 24 to 41.

It is worth mentioning that the reason why KNPD received more complaints against the public sector (79) than against the private sector (43) is that the former provides a broader spectrum of services as well as being a much larger sector.

Table 6 provides information about the 274 complaints investigated by KNPD throughout this year according to the entities against which these were made and the result of the investigation.

This table shows that KNPD succeeded in closing 97 complaints, or 37% of the total number of complaints investigated throughout the year, which implies a decrease of 10 complaints since last year. The greatest number of closed complaints addressed the

Government (54). It also closed 31 complaints against the private sector, 10 against Local Councils and 2 against the Church.

This table also shows that 164 pending complaints remain under investigation. Of these 71 concern the private sector, 42 are against the Church, 35 against the Government, 13 address Local Councils and 3 belong to the parastatal sector.

TABLE 6: The outcome of complaints according to entity								
	Closed		Discussed		Court		Total	
	Nr	%	Nr	%	Nr	%	Nr	%
Government	54	60	35	39	1	1	90	33
Parastatal	-		3	100	-		3	1
Councils	10	43	13	57	-		23	8
Church	2	5	42	95	-		44	16
Private	31	27	71	62	12	11	114	42
Total	97	35	164	60	13	5	274	100

With regard to the cases that ended up in court, 12 of these concern the private sector while the other case is against the Government.

TEST OF REASONABLENESS BOARD

As already explained, KNPD's work to safeguard the Equal Opportunities (Persons with Disability) Act involves investigations of the complaints it receives, offering mediation in order to come to a solution within a reasonable time frame and, if deemed necessary, presenting its case in court. KNPD also provides persons with disability, their families and other people in society who are obliged to follow the EOA with advice regarding the practice and enforcement of this law.

KNPD coordinates its work within the structure of what this same law defines as 'reasonable' (Chapter IV). In order to make its decisions particular cases, KNPD appointed its board which meets regularly and aids it in making decisions about what may be considered reasonable or otherwise. This board is led by Mr Joseph M. Camilleri (KNPD Chairman) while the other members are Mrs Marianne Debono (EOA Manager), Mr John Peel (the parent of a person with disability who cannot represent themselves), Mr Joseph B. Camilleri (public sector

representative), Mrs Anne McKenna (private sector representative) and Dr Joseph Spiteri (architect and technical consultant). Mrs Marie Barbara (draughtsperson for KNPD) is the board secretary.

Often the cases presented to this board are contestations of the position taken by KNPD when it has vetted applications for developments submitted to MEPA and which are referred to the commission for consultation in adherence to a circular issued by MEPA itself. Many of these cases are negotiated together with the applicants who are invited to attend the board meeting and as a result a substantial number of these requests are accepted as reasonable even if subject to certain conditions. In other cases, the board requests further information from the applicants in order to be able to make its final decision on the requests made.

Table 7 provides information on the work carried out by this board over the past 9 years since its operation. It results that throughout this year the board considered one case less than the amount investigated last year (76). Of these 35 were accepted as reasonable subject to certain conditions, 18 were not accepted and 23 required further information.

It should also be mentioned that the number of cases presented to the board throughout this year (76) meant 14 more cases than the average amount for the past 9 years (62). This is the third highest number in the 9 years of the board's operation, a substantial increase which reflects KNPD's committed work in this regard. It also results that this last year had the highest number of cases accepted by the board as reasonable (35 or 46% of cases considered). The reason for this is that, as already explained, most of the cases are negotiated together with the applicants and in fact these are accepted subject to certain conditions. KNPD feels that this is an effective strategy since in this way applicants become more aware of their legal obligation to provide full access to persons with disability, in addition to the fact that a balance is being reached in the best interest of all parties concerned.

