

Equal Opportunities Act Persons with Disability

2005/06 Annual Report

Introduction

Equal: Good for Me – Good for You

Six years after the Equal Opportunities (Persons with Disability) Act was approved unanimously by the Maltese Parliament, this report provides a clear picture of the application of this law in 2005/06 while also showing how persons with disability and their families are using this important tool in their attempt to improve their quality of life.

As the report shows, the number of new complaints is consistent with that of the previous year. 91 complaints were registered in 2004/05 and 92 in 2005/06. The report also shows that KNPD has till now worked on 500 complaints, a fact which demonstrates the energy and commitment with which KNPD is assuming its responsibilities in relation to the application of the Equal Opportunities Act.

A closer analysis of the six major parts which make up the Act, shows that:

- **Access**, or its lack, is still the area in relation to which the greatest number of complaints is made;
- **Education and the Provision of Goods and Services** are given substantial importance;
- The **Employment** sector is still attracting few complaints;
- The **Housing** and **Insurance** sectors retained a small number of complaints.

Although like every other Law, the Equal Opportunities Act has a mandatory and punitive role, KNPD has always emphasised the educational aspect of the implementation of this Act, both at an individual level and at a societal level. We prefer persuasion and agreement to legal intervention and court cases.

For this reason, KNPD utilises a significant part of its limited resources to offer consultation services about the Act. The main beneficiaries of this service are persons with disability, their families, and non-Governmental organisations and professionals working in the field of disability. However, KNPD also has direct contact with anyone who has to conform to the provisions of the Act. In 2005/06, this educational service consumed a considerable proportion of the time and energy of KNPD's officials.

With the financial assistance of the European Union, KNPD organised an awareness campaign about the Act with the theme: 'Good for Me – Good for You', as well as a round-table conference for Non-Governmental Organisations working in the field of disability.

An important part of this awareness campaign was the publication of a booklet that explains the best ways in which a person with disability can benefit from the Act and that provides clear models to follow when making a complaint against discrimination. This booklet was very-well received by the organisations and individuals concerned.

The slogan was carefully chosen in order to convey an important message. This message emphasises the fact that when the built environment, the provision of goods and services, education, the employment market and any other sector in society are open and adapted to the needs of persons with disability, the quality of life of both persons with and without disability is improved.

A building which is accessible in various ways, including through lifts and ramps, does not only help people with mobility impairment but also enhances the comfort of other people using the building. Alternative means of communication such as subtitles in television programmes, large fonts, information provided in audio format etc., assist those who have visual or hearing impairments but also those who do not have these conditions (for instance, those who never had the opportunity to learn how to read). Information given in an easy-to-read format is not only beneficial to those having an intellectual impairment but is also very popular among other people.

Breaking down stereotypes and prejudice by giving the opportunity to persons with disability to fulfil their potential in education, employment and other aspects of life, making them more independent, also financially, can be advantageous to us, persons with disability, but also to you as a member of this society.

For the above reasons, conforming to the Equal Opportunities Act should not be seen as just a legal obligation but also as a societal challenge for us to improve our national product at every level, such as schools, employment, entertainment and tourist attractions.

These six years of continuous effort in the implementation of the Equal Opportunities Act have convinced us that this Act is one of the main factors that are gradually bringing about a profound and positive change in Maltese society, where it is becoming always more obvious that what is good for me, as a person with disability, is good for you, as a person without disability.

Joseph M. Camilleri
KNPD Chairperson

Marianne Debono
Manager Equal Opportunities Act Unit

Executive Summary

- This year, KNPD continued to work on 65 complaints that were pending from the previous five years and started to investigate 92 new complaints. Thus, KNPD worked on a total of 157 complaints.
- The number of new complaints (92) was almost the same as that of the previous year (91), while the total number of complaints dealt with by KNPD increased by 14 from the previous year, that is, there was an increase of 9%.
- Over six years, KNPD investigated 500 complaints, that is, an average of 83 complaints a year varying from 71 to 95 complaints a year. This year there were 9 complaints more than the average.
- In the employment sector, the number of new complaints decreased by one while the percentage is 4 points less than the total.
- In the education sector, the number of new complaints decreased by 2 but the percentage is 5 points higher than the total.
- In the access sector, the number of complaints increased substantially once again as there were 15 complaints more than the previous year. However, the percentage is only 1 point higher than the total.
- In the Provision of Goods and Services sector, the complaints decreased by 7 and the percentage is 2 points less than the total.
- Once again, the biggest number of complaints was in relation to access. In fact, these complaints amount to slightly less than half the total number of complaints.
- KNPD closed 83 complaints, 3 of which were court cases. 74 complaints, 3 of which are court cases, are still open.
- The percentage of complaints for which legal proceedings were instituted is still low, having decreased from 3% to 2%.
- The number of cases which are still open is higher by 10 from that of last year. This amounts to an increase of about 16%.
- The majority of cases which are still open (69%) are related to access because KNPD concluded only a little more than one-third of all the cases related to access.
- In the Provision of Goods and Services sector, there are 13 pending complaints. KNPD managed to close almost half of the complaints related to this sector.
- KNPD has 7 pending cases related to education. KNPD closed 29 out of 36 cases, that is, 81% of the complaints related to education.
- KNPD is working on 1 case related to employment.
- The complaints are almost equally divided between public entities (government, parastatal entities and local councils) and the non-governmental sector, including the private sector and the Church.
- The number of complaints against the government remained on the same level as last year and the percentage of complaints against the government for this year is 2% less than that of last year and 9% less from the total percentage.
- The number of complaints against parastatal entities remained on the same level as last year and the percentage of complaints against the government for this year is 1% less than that of last year and 1% less from the total percentage.
- There was a significant decrease in the number of complaints against local councils, that is, from 11 to 5. The percentage of complaints against local councils for this year is 7% lower than that of last year and 6% lower from the total percentage.
- As regards the Church, KNPD has intensified its efforts to ensure that parish churches have at least their principal entrance accessible to everyone. This meant that the number of complaints against the Church increased from 11 to 25. The percentage of complaints

against the Church for this year is 15% higher than that of last year and 14% higher from the total percentage.

- The complaints against private entities decreased by 5 percent and the percentage for this year is almost equivalent to the total percentage.
- KNPD closed 71% of the complaints against the government, an increase of 8% from the previous year.
- KNPD closed 71% of the complaints against parastatal entities, the same percentage as the previous year.
- KNPD closed 62% of the complaints made against local councils, a 6% increase on the previous year.
- The lowest percentage of closed cases, that is 26%, relates to complaints against the Church. Nonetheless, this represents an increase of 8% over the previous year.
- 43% of the cases of complaints against private entities were closed. This is 13% less than the previous year.
- This year, KNPD made an out-of-court settlement in the case against SBT regarding the use of SMS.
- KNPD reached an agreement with the University of Malta regarding the accessibility of Student's House. A lift has now been installed.
- The Court case against the Ministry of Health was closed as the necessary work was carried out to guarantee access to sanitary facilities at St. Luke's Hospital.
- The case against the Ministry of Health relating to access at the Health Centre in Gzira is still pending in court.
- The case against Michele Peresso relating to access to the Medical Centre is pending in the Court of Appeal.
- This year, KNPD instituted proceedings at the court in Gozo to address the problem of lack of access at the Calypso Hotel, Marsalforn.
- The Test of Reasonableness Board examined 59 cases, 12 less than the previous year.
- 75% of the cases examined by the Board were deemed unreasonable, an increase of 13% over the previous year.
- This year, KNPD revised and published a new edition of "Access for All- Design Guidelines", which offers guidelines that the Board uses in assessing cases relating to physical access.
- KNPD presented suggestions to the Minister for the Family and Social Solidarity for a number of amendments to the Equal Opportunities Act.
- KNPD carried out an awareness campaign about the Equal Opportunities Act, also through the publication of a booklet.