TABLE 7: Test of Reasonableness Board										
	Cases discussed		Reasonable subject to certain conditions		Not reasonable		Further information requested		Referred to KNPD board	
	Nr	%	Nr	%	Nr	%	Nr	%	Nr	%
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	-	
Total 2003/2012	557		222		245		89		1	
Average over 9 years	62		25		27		10		0	

CONSULTATION

In addition to its work in order to find a solution to the complaints it receives vis-à-vis the Equal Opportunities (Persons with Disability) Act, KNPD continued to give importance to the educational aspect of the Act. In fact, as in previous years, KNPD continued with its commitment to offering a consultation service regarding the EOA to those who are directly affected by it (such as persons with disability themselves, their family members, organisations and professionals) as well as those indirectly affected by it (such as employers, service providers and educational entities) due to the obligations it imposes on them. The number of consultations KNPD had in this regard was an encouraging one.

CONCLUSION

As a monitor of the Equal Opportunities (Persons with Disability) Act, KNPD is committed to ensuring that in future this law continues to be respected, in this way diminishing discrimination against persons with disability while the latter are able to enjoy the best possible quality of life. Such a commitment will be further strengthened since this year Malta ratified and put into force the United Nations Convention on the Rights of Persons with Disability as well as the Non-Obligatory Protocol linked to this Convention. This means that Malta approved and promised that it would work towards the implementation, promotion and safeguarding of the Convention in the best interest of persons with disability. It is worth mentioning that the Convention was adopted by the General Assembly of the United Nations on 13 December 2006 and KNPD is the Independent Mechanism for Malta in this regard.

Dr Anne-Marie Callus

Executive Director

Marianne Debono
LOI Section Manager

Elvin Sciberras
LOI Section Assistant Manager

LIST OF ALL COMPLAINTS

*Details about the complaints marked with * are found on pages 10 to 25.*

EMPLOYMENT – COMPLAINTS FROM PREVIOUS YEARS

Nr	Complaint	Status	Sector	Entity	Opened
1	Placed on a lower scale because of disability and without any promotion prospects	Closed	Government	Education Division	October 2009
*2	Lack of accommodation at St Margaret College school	Closed	Government	Education Division	March 2011
*3	Lack of accommodation at St Margaret College school	Closed	Government	Education Division	March 2011
4	Discrimination in the workplace	Closed	Private	Maltapost	June 2011

EMPLOYMENT – NEW COMPLAINTS

Nr	Complaint	Status	Sector	Entity	Opened
5	Ill-treatment in the workplace	Closed	Private	Fuego	January 2012
6	Termination of work contract	Closed	Private	ST Micro Electronics	January 2012
7	Termination of work contract	Closed	Private	Air Malta	May 2012
8	Inaccessible toilets for person's needs	Closed	Private	HSBC Bank	March 2012

*9	Accommodation in the workplace for the parent of a person with disability	Closed	Private	De La Rue	April 2012
*10	Accommodation in the workplace	Discussed	Government	Agenzija Sapport	September 2012
*11	Accommodation in the workplace	Closed	Government	Education Division	September 2012
*12	Accommodation in the workplace	Closed	Government	MEPA	October 2011
*13	Accommodation in the workplace after maternity leave	Closed	Government	St Vincent de Paule Hospital	December 2011
*14	Need for accommodation due to hospital treatment required	Closed	Private	Private	July 2012
*15	Delay in the assignment of employment related to a persons with disability scheme	Closed	Councils	Isla Local Council	May 2012
*16	Harassment in the workplace	Closed	Private	Splash and Fun Water Park	May 2012
*17	Harassment in the workplace	Discussed	Government	MCAST	August 2012
*18	Harassment in the workplace	Closed	Government	Transport Malta	October 2012
*19	Request for transfer to another ATC	Discussed	Government	Agenzija Sapport	June 2012
*20	Request for promotion	Closed	Government	Civil Service	July 2012
*21	Removed from EAP scheme when person changed job	Closed	Government	ETC	October 2011
*22	Person informed of months-long waiting time for doctor's examination following registration for employment	Closed	Government	ETC	November 2011
*23	Need for accessible transport to and from workplace	Closed	Private	Private	October 2011

24	Request for parking space close to work office	Discussed	Government	Mater Dei Hospital	August 2012

EDUCATION – COMPLAINTS FROM PREVIOUS YEARS

Nr	Complaint	Status	Sector	Entity	Opened
25	Lack of accessibility in Gozo schools	Discussed	Government	Gozo Ministry	November 2006
26	Lack of accessibility to school stage	Discussed	Government	FTS	December 2006
27	Lack of accessibility in IT schools (see Table A)	Discussed	Private	IT schools	August 2008
28	Lack of accessibility at Junior College	Discussed	Government	University of Malta	October 2008
29	Lack of accessibility at Guardian Angel School	Discussed	Government	Education Division	February 2011
30	Accommodation during exams	Discussed	Government	MCAST	March 2011

EDUCATION – NEW COMPLAINTS

Nr	Complaint	Status	Sector	Entity	Opened
31	Request for exemption from one criterion required for admission to University	Closed	Government	University of Malta	January 2012
32	Refused application from a person with disability for attendance of a school due to the lack of lift facilities	Closed	Church	Stella Maris College	May 2012
*33	Application by a person with <i>dyslexia</i> for entry to the National Sports School refused	Closed	Government	Education Division	August 2012
34	Person with hearing impairment is offered a course which is not their first preference	Closed	Government	MCAST	October 2011
35	Person with disability is not admitted to a course despite having the necessary qualifications	Closed	Government	University of Malta	October 2011

*36	Student with very challenging behaviour is not allowed to attend school until examined by a psychiatrist and given treatment	Closed	Government	Education Division	November 2011	
37	Arrangements in exam papers for a student with Down's Syndrome	Discussed	Government	Education Division	February 2012	
*38	Arrangements for exam paper content	Discussed	Government	Education Division	February 2012	
39	Arrangements in SEC exam papers	Closed	Government	University of Malta	February 2012	
40	Student with disability is not allowed exam paper modifications anymore due to the new system	Closed	Government	Education Division	October 2011	
*41	Lack of accommodation during Home Economics exam	Closed	Government	Education Division	December 2011	
42	Request for Learning Support Assistant	Closed	Government	Education Division	February 2012	
43	Lack of Learning Support Assistant at Zurrieq Primary School	Closed	Government	Education Division	February 2012	
44	Learning Support Assistant refuses to help student with ADHD	Discussed	Government	Education Division	September 2012	
45	Increased summer school fee	Closed	Private	Inspire Foundation	April 2012	
46	Supervision required while student with disability uses school transport	Discussed	Church	Stella Maris College	May 2012	
*47	Student with autism has to remain home due to lack of supervision during school transport time	Closed	Government	Education Division	November 2011	
48	Student with autism is not provided with transport to and from school	Closed	Government	Education Division	October 2011	
49	Request for student with disability to attend ATC	Discussed	Government	Agenzija Sapport	August 2012	

ACCESSIBILITY – COMPLAINTS FROM PREVIOUS YEARS

Nr	Sector	Status	Sector	Entity	Opened
*50	Lack of accessibility at main entrance of Evans Building	Discussed	Government	Health Division	November 2000
*51	Lack of accessibility to Public Registry	Discussed	Government	Public Registry	July 2006
52	Lack of accessibility at Social Security District Office	Discussed	Government	Social Security Department	November 2005
*53	Lack of lift facilities at Gzira Health Centre	Court/case	Government	Health Division	July 2001
54	Accessibility to Clinics and Health Centres	Discussed	Government	Health Division	August 2006
55	Lack of Accessibility at Psychiatric Outreach Services in Floriana	Discussed	Government	Health Division	January 2011
*56	Lack of accessibility at main entrances of Gozo parish churches (see Table B)	Discussed	Church	Gozo Diocese	August 2002
*57	Lack of accessibility at main entrances of Malta parish churches (see Table C)	Discussed	Church	Church of Malta	October 2004
*58	Accessibility at Catholic Institute entrance, Floriana	Closed	Church	Catholic Institute	November 2007
59	Lack of accessibility at Gharb Parish Centre	Discussed	Church	Gozo Diocese	December 2010
60	Lack of accessibility at Aula Magna in Valletta	Discussed	Government	University of Malta	October 2005
61	Lack of street accessibility in various localities	Discussed	Government	Transport Malta	July 2005
62	Lack of accessibility in Mosta streets	Discussed	Councils	Mosta Local Council	March 2006
63	Lack of accessibility in Naxxar streets	Discussed	Councils	Naxxar Local Council	March 2006
64	Parking reserved for persons with disability is timed when regular parking spaces are not	Discussed	Councils	Zejtun Local Council	June 2008
65	<i>Zebra Crossings</i> without pavement ramps	Discussed	Government	Transport Malta	April 2009