General Overview

The Equal Opportunities (Persons with Disability) Act came into force in October 2000. Every year, KNPD presents a report of its work over the previous twelve months. This is the sixth annual report presented by KNPD. It covers the period between October 2005 and September 2006.

The Equal Opportunities Act Section within KNPD receives complaints of discrimination from persons with disability with respect to six general areas:

- Employment (Emp)
- Education (Educ)
- Access (Acc)
- Provision of Goods and Services (Serv)
- Accommodation (Hse)
- Insurance (Ins)

Revision of all Complaints

This year, KNPD examined all the complaints made over the last six years and made some changes to their classification. Some of them were merged together while others were separated in order to facilitate the administrative work required. For this reason, some of the figures quoted in this report might vary from those of previous reports. Nonetheless, any changes made affected percentages only slightly.

Complaints

This year, KNPD continued to work on 65 complaints that were pending from the previous five years and started to investigate 92 new complaints. Thus, KNPD worked on a total of 157 complaints. A comparison of these figures to those of last year reveals that:

- a) the number of new complaints (92) was almost the same as that of the previous year (91);
- b) the total number of complaints dealt with by KNPD increased by 9% from the previous year. Last year, KNPD worked on 143 complaints, which means that this year there was an increase of 14 complaints. This is a substantial increase and is a positive indication of KNPD's work.

These 157 cases can be classified as follows:

	Emp		Educ		Acc		Serv		Hse		Ins		Total
	N	%	N	%	N	%	N	%	N	%	N	%	
From previous years	0	0	12	18	42	65	10	15	0	0	1	2	65
New	6	7	24	26	42	45	18	20	1	1	1	1	92
Total	6	4	36	23	84	54	28	18	1	1	2	1	157

The following is a comparison of new complaints with complaints made in previous years:

	Emp		Edu		Acc		Serv		Hse		Ins		Total
	N	%	N	%	N	%	N	%	N	%	N	%	
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
Total 00/06	56	11	107	21	2074	41	108	22	15	3	10	2	500

Table 2 shows that:

- In six years, KNPD investigated 500 complaints; an average of 83 complaints a year varying from 71 to 95 complaints. This year, there were 9 complaints more than the average.
- In the employment sector, the number of new complaints decreased by one while the percentage is 4 points less than the total.
- In the education sector, the number of new complaints decreased by 2 but the percentage is 5 points higher than the total.
- In the access sector, the number of complaints increased substantially once again as there were 15 complaints more than the previous year. However, the percentage is only 1 point higher than the total.
- In the Provision of Goods and Services sector, the complaints decreased by 7 and the percentage is 2 points less than the total.
- Once again, the biggest number of complaints was in relation to access. In fact, these complaints amount to slightly less than half the total number of complaints.

These statistics show that persons with disability give importance to the access sector. Since this is a tangible and easily quantifiable aspect of life, it is easier to make a complaint related to it. Education and the provision of goods and services are also important aspects of the life of persons with disability and the Act is helping in these areas too. The complaints made in relation to these two sectors account for almost half of the total number of complaints. The number of complaints related to the employment sector is relatively low and exposes the serious problems in the application of the Act in this sector. Complaints related to the Accommodation and Insurance sectors remained low as in previous years.

Out of the 157 complaints which KNPD worked on during this year, 83 complaints (three of which where being heard in court) were closed while 74 complaints (three of which are being heard in court) are still pending and KNPD is working on them. This means that KNPD managed to conclude 4 complaints more than in the previous year, although the percentage has decreased by 2 points – from 55% last year to 53% this year.

The percentage of complaints which are being heard in court is still low and has decreased from 3% to 2%. This continues to confirm the philosophy of KNPD that recourse to the courts should remain a measure of last resort. KNPD believes that this work involves a change in mentality and attitude which can occur more quickly through mediation and negotiation rather than through court imposition. The Court is only used for those who absolutely do not want to comply.

The number of complaints which are still pending and on which more work needs to be done is higher than last year by ten cases which means that there has been an increase of 16%. This means that KNPD needs to work more on this sector next year.

An analysis of the complaints which KNPD worked on during this year, classified according to the type of complaint, gives the following values:

	Work		Educ		Access		Services		Housing		Insurance		Total	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%
Closed	5	6	29	35	39	14	17	1	1	2	2	2	83	53
Discussed	1	1	7	10	49	69	14	20	-	-	-	-	71	45
Court	-	-	-	-	3	-	-	-	-	-	-	-	3	2
Total	6	4	36	23	84	54	28	18	1	1	2	1	157	100

The majority of the complaints, that is, 69%, which are pending and which are still being discussed are related to physical access. This is due to the fact that the largest number of complaints made are related to this area and because KNPD has only managed to conclude a little more than a third of the cases related to access. The second largest number of complaints which are still pending is that related to the provision of goods and services in which there are still 14 complaints on which KNPD is still working.

In this sector, the percentage of complaints which KNPD has managed to solve is much higher and amounts to half of all the complaints. In the education area, KNPD still has 7 pending cases. In this area, KNPD appears to be effective, also with the Law's help, since it has managed to close 29 out of 36 complaints on which it worked, which amounts to 81%. In the employment sector, KNPD is working on only one complaint while there are no pending complaints related to the other sectors, that is, housing and insurance.

Entities Against whom Complaints were Made

KNPD investigates complaints which are made against a number of entities in our country, including the Government (Gvn), parastatal entities (Para), Local Councils (LC), the Church (Ch), and private entities (Priv). The complaints received by KNPD in six years since its establishment, according to the entities against whom they were made, are as follows:

	Gvn		Para		LC		Ch		Priv		Total
	N	%	N	%	N	%	N	%	N	%	
00/01	38	40	23	24	6	6	9	9	19	20	95
01/02	23	30	13	17	16	21	14	18	10	13	76
02/03	34	45	11	15	9	12	2	3	19	25	75
03/04	43	61	6	8	8	11	4	6	10	14	71
04/05	29	32	15	16	11	12	11	12	25	27	91
05/06	28	30	14	15	5	5	25	27	20	22	92
Total 00/06	195	39	82	16	55	11	65	13	103	21	500

This year, the complaints which KNPD worked on were divided approximately into 50% against public entities (the government, parastatal entities and local councils) and 50% against non-governmental entities (the private sector and the church). This is much lower than the percentage of the total, where the percentage related to public entities is of 66% against public entities compared

to 34% against the non-governmental sector. This implies that there is a notable change and more complaints are being made against non-public entities.

The complaints made against the government and parastatal entities remained on the same level as those of the previous year because there was a decrease of only one complaint. However, the percentage of complaints against the government for this year is 2% less than that of last year and 9% less from the total. As regards parastatal entities, the number of complaints remained on the same level as last year and the percentage of complaints against parastatal entities for this year is 1% less than that of last year and 1% less than the total. There was a significant decrease in the number of complaints against local councils, that is, from 11 to 5. The percentage of complaints against local councils for this year is 7% lower than that of last year and 6% lower from the total.

As regards the Church, KNPD has intensified its efforts to ensure that parish churches have at least their principal entrance accessible to everyone. This meant that the number of complaints against the Church increased from 11 to 25. The percentage of complaints against the Church for this year is 15% higher than that of last year and 14% higher than the total. The complaints against private entities decreased by 5% and the percentage for this year is almost equivalent to the total percentage.

A more in depth analysis of the 157 complaints tackled by KNPD in terms of the entities against which the complaints were made reveals the following:

	Gov		Para		LC		Chu		Priv		Total
	N	%	N	%	N	%	N	%	N	%	
Closed	34	41	15	18	8	10	10	12	16	19	83
Discussed	13	18	6	8	5	7	28	39	19	27	71
Court	1	33	-	-	-	-	-	-	2	67	3
Total	48	31	21	13	13	8	38	24	37	24	157

KNPD managed to close 71% of the complaints made against the Government, including part of a complaint made against the Ministry of Health. This is a substantial improvement on the previous year, where KNPD managed to conclude 63% of the cases. Thus, there was an improvement of 8%. Another positive point to be made about the Government is that the number of complaints which are still open is very low, that is, 14 complaints. This represents only 19% of the pending complaints that KNPD is working on. This shows that while the number of complaints made against the government is quite consistent, the solution to these problems is being found in a relatively short time.

KNPD also managed to close a high percentage of complaints against parastatal entities (71%) and local councils (62%). The percentage related to parastatal entities is similar to that of last year while there was an improvement of 6% in relation to local councils.

The percentage of closed complaints relating to the Church is the lowest, that is 26%. Nonetheless, this shows an improvement of 8% from the previous year. The percentage of closed cases of complaints against private entities is not only relatively low (43%) but there was also a decrease of 13% from the previous year.

These statistics show that solutions are being found more easily in the public sector than the non-governmental sector.

Court

This year, KNPD continued to work on a number of cases which are being heard in the Courts of Malta:

- a) KNPD made an out-of-court settlement in the case against SBT regarding the use of SMS;
- b) the case against the University of Malta regarding the accessibility of Student's House was solved as a lift has now been installed;
- c) the Court case against the Ministry of Health was closed as the necessary work was carried out to guarantee access to sanitary facilities at St. Luke's Hospital.
- d) the case against the Ministry of Health relating to access at the Health Centre in Gzira is still pending in court.
- e) the case against Michele Peresso relating to access at the Medical Centre is pending in the Court of Appeal.

This year, KNPD instituted proceedings in the Court of Gozo to address the problem of lack of access at the Calypso Hotel, Marsalforn.

The Test of Reasonableness Board

The Equal Opportunities Act stipulates that KNPD has the duty to receive complaints about discrimination, to investigate the same, to mediate and, if necessary, to take the case to arbitration or to court. KNPD is also obliged to give advice about the Act and its enforcement both to persons with disability and their families as well as to others who have certain obligations in terms of this law.

KNPD has to carry out its duties within the limits of that which the Act defines as "reasonable" (Part IV). KNPD has appointed a Board to help it decide what should be considered as reasonable in specific cases. This Board is composed of Mr Fred Bezzina (Executive Director of KNPD) in the role of Chairman of the Board and the following members: Mr Gordon Cardona (a person with disability), Mr John Peel (parent of a person with disability who cannot represent herself), Architect Robert Musumeci (representative of the Building Industry Consultative Committee (BICC)), Joseph Camilleri (representing the public) and Ms Anne McKenna. Ms Marianne Debono, who is the manager of the Equal Opportunities Unit within KNPD, is the Board's secretary.

Very often the decisions of this Board are negotiated and for this reason many of these cases are accepted as reasonable subject to certain conditions.

The Board's work in this period involved the following:

	¾		04/05		05/06	
	N	%	N	%	N	%
Cases Discussed	51		87		63	
Reasonable with Conditions	30	59	27	38	15	25
Not Reasonable	21	41	44	62	44	75
Pending	0		16		4	

* The percentage was calculated on the basis of cases on which a decision had been made.

The number of cases assessed by The Test of Reasonableness Board decreased by 12, from 71 to 59, a drop of 17%. On the other hand, the number of pending cases also diminished significantly, that is, by 12 cases.

Unfortunately, the fact that the absolute majority of cases analysed by this board are deemed unreasonable, even if certain conditions are made, is a trend that increased by 62% to 75%.

This year, KNPD revised and published a new edition of “Access for All - Design Guidelines”, which offers guidelines that the Board uses in assessing cases relating to physical access.

Consultation

KNPD emphasises the educational aspect of the implementation of this Act. For this reason, this year KNPD continued to offer consultation services about the Act. The main beneficiaries of this service are persons with disability, their families, non-governmental organisations, professionals working in the field of disability and all those people or entities who have certain obligations under this Act, such as those offering services, educational entities and more. There were a high number of consultations and it was very difficult to compile accurate statistics.

Review of the Equal Opportunities Act

This year KNPD completed the comprehensive review of the Equal Opportunities Act. This was done in the light of the European Union Council’s Directive which establishes a common basis for equal treatment in employment (2000/78/EC) and the fact that KNPD had been implementing this Act for five years.

KNPD suggested a number of amendments to this Act to the Hon. Dolores Cristina, Minister for the Family and Social Solidarity. The suggested amendments can be seen on KNPD’s website: www.knpd.org. It is hoped that next year, which coincides with the 20th anniversary of KNPD and which is the European Year for Equal Opportunities, the Maltese Parliament will reconsider this Act and unanimously amend it in order to make it more effective and better able to fulfil the aims for which it was created.

Awareness Campaign

KNPD believes that this Law can be more effective and that persons with disability can make better use of it in order to stop discrimination against them. Accordingly, KNPD organised an awareness campaign to make sure that people, most especially, persons with disability, become aware of this Act. This campaign included:

- adverts in daily newspapers;
- adverts on radio and television stations;
- publication of a booklet on the Act including a draft letter of complaint;
- a seminar organised for organisations which work in this area.

Conclusion

KNPD, by means of the Equal Opportunities Act, has executed its functions in compliance with the same Act. This Unit is a very small one and, apart from the manager, the employees in this sector are Mr Elvin Sciberras, and Dr Doreen Clarke LL.D, the legal advisor to KNPD working on a part time basis.

Fred Bezzina

Executive Director
National Commission
Persons with Disability

Marianne Debono

Manager Equal Opportunities Act Unit

Important Complaints

In this section, KNPD will give a short account of the principal complaints on which it worked during this year. These will be divided into three sections:

- a) complaints which were closed after a solution was found;
- b) complaints which are still pending;
- c) complaints which have been filed in court.

The complaints are presented in the following order: employment, education, access, the provision of goods and services, housing and insurance.

Closed Complaints

Employment

1. Employee of the Health Division

KNPD received a complaint from an employee of the Health Division who requested a transfer to a less noisy place because of her disability. This complaint was solved and a transfer was made subsequent to discussions with KNPD.

2. Employee of the Social Security Department

An employee of this Department complained that he needed a hands free telephone due to his disability. This complaint was solved and this apparatus was provided after discussions with KNPD.

Education

1. Sign Language Interpreters at MCAST

As already explained last year, KNPD received complaints from 5 students with hearing impairment who needed a Maltese Sign Language interpreter in order to follow courses at MCAST. After intensive discussions between KNPD, the Deaf People Association, and the Ministry of Education, an agreement was reached in terms of which the Ministry started buying this service from the Association. In this way, these students could continue to study at MCAST.

2. ECDL Exam

KNPD received a complaint that the Malta Computer Society, which organises ECDL exams, was not providing different arrangements for these exams to accommodate persons with intellectual disability, notwithstanding an agreement that it would do so. After discussions held between KNPD, the Foundation for Information Technology Accessibility (FITA) and this Society, these arrangements were made and a number of persons with intellectual disability completed these exams successfully.