66	Lack of pavement ramp	Discussed	Government	Transport Malta	April 2009	
67	New ramp at Tigne Point too steep	Closed	Government	Transport Malta	June 2010	
68	Illegal parking on ramp blocks pavement accessibility	Discussed	Councils	St Paul's Bay Local Council	July 2011	
69	Lack of accessibility on Qawra Promenade	Discussed	Government	Malta Tourism Authority	August 2011	
70	<i>Traffic lights</i> block pavement accessibility	Discussed	Government	Transport Malta	March 2011	
71	Lack of accessibility in public toilets	Discussed	Councils	Mellieha Local Council	May 2010	
72	Lack of accessibility at Busket toilet facilities	Discussed	Government	Ministry for Resources and Rural Affairs	July 2011	
73	Lack of accessibility to Mdina <i>Belvedere</i>	Discussed	Government	Ministry for Resources and Rural Affairs	October 2006	
74	Lack of accessibility to Ghajnsielem <i>Belvedere</i>	Closed	Councils	Ghajnsielem Local Council	April 2010	
75	Lack of accessibility to main beaches	Closed	Government	Malta Tourism Authority	June 2007	
76	Lack of accessibility at Mellieha Bay	Discussed	Government	Malta Tourism Authority	June 2010	
77	Lack of accessibility to band club	Discussed	Private	San Gwann Band Club	March 2003	
78	Lack of accessibility to band club	Discussed	Private	St Anthony Band Club	August 2003	

79	Lack of accessibility at bank branches	Discussed	Church	APS Bank	April 2008	
80	Lack of accessibility at bank branches	Discussed	Private	Lombard Bank	April 2009	
*81	Lack of accessibility at Portomaso	Discussed	Private	Hilton Malta	September 2005	
82	Lack of accessibility to cinema	Discussed	Private	Empire Cinema	March 2006	
*83	Lack of accessibility to hall	Court/Protest	Private	St Anne Hall	July 2006	
84	Lack of accessibility at Food Chain Holdings Ltd stores	Discussed	Private	Food Chain Holdings	June 2008	
85	Lack of accessibility at McDonald's chains	Discussed	Private	McDonald's	June 2008	
86	Lack of accessibility at Diamonds International showroom in Portomaso	Closed	Private	Diamonds International	December 2008	
*87	Lack of accessibility at new Europharma shop in Birkirkara	Discussed	Private	Michele Peresso Ltd	March 2009	
88	Lack of accessibility at Eden Superbowl	Discussed	Private	Eden Leisure Group	March 2009	
*89	Lack of accessibility in hotel	Discussed	Private	Excelsior Hotel	July 2008	
*90	Lack of accessibility in hotel	Discussed	Private	Riviera Hotel	March 2009	
*91	Lack of accessibility in hotel	Closed	Private	Dolmen Hotel	April 2009	
92	Lack of accessibility in hotel's communal toilets	Discussed	Private	Riu Seabank & Spa Hotel	January 2011	
*93	Lack of accessibility in shop	Court/Protest	Private	Huggins Pub	January 2007	
94	Lack of accessibility in shop	Discussed	Private	Għall-Kafè	January 2007	
95	Lack of accessibility in restaurant	Discussed	Private	Ta' Pawlu Restaurant	November 2007	