3. Accessibility in Schools

KNPD receives various complaints about the lack of accessibility in schools, especially government schools. KNPD has remained in continuous contact with the Foundation for Tomorrow's School and the Ministry for Gozo. Although progress could have been faster, KNPD notes that this year it managed to close the following complaints:

- Rabat Primary School
- Imqabba Primary School
- Attard Primary School
- Hamrun Primary School
- M. A. Refalo School in Vitoria, Gozo
- College of Art, part of MCAST, Targa Gap

Access

1. Access for Cars and Reserved Parking in Mdina

KNPD has started discussions with the relevant authorities, which include the Malta Transport Authority, the Ministry for Internal Affairs and the Mdina Local Council in order to enable persons with disability who have a blue sticker to enter Mdina by car and to have a reasonable number of reserved parking spaces in Mdina. This proposal has been accepted by all parties. The Ministry for Internal Affairs has amended the traffic regulation, the Malta Transport Authority has authorised two reserved parking spaces for persons with disability and the Mdina Local Council has installed the relevant traffic signs, including a traffic sign at the entrance of Mdina.

KNPD feels that this is a very important development which may serve as a model when parts of our cities become closed to traffic, as in Mdina.

2. The Palace, Valletta

KNPD worked so that a lift would be installed in the President's Palace in Valletta to make substantial parts of the building accessible for everyone.

This lift was installed but there was still a step which needed to be climbed in order for the lift to be used. A temporary ramp was initially constructed but this was not good enough. KNPD worked hard so that this ramp would be replaced by an adequate permanent structure. After discussions with His Excellency, Dr E. Fenech Adami, President of Malta, this ramp was installed and inaugurated during the Persons with Disability Week of 2005. This ramp is made of glass so that the beautiful floor can still be seen and appreciated by everyone.

3. Parish Churches

After making numerous complaints that churches are not accessible to everyone, KNPD started an exercise in order to ensure that at least the principal entrance to parish churches is accessible to everyone.

This year, KNPD concluded this exercise with a small number of parish churches now having a principal entrance which is reasonably accessible to everyone. These are:

- The Mdina Cathedral;
- The Mosta Parish Church;
- The Gharghur Parish Church;
- The Ghasri Parish Church;
- The Nadur Parish Church.

4. Mediterranean Conference Centre

KNPD held discussions with the management of the Mediterranean Conference Centre in order to make this place accessible to everyone. A ramp leading to the pavement and the principal entrance was built and an agreement was reached with respect to the toilets. Unfortunately, when the toilets were built, the door to them was narrow and KNPD insisted that this had to be widened. After discussions were held, the management widened the door and the Centre is now reasonably accessible to everyone.

5. St George's Bay

In 2003, the European Year for Persons with Disability, the Malta Tourism Authority committed itself to creating three bays which were to be accessible to everyone. One of these bays was going to be St George's Bay in Paceville. The plans were vetted by KNPD but when the works were finished, it was found that a number of things did not conform to the KNPD

guidelines. Following discussions between the Authority and KNPD, the Authority carried out some modifications that have made this bay reasonably accessible to everyone.

6. Latini Restaurant, Marsalforn

KNPD received a complaint that this restaurant, whose plans had been vetted and approved by KNPD, was not accessible to everyone. After rather long discussions, which also included the presentation of a judicial protest, the management of this restaurant constructed ramps to ensure that this restaurant now has an entrance which is accessible to everyone.

The Provision of Goods and Services

1. Accessible Transport to Church Schools and Independent Schools

As announced in last year's annual report, KNPD received a complaint from the parents of a student with disability who attends a Church School because Paramount, the company in charge of providing transport to the College's students, was not offering its services to this particular student with disability. Following discussions between this company, the parents of this student and KNPD, this service started to be offered to the student with disability.

KNPD has received other complaints of this type and for this reason it has written to all Independent and Church Schools to inform them that students with disability have the right to be provided with accessible transport and that they are obliged to forward this information to the students involved.

2. Flimkien Magazine

KNPD received a complaint stating that *Flimkien* magazine, published by the Chaplains' College and distributed among a big number of parishes, was not accessible to people with visual impairment. KNPD forwarded this complaint and, following discussions, this magazine is now available in audio format from the chaplains.

3. Accessible Website

After having received several complaints, KNPD and the Foundation for Information Technology Accessibility (FITA) embarked on a project to ensure that the websites of important entities are accessible to everyone in conformity with international standards. This year, the websites of the following entities were confirmed as being accessible to everyone:

- various government departments
- Enemalta Corporation
- HSBC
- Maltacom

4. Accessible Statements and Bills

KNPD received a number of complaints about the fact that various entities do not provide the service of statements and bills which are accessible to people with visual impairment. This service can be provided by supplying the people who request it with the same document printed in a larger font. Many of the entities involved agreed to provide this service but refused to publicise this service adequately. Till now, an agreement has been reached with Melita Cable for it to send a leaflet about this service to all persons registered with KNPD.

The government, through the Office of the Prime Minister, distributed a circular among all its directors (including parastatal ones) to ensure that the information published by all its entities is reasonably accessible to everyone.

Complaints being Discussed

Employment

MIA Employee

KNPD received a complaint by an employee of MIA with hearing impairment that he was not being given the services of a Sign Language interpreter during staff meetings and that he was being discriminated against in the assignment of overtime.

While the company verbally accepted to provide the service of an interpreter during staff meetings, it has not confirmed this in writing. As regards the complaint about overtime, KNPD is investigating.

Education

1. Absent Facilitators in Church Schools

KNPD received various complaints that some students with disability in Church Schools were being sent home when their facilitators were absent. KNPD opened discussions with the Secretariat for Education of the Maltese Church in view of them providing a small pool of facilitators on standby to replace the absent facilitators of students who cannot stay alone in class. Despite various attempts, no agreement was reached and the Secretariat argued that this matter should be taken care of by the individual schools.

KNPD believes that schools are legally obliged to provide their reasonable support in order to ensure that students with disability receive their education. KNPD also believes that these schools are guilty of discrimination when they send these students home without offering a reasonable alternative. Thus, KNPD will keep working on finding a just solution to this problem.

2. Accessibility in Government Schools

KNPD has received complaints that some government schools are not accessible to everyone even though some students with physical disability attend these schools. While in some schools this problem was solved, KNPD is still in talks with the Foundation for Tomorrow's Schools and the Ministry for Gozo about accessibility at the following schools:

- The Primary School in Victoria, Gozo,
- Ninu Cremona Secondary School, Victoria, Gozo
- St. Paul's Bay Primary School
- St. Julian's Primary School

3. The Giving of Medicines in Regular Schools

KNPD received various complaints that a number of students with disability who need medicine, are not being given this medicine at school or else their parents have to go to school everyday to give this medicine to their children.

KNPD is aware of the complexity of this issue and has thus agreed with the establishment of a task force to give recommendations. This task force consisted of representatives of the Ministry of Education, the Ministry of Health and KNPD. The task force completed its report and forwarded it to the Minister of Education who, in turn, asked for the advice of the Attorney General's Office.

Unfortunately, KNPD is still not aware of any official reaction to this report by the Ministry of Education, even though it has sent a number of letters, including legal ones.

KNPD is going to continue working by taking all the legal measures available to solve this serious problem for persons with disability and their families as soon as possible.

4. Special Arrangements for Examinations

KNPD has continued in its efforts to ensure that students with disability have equal opportunities in examinations thanks to special arrangements in University exams, public exams and school exams.

KNPD has continued to recommend that there should be clear criteria known by all those concerned and that the special arrangements should be the same for both the Education Division and the University of Malta.

At the moment, the University of Malta Internal Committee for Persons with Disability, which is responsible for these special arrangements, is being reorganized. KNPD is going to continue working with this Committee and the Education Division in order to solve these problems as soon as possible.