96	Lack of accessibility at restaurant	Discussed	Private	China House Restaurant	December 2008	
97	Lack of accessibility at Marks & Spencer store, Valletta	Discussed	Private	Marks & Spencer	May 2009	
98	Lack of accessibility in restaurant	Discussed	Private	Penang Restaurant	June 2009	
*99	Lack of accessibility in discotheque	Court/Protest	Private	Sky Club	July 2009	
100	Lack of accessibility in shop toilet	Discussed	Private	Heat Bar & Diner	December 2009	
101	Lack of accessibility at new Forestals showroom in Mriehel	Discussed	Private	Forestals	March 2010	
102	Lack of accessibility in <i>snack bar</i>	Closed	Private	Marmiton Snack Bar	June 2010	
103	Lack of accessibility in restaurant	Closed	Private	Vine Yard Bar & Restaurant	January 2011	
104	Lack of accessibility at Tiptoes shop in Paola	Discussed	Private	Tiptoes	March 2011	
105	Lack of accessibility at Vodafone shop in Paola	Discussed	Private	Vodafone Malta	March 2011	
106	Lack of accessibility in cafeteria	Discussed	Private	Creme Café	July 2011	
*107	Lack of accessibility at Tal-Qroqq Sports Complex	Discussed	Parastatal	Malta Sports Council	June 2010	
108	Lack of accessibility at Victor Tedesco Stadium	Discussed	Private	Hamrun Sports Complex	November 2010	
109	Lack of accessibility at Ta' Qali National Stadium	Discussed	Parastatal	Malta Football Association	November 2010	

ACCESSIBILITY – NEW COMPLAINTS

Nr	Complaint	Status	Sector	Entity	Opened	
----	-----------	--------	--------	--------	--------	--

11 0	Inaccessible ramps in Mimosa Street, Pietà	Discussed	Councils	Pietà Local Council	January 2012	
11 1	Pavement accessibility in Karmenu Mifsud Street, Pietà	Discussed	Councils	Pietà Local Council	October 2011	
11 2	Inaccessible ramps from Ghajn Dwieli to Cottonera	Closed	Government	Transport Malta	January 2012	
11 3	Ramp to <i>zebra crossing</i> near ex-Radio City removed with new pavement construction	Closed	Councils	Hamrun Local Council	April 2012	
11 4	Lack of accessibility in <i>Triq ir-Ramel</i> , St Paul's Bay	Discussed	Councils	St Paul's Bay Local Council	October 2011	
11 5	Installation of electricity pole in the middle of a pavement in Braille Street , St Venera	Discussed	Parastatal	Enemalta	March 2012	
11 6	Lack of accessibility in <i>Sqaq Ta' B'Xejn</i> , limits of Zurrieq	Discussed	Government	Ministry for Resources and Rural Affairs	May 2012	
11 7	Lack of accessible ramp to zebra crossing in Sliema	Closed	Councils	Sliema Local Council	October 2011	
11 8	New pavements in front of American Embassy in Ta' Qali not accessible	Closed	Government	Transport Malta	October 2011	
11 9	Lack of accessibility in <i>Triq il-Vlontin</i> , Birkirkara	Discussed	Councils	Birkirkara Local Council	October 2011	
12 0	Destruction of ramp at pavement's edge near Castille, Valletta	Closed	Councils	Valletta Local Council	May 2012	
12 1	Lack of accessibility in St Paul's Street and Old Hospital Street in Valletta	Discussed	Councils	Valletta Local Council	April 2012	
12 2	Pavements near Tigne blocked by several tables and chairs	Closed	Councils	Sliema Local Council	November 2011	

123	Inaccessible pavements in front of Hotel Phoenicia, Floriana	Discussed	Government	Transport Malta	November 2011	
124	Large plant near garage blocks a pavement	Closed	Councils	Tarxien Local Council	November 2011	
125	Lack of accessibility at Menqa, St Paul's Bay	Discussed	Councils	St Paul's Bay Local Council	August 2012	
126	Person with mobility problems locked inside her home due to street demolition	Discussed	Councils	Xewkija Local Council	August 2012	
127	Need for reserved parking outside school	Closed	Government	Transport Malta	February 2012	
128	Lack of accessibility at MUSEUM chapel entrance, Blata I-Bajda	Discussed	Private	MUSEUM Society	April 2012	
129	Lack of accessibility at Santa Maria Cemetery, Victoria	Discussed	Government	Public Lands Department	March 2012	
*130	Inaccessible ramp at Malta International Airport	Discussed	Private	Malta International Airport	November 2011	
131	Lack of accessibility at Majjistral car park, Mellieha	Discussed	Councils	Mellieha Local Council	August 2012	
*132	Lack of accessibility at Paola Police Station Entrance	Discussed	Government	Police	March 2012	
133	Lack of accessibility in shop	Discussed	Private	Summer Nights	February 2012	
*134	Accessibility at MCP Car Park Floriana	Closed	Private	MCP Car Park	January 2012	
135	Installation of a stair lift instead of a platform lift at the Malta Inter Club	Discussed	Private	Inter Club (Malta)	October 2011	
136	Accessible entrance at St James Cavalier in Valletta remains closed	Closed	Private	St James Cavalier	May 2012	

137	Lack of accessibility at shop entrance	Discussed	Private	L'Orange Bar & Restaurant	June 2012	
138	Lack of accessible ramp to pharmacy	Discussed	Private	Saint Simon Pharmacy	September 2012	
139	Lack of accessible ramp to pharmacy	Discussed	Private	Promenade Pharmacy	September 2012	
140	Lack of accessible ramp to pharmacy	Discussed	Private	Euro Chemist Pharmacy	September 2012	
PROVISION OF GOODS AND SERVICES – COMPLAINTS FROM PREVIOUS YEARS						
Nr	Complaint	Status	Sector	Entity	Opened	
141	Accessibility in internet banking	Discussed	Private	BOV	March 2005	
142	Accessibility in internet banking	Discussed	Private	Lombard Bank	September 2009	
143	Lack of subtitles on television programmes	Discussed	Private	GO/Melita	April 2009	
*144	Rental service of hand-controlled cars	Court/Protest	Private	RACA	June 2009	
*145	Rental service of hand-controlled cars	Court/Protest	Private	Merlin International	December 2009	
*146	Rental service of hand-controlled cars	Court/Protest	Private	John's Group	December 2009	
*147	Rental service of hand-controlled cars	Court/Protest	Private	Meli Car Rentals	December 2009	
*148	Discriminatory online check-in services by Air Malta	Discussed	Private	Air Malta	May 2011	
*149	Arriva bus fares	Discussed	Private	Arriva	June 2011	

*150	Persons with visual impairment experiencing difficulty reading route numbers on Arriva buses	Discussed	Private	Arriva	July 2011
151	Lack of accommodation at Kordin Correctional Facility	Closed	Government	Police	July 2011
152	Lack of accommodation during court hearings	Closed	Government	Court of Justice	July 2011
*153	Parking in reserved car spaces for persons with disability at Mater Dei Hospital	Closed	Government	Mater Dei Hospital	August 2011
154	Shortage of parking spaces reserved for persons with disability at Paola Health Centre	Closed	Government	Transport Malta	September 2011