Access

1. Major Government Projects

KNPD received numerous complaints that the major government projects were not guaranteeing access to everyone. These projects included the roads built by the Italian Protocol and bays rehabilitated by the Malta Tourism Authority. This problem was acknowledged also by the government. Indeed, the Prime Minister made it clear during the 2005 budget speech that he was not satisfied with what was happening and he proposed a procedure by which wherever “the levels of accessibility in new (governmental) projects do not conform with the level stipulated in ‘Access for All Guidelines’ (by KNPD), these entities will lose part of their financing.”

KNPD had a meeting with the Prime Minister in which, among other things, this proposal and how it can be implemented was discussed. Talks are ongoing and KNPD is going to continue working to ensure that these projects are really made accessible to everyone.

2. Access in the Streets

KNPD received various complaints about lack of access in the streets, especially those which were being rebuilt. The majority of these complaints were against the Malta Transport Authority, as regards arterial roads, and Local Councils, as regards residential roads. One particular complaint was about the roads built under the Italian Protocol which were not accessible to everyone. After KNPD’s intervention, the level of accessibility in these roads improved to some extent.

KNPD has had various meeting with the Chief Executive of the Malta Transport Authority about this problem. However, KNPD feels that this problem is not being addressed in a systematic and effective way. KNPD will keep on working to improve the situation as much as possible.

3. The Public Registry

KNPD received a complaint that the principal entrance to the Public Registry in Valletta had been changed and that it had not been made accessible to everyone. KNPD is insisting that, since the entrance was changed, a reasonable effort should have been made to make it accessible to everyone. Discussions on the matter are continuing.

4. District Offices of the Social Security Department

KNPD received complaints that a number of district offices of the Department of Social Security were not accessible to everyone. The Department agreed with KNPD that it would carry out an exercise to verify what is reasonably required to improve the accessibility of its offices.

5. The St Vincent de Paule Canteen

KNPD received a complaint that this canteen does not have an entrance which is accessible to everyone. This canteen is administered by a private company in the name of the Department of the Elderly while the owner of the land is the Lands Department. KNPD insists that it is the responsibility of the Department of the Elderly to ensure that the canteen is accessible to its clients. KNPD is working to ensure that this is done in the shortest time possible.

6. Evans Building

KNPD has been insisting for some time that this building should be accessible to everyone mainly in view of the fact that, among other entities, it hosts the Occupational Health Unit of the Health Division. KNPD fully believes that health services should be provided in buildings which are accessible to everyone. One possible solution explored this year is that of using the rear side of the building, near the Electoral Offices, as a main entrance.

7. PBS Building

KNPD has been working for some time to ensure that this building becomes accessible to everyone. The management has explained that they plan to demolish the existing building and replace it with an accessible one. For this reason, KNPD has agreed with having, temporarily, an accessible entrance on the rear side of TV House.

8. Aula Magna, Old University

KNPD received a complaint that the Aula Magna of the Old University in Valletta, where several meetings and conferences are organised, is not accessible to everyone. Discussions about this complaint are ongoing.

9. The Regional Tribunal in Qormi

KNPD has been working to make sure that all regional tribunals are accessible to everyone. This is the case of all regional tribunals except for the one in Qormi. The main problem in this case is that the local council is ready to carry out the necessary work only after the government passes on the building to the local council. KNPD is going to continue working to solve this problem as soon as possible.

10. Access to Parish Churches

As already explained, KNPD is committed to ensure that at least the principal entrances to parish churches are made accessible to everyone. KNPD is aware of progress in a number of churches but in some cases talks are taking longer than we feel is necessary.

In the case of the Gozitan Diocese, KNPD had a meeting with the new bishop, H.E. Mons Mario Grech. It was decided he would take care of the issue personally. Unfortunately, following this meeting, little progress was made and KNPD asked for another meeting some time ago. KNPD is still discussing the accessibility of the following churches in Gozo: Gharb, San Gorg, Victoria and Xaghra.

As regards the Maltese diocese, KNPD is investigating or discussing the parish churches of the following localities: Iklin, Lija, Manikata, Luqa, Marsa (Trinity and Lourdes), Fleur-de-Lys, Ibrag, Hamrun (Conception and San Gaetano), Balluta, Burmarrad, Dingli, Fgura, Floriana, Guardamangia, Balzan and Attard.

11. Tourist Establishments

KNPD receives various complaints about lack of access to tourist establishments. This year, KNPD started to discuss and is still discussing the following complaints:

- access to the pizzeria and swimming pool of the Riviera Hotel in Cirkewwa;
- access to lavatories in the Waterfront Hotel, Gzira;
- access to lavatories in the Westin Dragonara, Paceville;
- access to the restaurants at the Hilton, Paceville;
- access to the coast and a number of shops at the Pinto Waterfront;
- access to the roads in the Waterfront in Cottonera.

12. Cinema Theatre

Following a number of complaints, KNPD continued to work to ensure that the cinema theatres of the Eden Century, Paceville, and the Empire Cinemas, Bugibba, are made accessible to everyone. KNPD has reached an agreement with the Eden Century in view of having a reasonable improvement in accessibility at this cinema. As regards the Empire Cinemas, discussions have started.

Provision of Goods and Services

1. Accessible Website

Following several complaints, KNPD, together with the Foundation for Information Technology Accessibility (FITA), commenced an exercise meant to ensure that websites of important entities are made accessible to everyone by conforming to international standards. This year, KNPD and FITA held discussions towards making the websites of the following entities accessible:

- The Maltese Church
- The Gozitan Church
- Melita Cable
- Water Services Corporation
- Bank of Valletta
- Vodafone

The Government, through the Office of the Prime Minister, issued a circular to all its directors (including parastatal ones) to ensure that their websites are accessible to everyone. Unfortunately, the guidelines given in this circular are inadequate and thus KNPD is holding discussions about the matter.

2. Accessible Bills and Statements

As reported above, KNPD received a number of complaints about the fact that various entities do not provide the service of statements and bills which are accessible to people with visual impairment. This service can be provided by supplying the clients who request it with the same document printed in a larger font. Many of the entities involved agreed to provide this service but refused to publicise this service adequately. Discussions about this matter are ongoing with the following entities:

- Water Services Corporation;
- HSBC;
- Bank of Valletta;
- Maltacom;
- Vodafone.

3. Holders of the Special Identity Card

KNPD received complaints that persons with disability in possession of the Special Identity Card were not being given precedence in the provision of services. These complaints were made against the Bank of Valletta, HSBC and some hospitals.

The main problem is that not every person with disability in possession of this Card needs this particular service. KNPD has reached an agreement with the hospital authorities so that this service is given on the basis of certain criteria rather than automatically to all those in possession of this Card. Discussions are ongoing with the other two entities in view of finding the best solution.

4. Mediterraneo Marine Park

KNPD received a complaint from the parents of a child with disability who claimed that their son was not allowed to swim with the dolphins. KNPD has started to investigate in view of solving this problem.

Court

Access

1. The Health Division

Last year, KNPD instituted proceedings against the Health Division because:

- a) all the facilities at the Gzira Health Centre are on the second floor and the building is not served with a lift;
- b) there were no accessible sanitary facilities at the Out-Patients and Emergency Departments in St. Luke's Hospital.

Following out-of-court negotiations, KNPD managed to reach an agreement with the new management of St. Luke's Hospital and now the toilets at the Out-Patients and Emergency Departments in St. Luke's Hospital are reasonably accessible to everyone.

However, KNPD has not reached an agreement with the Gzira Health Centre and, therefore, the court case is pending.

2. Access at the Michele Peresso Establishment

KNPD instituted proceedings against this establishment, which sells products for the specific use of persons with disability, because the building from which it operates was not accessible in accordance with the KNPD Guidelines. The case was decided in favour of KNPD. The Court ruled that the company was guilty of discrimination against persons with disability under the Equal Opportunities (Persons with Disability) Act and was ordered to apply with MEPA for the necessary permits within a period of two weeks and to carry out the necessary work within two months from the issuing of these permits. Unfortunately, the company decided to appeal from this sentence.