PROVISION OF GOODS AND SERVICES – NEW COMPLAINTS

Nr	Complaint	Status	Sector	Entity	Opened
*155	Change of routes by Arriva company	Closed	Private	Arriva	September 2011
*156	Attitude of Arriva drivers towards persons with disability	Discussed	Private	Arriva	October 2011
*157	Broken ramps on Arriva bendy buses	Discussed	Private	Arriva	November 2011
158	Abusive parking in spaces reserved for persons with disability in Sliema and St Julians	Closed	Government	Police	October 2011
159	Timed parking and shortage of parking spaces reserved for persons with disability in Valletta	Closed	Councils	Valletta Local Council	November 2011
160	Blue Badge misuse in front of Malta Central Bank	Closed	Government	Police	November 2011
161	Parking spaces reserved for persons with disability at Tigne Car Park occupied by persons without a Blue Badge	Closed	Private	Tigne Point	November 2011

16 2	Parking spaces reserved for persons with disability at St Luke's Hospital occupied by persons without a Blue Badge	Closed	Government	Health Division	December 2011	
16 3	Parking of Blue Badge vehicle occupying parking space for persons with disability for a long time	Closed	Government	Police	December 2011	
16 4	Reserved parking for persons with disability removed after road maintenance	Closed	Government	Transport Malta	January 2012	
16 5	No parking reserved for persons with disability in Floriana	Closed	Government	Transport Malta	March 2012	
*16 6	Reserved parking for persons with disability at Mater Dei Hospital	Closed	Government	Mater Dei Hospital	April 2012	
16 7	Abusive parking in space reserved for persons with disability in front of St Julians Police Station	Closed	Government	Police	May 2012	
16 8	Removal of signs indicating parking spaces reserved for persons with disability	Discussed	Government	Transport Malta	June 2012	
16 9	Bring-in sites placed in parking space reserved for persons with disability in St Paul's Bay	Closed	Councils	St Paul's Bay Local Council	June 2012	
17 0	Request for temporary parking space reserved for a person with disability until completion of road works	Closed	Government	Transport Malta	July 2012	
17 1	Parking reserved for persons with disability in front of Eden Superbowl removed	Closed	Councils	St Julians Local Council	July 2012	
17 2	Parking space reserved for a person with disability not removed after their decease	Closed	Government	Transport Malta	September 2012	
*17 3	Rental service of hand-controlled cars	Closed	Private	Enroute Malta	April 2012	
*17 4	Rental service of hand-controlled cars	Court/Protest	Private	Avis Rent A Car	April 2012	
*17 5	Rental service of hand-controlled cars	Court/Protest	Private	Hertz Rent A Car	April 2012	

*17 6	Rental service of hand-controlled cars	Court/Protest	Private	Percius Car Hire	April 2012	
*17 7	Rental service of hand-controlled cars	Court/Protest	Private	London Leasing	April 2012	
*17 8	Rental service of hand-controlled cars	Court/Protest	Private	United Garage	April 2012	
*17 9	Delay in the provision of Home Help service	Closed	Government	Department for the Elderly	May 2012	
*18 0	CVA bills received in spite of exemption from payment	Closed	Private	CVA Technology	May 2012	
*18 1	Services provided by <i>Agenzija Sapport</i>	Closed	Government	Agenzija Sapport	May 2012	
*18 2	Services provided by Inspire Foundation	Closed	Private	Inspire Foundation	May 2012	
*18 3	Not allowed to jump the queue at Mater Dei Hospital in spite of Special Identity Card	Closed	Government	Health Division	June 2012	
*18 4	Request for a person who is wheelchair bound to attend ATC in a van equipped with a tail lift	Closed	Government	Agenzija Sapport	May 2012	
*18 5	Need for accessible transport to and from the workplace	Closed	Private	Private	July 2012	
*18 6	Application for pension submitted by a person with disability refused	Closed	Government	Social Security Department	July 2012	
*18 7	Application for pension submitted by a person with disability refused	Discussed	Government	Social Security Department	August 2012	
*18 8	Person with disability receives only 75% of social assistance	Discussed	Government	Social Security Department	August 2012	
*18 9	Person with disability stops receiving pension	Discussed	Government	Social Security Department	September 2012	