This year, the company proposed to install an external platform lift instead of carrying out works on the ramp. KNPD did not accept this proposal because its Guidelines state that platform lifts are only acceptable when ramps or normal lifts are not a viable option, which is not the case here. For the above reasons, the appeal is still pending in court.

3. Access at Student's House, University of Malta

KNPD had instituted proceedings against the University of Malta in order to make Student's House accessible to everyone. The Court decided in favour of KNPD and ruled that within two months the entrance to this building was to be made accessible to everyone and that a platform lift leading from the entrance to the first floor was to be installed. The University appealed from this sentence while discussions continued. Finally, an agreement was reached to install, within six months, a lift connecting all the floors of this building. This lift has now been constructed.

KNPD continued discussions with the University authorities in order for there to be an intercom system which allows users of the lift to enter and use accessible toilets on the same level of the canteen.

Although an agreement was reached on these two measures, the first one was implemented while the second one was not. KNPD will work to make sure that the second measure is implemented too.

4. Calypso Hotel

KNPD received a complaint that, following the modernisation of this hotel in Marsalforn, Gozo, it was not accessible to everyone. Investigations by KNPD showed that the complaint was justified. The management had sent their modernisation plans to KNPD. Initially, these did not follow KNPD's Guidelines but they were eventually modified twice and, therefore, the MEPA permit could be issued.

The architect of KNPD, in agreement with the management, carried out an access audit of the necessary changes. KNPD requested proposals by the management for these changes to be carried out within a reasonable time. However, the management did not comply even after KNPD had presented a judicial protest in the Court in Gozo.

Therefore, KNPD had no choice but to institute proceedings against the management of this hotel.

The Provision of Goods and Services

1. Use of SMS and SBT Company

KNPD received a complaint from the Deaf People Association requesting that the services offered by SBT company be accessible to persons with hearing impairment through SMS. Therefore, KNPD requested all companies which offer this service to do this. All the companies accepted apart from SBT. This company provided a mobile telephone number but did not accept that KNPD should publicise this number. KNPD did not agree and, therefore, the court case continued. Eventually, a compromise acceptable to both parties was reached and the case was withdrawn.

A LIST OF ALL CASES**EMPLOYMENT – NEW CASES**

No	Area	Sector	Status	Entity	Complaint	Opened
1	Employment	Government	Closed	Government	Conditions of work - reduced hours	Dec 2005
2	Employment	Government	Closed	Health Department	Work in quiet environment due to disability	Feb 2006
3	Employment	Government	Closed	Ministry for the Family	Adequate apparatus - hands free telephone	May 2006
4	Employment	Private	Closed	Beautician	Accessible toilet at work	May 2006
5	Employment	Private	Closed	Mc Donald's	Integration of employee with intellectual disability at work	July 2006
6	Employment	Parastatal	Under discussion	MIA	Sign language interpretation during staff meetings and overtime	August 2006

EDUCATION – CASES FROM PREVIOUS YEARS

No	Area	Sector	Status	Entity	Complaint	Opened
1	Education	Government	Under discussion	Education Division	Refusal to give medicine at school	Jan 2003
2	Education	Government	Under discussion	Education Division	Lack of access at Victoria Primary School	March 2006
3	Education	Government	Closed	Education Division	Lack of access at Ninu Cremona School, Victoria	Dec 2003
4	Education	Government	Closed	Foundation for Tomorrow's Schools	Lack of access at school	Nov 2004
5	Education	Government	Closed	Education Division	Lack of access at Primary School and Library in Rabat, Malta	Dec 2004
6	Education	Government	Closed	Education Division	Lack of access at Mikelang Refalo School, Victoria	Feb 2005
7	Education	Government	Closed	Education Division	Lack of access at Tereza Nuzzo School, Marsa	March 2005
8	Education	Government	Under discussion	Foundation for Tomorrow's Schools	Lack of access at St Paul's Bay Primary School	March 2005
9	Education	Parastatal	Closed	MCAST	Lack of Sign Language interpreters	May 2005
10	Education	Government	Closed	Education Division	Lack of inclusion in school activities	July 2005
11	Education	Government	Closed	Foundation for Tomorrow's Schools	Lack of access at school	Aug 2005
12	Education	Church	Closed	De La Salle College	Sent home when facilitator is absent	Sept 2005

EDUCATION – NEW CASES

No	Area	Sector	Status	Entity	Complaint	Opened
13	Education	Parastatal	Closed	MCAST	Need for a facilitator	Oct 2005
14	Education	Government	Closed	Education Division	Student sent home when facilitator is absent	Oct 2005
15	Education	Government	Closed	Education Division	Student with disability threatened with expulsion	Oct 2005
16	Education	Government	Under discussion	Foundation for Tomorrow's Schools	Lack of access at St Julian's Primary School	Oct 2005
17	Education	Government	Closed	Education Division	Facilitator's work	Oct 2005
18	Education	Government	Closed	Education Division	Level of education	Oct 2005
19	Education	Government	Closed	Education Division	Level of education	Nov 2005
20	Education	Government	Closed	Foundation for Tomorrow's Schools	Lack of access at Mqabba Primary School	Nov 2005
21	Education	Parastatal	Closed	MCAST	Lack of access at Targa Gap Institute of Art	Dec 2005
22	Education	Parastatal	Closed	University of Malta	Special arrangements for examinations	Dec 2005
23	Education	Government	Closed	Education Division	School Transport	Dec 2005
24	Education	Parastatal	Under discussion	University of Malta	Special arrangements for examinations	Jan 2006
25	Education	Government	Closed	Education Division	Special arrangements for examinations at Hamrun School	Feb 2006
26	Education	Church	Closed	Sacred Heart School	Facilitator's work	Feb 2006
27	Education	Government	Closed	Foundation for Tomorrow's Schools	Access at St Benedict College	March 2006
28	Education	Government	Closed	Foundation for Tomorrow's Schools	Access at new Tal-Handaq school	March 2006
29	Education	Private	Closed	Malta Computer Society	ECDL paper not accessible to everyone	March 2006
30	Education	Church	Under discussion	Church of Malta	Church school's transport	March 2006
31	Education	Church	Closed	Church School	Need for full-time facilitator	March 2006
32	Education	Government	Closed	Education Division	Skolasajf (summer school) transport	April 2006
33	Education	Government	Closed	KNPD	Assistance from PEKTUR Programme	May 2006
34	Education	Church	Closed	Church School	Facilitator's work	June 2006
35	Education	Church	Under discussion	Church School	Student sent home when facilitator is absent	August 2006
36	Education	Government	Closed	Education Division	Need for facilitator	Sept 2006

ACCESS - CASES FROM PREVIOUS YEARS

No	Area	Sector	Status	Entity	Complaint	Opened
1	Access	Private	Court	Michele Peresso	Lack of access	April 2000
2	Access	Government	Closed	St Luke's Hospital	Lack of access to sanitary facilities	April 2000
3	Access	Government	Closed	The Palace	Lack of access from lift to corridor	June 2000
4	Access	Government	Under discussion	Health Division	Lack of access to main entrance to Evans Building	Nov 2000
5	Access	Church	Closed	The Cathedral in Mdina	Lack of access to main entrance	March 2001
6	Access	Parastatal	Under discussion	University of Malta	Lack of access to Student's House	March 2001
7	Access	Government	Closed	Vat Department	Lack of access to main entrance	May 2001
8	Access	Government	Court	Health Division	No lift at Health Centre in Gzira	July 2001
9	Access	Church	Closed	Mosta Parish Church	Lack of access to main entrance	Oct 2001
10	Access	Councils	Under discussion	Qormi Local Council	Lack of access to regional tribunal	Aug 2002
11	Access	Church	Under discussion	Hamrun (Immaculate Conception) Parish Church	Lack of access to main entrance	Aug 2002
12	Access	Church	Closed	Ghasri Parish Church	Lack of access to main entrance	Aug 2002
13	Access	Church	Under discussion	Gharb Parish Church	Lack of access to main entrance	Aug 2002
14	Access	Parastatal	Under discussion	Public Broadcasting Services	Lack of access	Nov 2002
15	Access	Councils	Closed	Valletta Local Council	Lack of access to the market in Valletta	Feb 2003
16	Access	Private	Under discussion	Band Club, San Gwann	Lack of access	March 2003
17	Access	Private	Under discussion	Sant' Antnin Band Club, B'Kara	Lack of access	Aug 2003
18	Access	Councils	Closed	Mdina Local Council	Lack of reserved parking in Mdina	Oct 2003
19	Access	Church	Closed	Nadur Parish Church	Lack of access to main entrance	Oct 2003
20	Access	Private	Closed	Conimex	Lack of access	March 2004
21	Access	Councils	Under discussion	Mgarr Local Council	Lack of access	March 2004
22	Access	Government	Closed	Ministry of Tourism	Lack of access at St George's Bay	May 2004
23	Access	Private	Under discussion	Riviera Hotel	Lack of access	June 2004
24	Access	Private	Under discussion	Valletta Waterfront	Lack of access	Aug 2004

25	Access	Private	Closed	Faces Consultants	Lack of access to a bus shelter in Marsascala	Oct 2004
26	Access	Church	Under discussion	Balluta Parish Church	Lack of access to main entrance	Oct 2004
27	Access	Church	Under discussion	Burmarrad Parish Church	Lack of access to main entrance	Oct 2004
28	Access	Church	Under discussion	Dingli Parish Church	Lack of access to main entrance	Oct 2004
29	Access	Church	Under discussion	Fgura Parish Church	Lack of access to main entrance	Oct 2004
30	Access	Church	Under discussion	Floriana Parish Church	Lack of access to main entrance	Oct 2004
31	Access	Church	Closed	Gharghur Parish Church	Lack of access to main entrance	Oct 2004
32	Access	Private	Court	Calypso Hotel	Lack of access	Nov 2004
33	Access	Private	Under discussion	Eden Century Cinemas	Lack of access	Nov 2004
34	Access	Parastatal	Closed	Malta Transport Authority	Lack of access to pavement	May 2005
35	Access	Parastatal	Under discussion	Malta Transport Authority	Lack of access to pavement	July 2005
36	Access	Private	Closed	Latini Restaurant	Lack of access	July 2005
37	Access	Councils	Closed	Zebbug Local Council	Lack of access to pavement	Aug 2005
38	Access	Councils	Closed	Dingli Local Council	Lack of access to new local council building	Aug 2005
39	Access	Councils	Closed	Mosta Local Council	Lack of access to pavement	Sept 2005
40	Access	Councils	Closed	St Paul's Bay Local Council	Lack of reserved parking bays in Xemxija	Sept 2005
41	Access	Private	Under discussion	Hilton Hotel	Lack of access	Sept 2005
42	Access	Church	Under discussion	Santa Venera Parish Church	Lack of access to main entrance	Oct 2005

ACCESS – NEW CASES

No	Area	Sector	Status	Entity	Complaint	Opened
43	Access	Parastatal	Under discussion	University of Malta	Lack of access to Aula Magna	Oct 2005
44	Access	Councils	Closed	Gzira Local Council	Lack of access to home from pavement	Oct 2005
45	Access	Parastatal	Closed	Malta Transport Authority	Reserved parking bays in front of private residences	Nov 2005
46	Access	Government	Closed	Health Department	Lack of reserved parking bays at St Luke's Hospital	Nov 2005
47	Access	Government	Under discussion	Social Security Department	Lack of access in District Social Security Offices	Nov 2005
48	Access	Government	Closed	Ministry of Tourism	Lack of access to bay in Bugibba	Jan 2006

49	Access	Parastatal	Closed	Malta Transport Authority	Reserved parking in front of private residences	Jan 2006
50	Access	Private	Closed	HSBC Bank	Lack of access to Msida Bank branch	Jan 2006
51	Access	Private	Closed	Aurora Theatre	Lack of access to theatre	Feb 2006
52	Access	Private	Under discussion	Westin Dragonara Resort	Lack of access to sanitary facilities	Feb 2006
53	Access	Parastatal	Closed	Malta Transport Authority	Lack of access due to traffic island	Feb 2006
54	Access	Private	Under discussion	Empire Cinema Complex	Lack of access to theatre in Bugibba	March 2006
55	Access	Government	Under discussion	Department for the Elderly	Lack of access to canteen in St Vincent de Paule Hospital	March 2006
56	Access	Councils	Under discussion	Naxxar Local Council	Lack of access in Triq tas-Sghajtar, Naxxar	March 2006
57	Access	Councils	Under discussion	Mosta Local Council	Lack of access in Triq l-Ahwa Galea, Mosta	March 2006
58	Access	Parastatal	Closed	Malta Transport Authority	Lack of access	March 2006
59	Access	Church	Under discussion	St Julian's Parish Church	Lack of access to main entrance of parish church	March 2006
60	Access	Private	Closed	Individual	Lack of access in residential street	April 2006
61	Access	Government	Under discussion	Rehabilitation Committee	Lack of access in the streets of Grand Harbour Marina, Vittoriosa	April 2006
62	Access	Church	Under discussion	San Gejtanu Parish Church, Hamrun	Lack of access to main entrance of parish church	April 2006
63	Access	Church	Under discussion	St George Parish Church, Victoria	Lack of access to main entrance of parish church	April 2006
64	Access	Church	Under discussion	Maria Bambina Parish Church, Xaghra	Lack of access to main entrance of parish church	April 2006
65	Access	Church	Under discussion	Guardamangia Parish Church	Lack of access to main entrance of parish church	April 2006
66	Access	Church	Under discussion	Balzan Parish Church	Lack of access to main entrance of parish church	April 2006
67	Access	Church	Under discussion	Attard Parish Church	Lack of access to main entrance of parish church	April 2006
68	Access	Councils	Under discussion	Mosta Local Council	Lack of access to the Exalco establishment	June 2006
69	Access	Private	Closed	Ta' Soldi Restaurant,	Lack of access to restaurant and toilet	June 2006

				Mgarr		
70	Access	Private	Under discussion	Waterfront Hotel, Gzira	Lack of access to toilet	July 2006
71	Access	Private	Under discussion	St Ann Hall, Marsascala	Lack of access to hall	July 2006
72	Access	Councils	Closed	Sliema Local Council	Lack of access in Sliema roads	July 2006
73	Access	Government	Under discussion	Public Registry	Lack of access to offices of Public Registry	July 2006
74	Access	Church	Under discussion	Ibrag Parish Church	Lack of access to main entrance of parish church	Aug 2006
75	Access	Church	Under discussion	Gzira Parish Church	Lack of access to main entrance of parish church	Aug 2006
76	Access	Church	Under discussion	Iklin Parish Church	Lack of access to main entrance of parish church	Aug 2006
77	Access	Church	Under discussion	Lija Parish Church	Lack of access to main entrance of parish church	Aug 2006
78	Access	Church	Under discussion	Manikata Parish Church	Lack of access to main entrance of parish church	Aug 2006
79	Access	Church	Under discussion	Luqa Parish Church	Lack of access to main entrance of parish church	Aug 2006
80	Access	Church	Under discussion	Maria Regina Parish Church, Marsa	Lack of access to main entrance of parish church	Aug 2006
81	Access	Church	Under discussion	Trinity Parish Church, Marsa	Lack of access to main entrance of parish church	Aug 2006
82	Access	Church	Under discussion	Fleur de Lys Parish Church	Lack of access to main entrance of parish church	Aug 2006
83	Access	Government	Under discussion	Health Department	Lack of access to Zejtun Health Centre	Aug 2006
84	Access	Councils	Under discussion	Valletta Local Council	Lack of access to parking in front of the Ministry for Urban Development and Roads	Sept 2006