190	Boy with autism does not receive regular contact with the occupational therapist	Closed	Government	Health Division	October 2011
191	Tourists are not allowed to use the Presidential Palace entrance to use lift	Closed	Government	President ta' Malta	July 2012
*192	Allocation of accessible cabins on cruise ship	Closed	Private	Hamilton Travel	August 2012
*193	Allocation of accessible cabins on cruise ship	Discussed	Private	SMS Travel	August 2012
194	Ticket price for persons with disability for an NNG Promotions event	Closed	Private	NNG Promotions	August 2012
195	Quality of service offered by Air Malta, among which a lift which is not in working order	Closed	Private	Air Malta	July 2012
*196	Subsidy of part-time MCAST course	Closed	Government	MCAST	October 2011

HOUSING – COMPLAINTS FROM PREVIOUS YEARS

Nr	Complaint	Status	Sector	Entity	Opened
197	The neighbours of persons with disability oppose the construction of a ramp in communal area	Discussed	Private	Private	June 2010
198	Upgraded lift not accessible	Discussed	Private	Private	August 2010

HOUSING – NEW COMPLAINTS

Nr	Complaint	Status	Sector	Entity	Opened
199	Application to Housing Authority regarding repairs and purchase of a stair lift	Closed	Government	Housing Authority	November 2011
*200	Lift in an apartment block left unrepaired for a long time, causing a person with disability to remain a prisoner in their own home	Closed	Government	Housing Authority	January 2012

*201	Lift in an apartment block left unrepaired for a long time, causing a person with disability to remain a prisoner in their own home	Closed	Government	Housing Authority	January 2012
202	Delay in the provision of a government home on ground floor	Closed	Government	Housing Authority	March 2012
*203	Passage in a Housing Authority apartment block blocked by the construction of a wall	Closed	Government	Housing Authority	August 2012
204	Disagreement with neighbours due to the fact that the accessible entrance to the apartment block is locked for security purposes	Closed	Private	Private	May 2012
*205	Need for hand rail installation on stairs in an apartment block	Closed	Private	Private	May 2012
*206	Neighbours of a person with disability object to the purchase and installation of a lift in an apartment block where the latter lives	Closed	Private	Private	November 2011

INSURANCE – COMPLAINTS FROM PREVIOUS YEARS

Nr	Complaint	Status	Sector	Entity	Opened
*207	Discrimination in booking conditions and travel insurance	Closed	Private	Britannia Services Ltd	June 2010

INSURANCE – NEW COMPLAINTS

Nr	Complaint	Status	Sector	Entity	Opened
*208	Discrimination in insurance policy	Closed	Private	Montaldo Insurance Agency	May 2012
209	Discrimination in insurance policy	Closed	Private	Captain Morgan Cruises	July 2012

TABLE A

27.	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 B

56. GOZO PARISH CHURCHES	
1	Ghajnsielem Church
2	Gharb Church
3	Marsalforn Church
4	Munxar Church
5	Sannat Church
6	St George's Basilica, Victoria
7	St Mary's Cathedral, Victoria
8	Qala Church
9	Xaghra Church

TABLE C

57. MALTA PARISH CHURCHES	
1	Birgu Church
2	Church of St Joseph the Worker, Birkirkara

3	Church of St Anthony, Birkirkara
4	St Julians Church
5	Dingli Church
6	Luqa Church
7	Tarxien Church
8	Zabbar Church
9	Zebbug Church
10	Mgarr Church
11	Isla Church
12	Kalkara Church
13	Manikata Church
14	Naxxar Church
15	Rabat Church
16	Church of Christ the King, Paola
17	Church of Our Lady of Lourdes, Paola
18	St Paul's Bay Church
19	San Pawl tat-Targa Church
20	Santa Lucia Church
21	Nazarene Church, Sliema
22	St Gregory Church, Sliema
23	Stella Maris Church, Sliema
24	Swatar Church
25	Ta' Xbiex Church
26	St Dominic's Church, Valletta

27	St Francis Church, Valletta
28	St Augustine's Church, Valletta
29	Xghajra Church
30	Zejtun Church