PROVISION OF GOODS AND SERVICES – COMPLAINTS FROM PREVIOUS YEARS

No	Area	Sector	Status	Entity	Complaint	Opened
1	Goods/ Services	Private	Closed	SBT Breakdown Services	Lack of SMS facility for clients	July 2001
2	Goods/ Services	Government	Under discussion	Electoral Commission	Lack of accessible ways of voting for persons with disability	Jan 2005
3	Goods/ Services	Private	Under discussion	BOV	Small font in bank statements	March 2005
4	Goods/ Services	Private	Under discussion	HSBC	Small font in bank statements	March 2005
5	Goods/ Services	Parastatal	Closed	Enemalta Corporation	Lack of access to website and publications	March 2005
6	Goods/ Services	Private	Under discussion	Maltacom	Small font in statements and lack of access to	March 2005

					website	
7	Goods/ Services	Government	Under discussion	Office of the Prime Minister	Lack of access to government circulars	March 2005
8	Goods/ Services	Parastatal	Under discussion	Water Services Corporation	Small font in statements and lack of access to website	March 2005
9	Goods/ Services	Government	Closed	Health Division	The use of the Special Identity Card in St Luke's Hospital	May 2005
10	Goods/ Services	Private	Under discussion	Vodafone Malta Ltd	Small font in statements and lack of access to website	May 2005

PROVISION OF GOODS AND SERVICES – NEW CASES

No	Area	Sector	Status	Entity	Complaint	Opened
11	Goods/ Services	Private	Under discussion	Melita Cable	Small font in statements and lack of access to website	Oct 2005
12	Goods/ Services	Government	Closed	St Luke's Hospital	The use of the Special Identity Card in St Luke's Hospital	Oct 2005
13	Goods/ Services	Private	Closed	Paramount Transport	Transport to De La Salle College	Nov 2005
14	Goods/ Services	Parastatal	Closed	Malta Transport Authority	Bus ticket prices	Nov 2005
15	Goods/ Services	Parastatal	Closed	Water Services Corporation	Water and electricity bills	Nov 2005
16	Goods/ Services	Church	Closed	RTK	Access to website and Flimkien (Together) Magazine	Jan 2006
17	Goods/ Services	Parastatal	Closed	Water Services Corporation	Level of service of Customer Care	Feb 2006
18	Goods/ Services	Private	Closed	BOV	The use of the Special Identity Card in branches	March 2006
19	Goods/ Services	Government	Closed	St Luke's Hospital	Level of service of Customer Care at St Luke's Hospital	June 2006
20	Goods/ Services	Private/ Church	Closed	Independent and church schools	School Transport	June 2006
21	Goods/ Services	Private	Under discussion	HSBC Bank	ATMs in Sliema, Mdina and Republic Street, Valletta	June 2006
22	Goods/ Services	Private	Under discussion	Self-drive car hire garages	Provision of services offered to persons with disability	June 2006
23	Goods/ Services	Government	Closed	Ministry for the Family	Persons with disability pension	July 2006
24	Goods/	Private	Closed	HSBC Bank	The use of the Special	Aug 2006

	Services				Identity Card in branches	
25	Goods/ Services	Private	Under discussion	BOV	The use of the Special Identity Card in branches	Aug 2006
26	Goods/ Services	Church	Under discussion	Church in Gozo	Lack of access to website	Aug 2006
27	Goods/ Services	Church	Under discussion	Church in Malta	Lack of access to website	Jan 2006
28	Goods/ Services	Private	Under discussion	Mediteranneo Marine Park	Participation in swimming	July 2006

INSURANCE – CASES FROM PREVIOUS YEARS

No	Area	Sector	Status	Entity	Complaint	Opened
1	Insurance	Private	Closed	Middlesea Valletta	Higher Life Assurance Premium for persons with diabetes	April 2005

INSURANCE – NEW CASES

No	Area	Sector	Status	Entity	Complaint	Opened
2	Insurance	Private	Closed	Atlas Health Care	Payment to insured with disability	March 2006

HOUSING – NEW CASES

No	Area	Sector	Status	Entity	Complaint	Opened
1	Housing	Parastatal	Closed	Enemalta Corporation	Water and electricity bills	May 2006

Appendix

How to make a complaint

If you are a person with disability or a family member of a person with disability and you feel that you have been discriminated against by a person or an entity due to your disability, KNPD recommends that you should take the following steps:

[1] Talk to the persons responsible for the entity which you feel has discriminated against you and request them to stop such discrimination.

[2] If you do not feel satisfied, or if nothing happens, complain in writing to the entity concerned. At the end of this booklet there is a sample letter of complaint which can help you write your letter. Keep a copy of this letter so that you have proof of your complaint. In your letter include:

- Your name, address and telephone number as the complainant. If you are still under 18, you have to include details of your parents or guardians.
- The name and address of the entity which you feel is discriminating against you.
- If you know who they are, the name or names of the individual or individuals who are guilty of this discrimination,
- A short but detailed description of the acts of discrimination (including the date).
- Any other information which can strengthen your complaint.
- Send a copy of the relevant documents while keeping the originals.

[3] If you feel that no progress is being made, write again and send a copy of everything to KNPD. In your letter to the entity concerned, write that you are sending a copy to KNPD.

[4] If you do not manage to find a solution, register a formal complaint with KNPD by filling in the complaint form that can be obtained from the Offices of KNPD or downloaded from the website: www.knpd.org

[5] KNPD will consider your complaint and inform you of any action taken.

Remember:

- KNPD officials can help you at every stage of this procedure, including the filling in of the complaint form.
- You can choose to file proceedings in Court (or the Industrial Tribunal in cases related to employment) yourself.

LETTER OF COMPLAINT

The parts in grey should be filled in or modified according to the specific complaint.

Write the date of when the letter is written

Name of Director or Manager

Name of Business or Entity

Address of Business or Entity

Dear Sir/Madam

I am writing to make a complaint. *Include the details of the complaint, for example, the lack of access at school; the lack of hands free telephone at work.*

I am a person with disability registered with the National Commission Persons with Disability (KNPD). As I already explained to you during our conversation, *my son/daughter would like to go to school but this is not possible due to the present lack of access; I cannot fulfil my work duties because of the lack of this apparatus which I need due to my disability.*

According to the Equal Opportunities (Persons with Disability) Act of the Year 2000, *public places such as schools are obliged to remove physical obstacles; employers are obliged to provide the necessary apparatus to help a person with disability work in an effective way.* Your failure to take the necessary steps as requested means that you are in breach of the Equal Opportunities Act.

I am ready to meet you in order to discuss this complaint in more detail. I can be contacted at the following address: *write your personal address* or on the following telephone number: *write your personal telephone number.*

KNPD can offer advice and information on how you can comply with this Act. Moreover, a copy of this Act can be obtained from KNPD's website: www.knpd.org.

I hope that this information and this complaint will be considered seriously and that the necessary corrective measures will be taken within a reasonable time.

Yours sincerely,

Sign your name and write your name in capital letters