

**EQUAL OPPORTUNITIES (PERSONS WITH DISABILITY) ACT 2000**  
**2006/2007 REPORT**

**WE DEPEND ON THE LAW AND THE LAW DEPENDS ON US**

This is a very important year for the National Commission Persons with Disability (KNPD) both because it is celebrating the twentieth anniversary of its establishment in 1987 and also because, like many other European entities working in this sector, it is celebrating the European Year for Equal Opportunities for All. Moreover, on the 30<sup>th</sup> of March, the United Nations in New York presented the Convention on the Rights of Persons with Disability which Malta signed immediately and is ready to ratify soon.

These occasions are meaningless as long as they do not improve our quality of life and unless we use our thoughts and energy in order to make them significant and change nice words into concrete progress. Anti-discriminatory legislation helps us doing this.

In Malta, we should be proud of the Equal Opportunities (Persons with Disability) Act (EOA). This is an anti-discrimination Act that safeguards the civil rights of Maltese and Gozitan persons with disability. The way it is structured, the way it is implemented and the wide support of the politicians and the Maltese people put Malta at the forefront in terms of the recognition of the right of persons with disability to having equal opportunities and not to suffer from discrimination.

This does not mean, however, that we have solved all social problems that are faced by persons with disability or that we have solved all the individual problems that persons with disability might encounter. As everything else, the EOA works very well in certain situations but not so well in others. Moreover, like anything else, the EOA needs continuous cure and maintenance to remain effective.

As is demonstrated very clearly in this seventh report on the work done by the small, yet highly dedicated, Equal Opportunities Compliance Unit of the KNPD, everything possible is being done to exploit the EOA fully.

There are two sides to the EOA. There are those who have to comply with the Law and there are those who might be discriminated against if the others break the law. Today, we would like to focus on the role of persons with disability in the effective implementation of the EOA. It is not enough for the KNPD to do its best to implement the EOA well; persons with disability themselves must believe in it and must promote it in their community. Together, we should deliver the message that the EOA is a powerful tool of social education. This can be done by using our organisations to promote discussions about how legislation can help us in our voyage towards a better quality of life.

Living an independent life means being responsible for your actions and trying to improve your environment. The EOA can help us do so but the change has to begin with us.

How much do you know about your rights as a person with disability according to the EOA? Do you know from where you can get more information about the EOA? What are your

duties as a Maltese person with disability? Has your organisation organised any activities to raise awareness about the EOA in your community?

I will leave you with this thought: KNPD has been working hard for 20 years in this sector. In order for the EOA to make a difference in your life and in our life there is the need for a greater effort by persons with disability, their families and, especially, by their organisations. If we work together, the work can continue...

Joseph M. Camilleri  
Chairperson

Marianne Debono  
Coordinator (EOA Compliance Unit)

## EXECUTIVE SUMMARY

- This year, the KNPD continued to work on 181 complaints, 76 of which were pending from the previous years and 76 were new complaints.
- The number of new complaints increased by 13 from that of the previous year: 105 this year as opposed to 92 the year before. This was an increase of 14%. The total number of complaints this year was 24 more than that of last year, an increase of 15%.
- Over seven years, the KNPD investigated 605 complaints, that is, an average of 86 complaints a year varying from 71 to 105 complaints a year. This year, the KNPD registered the greatest number of complaints investigated in a year, which was of 19 complaints more than the average.
- In the employment sector, the number of new complaints increased by 3 so the percentage is only 2 points higher than the total.
- In the education sector, the number of new complaints decreased substantially by 10 complaints and the percentage is now 7 points lower than the total.
- In the access sector, the number of complaints continued to increase and there were 15 complaints more than the previous year. The percentage is 11 points higher than the total.
- In the Provision of Goods and Services sector, the complaints increased by 4 and the percentage is equal to the total.
- Once again, the biggest number of complaints was in relation to access. In fact, these complaints amount to slightly more than half (54%) the total number of complaints.
- The KNPD closed 98 complaints, 3 of which were court cases. 83 cases are still open.
- The percentage of complaints for which legal proceedings were instituted is still low, that is 2% like last year.
- The number of cases which are still open is higher by 9 from that of last year. This amounts to an increase of about 12%.
- The majority of cases which are still open (69%) are related to access despite the fact that the KNPD closed almost half (49%) of the cases related to access.
- In the Provision of Goods and Services sector, there are 13 pending complaints. The KNPD managed to close almost two thirds (64%) of the complaints related to this sector.
- The KNPD has 9 pending cases related to education, one of which is in court. The KNPD closed 57% of the complaints related to education.
- The KNPD is working on 2 cases related to employment, one case related to housing and one related to insurance.
- 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 diminished by 12 from last year and the percentage of complaints against the government for this year is 15 points less than that of last year and 20 points less from the total percentage.

- The number of complaints against parastatal entities increased by 11 from last year and the percentage of complaints against the government for this year is 9 points higher than that of last year and 6 points higher than the total percentage.
- There was a significant increase in the number of complaints against local councils, that is, from 5 to 15. The percentage of complaints against local councils for this year is 7% higher than that of last year and 2 points higher than the total.
- As regards the Church, the KNPD has pursued its efforts to ensure that parish churches have at least their principal entrance accessible to everyone. However, this was done at a slower rate. This meant that the number of complaints against the Church decreased by 8. The percentage of complaints against the Church for this year is 11 points less than that of last year but 2% higher than the total.
- The complaints against private entities increased by 8 over last year and the percentage also increased by 8 points. There was the same increase on the total.
- The complaints about accessibility were equally distributed among all the sectors, that is, the public sector and the private sector. The complaints about employment were distributed evenly while all the complaints about education were directed against Government entities. As regards the provision of services and goods, half of the complaints were against parastatal entities while one third of them were against private entities.
- The KNPD managed to close the majority (54%) of the complaints on which it worked this year. This is very close to last year's performance (53%).
- The KNPD closed 59% of the complaints against the government, a decrease of 12% from the previous year.
- The KNPD closed 61% of the complaints against parastatal entities, this being a decrease of 10% from the previous year.
- The KNPD closed 62% of the complaints made against local councils, the same percentage of last year.
- The percentage of cases against the Church which were closed increased substantially by 24%, from 26% last year to 50% this year.
- 48% of the cases against private entities were closed. This is 5% more than the previous year.
- The Court of Appeal ruled against the KNPD and the KNPD's case against Michele Peresso Limited. The KNPD is considering what steps it should take now.
- The KNPD instituted proceedings against the Ministry of Education about the giving of medicines to students with disability in regular schools.
- The KNPD reached an out-of-court agreement with Calypso Hotel. This agreement is still to be implemented.
- The Test of Reasonableness Board examined 30 cases, 22 less than the previous year.
- 38% of the cases examined by the Board were deemed reasonable, an increase of 13% over the previous year.

## GENERAL OVERVIEW

The Equal Opportunities (Persons with Disability) Act came into force in October 2000. Every year, the KNPD presents a report of its work over the previous twelve months. This is the seventh annual report presented by the KNPD. This report covers the work done by the KNPD with respect to the Equal Opportunities Act. A report covering all the work done by the KNPD is presented annually in February.

This report covers the period between 1<sup>st</sup> October 2006 and 30<sup>th</sup> September 2007. Since this report is presented on the Day of Persons with Disability on the 3<sup>rd</sup> of December, there might be some details included in this document that might have changed between October 2007 and the date of the presentation.

The Equal Opportunities Compliance Unit within the KNPD receives complaints of discrimination from persons with disability with respect to different areas. This report classifies these complaints in terms of six general areas mentioned in the Act itself:

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

### Complaints

This year, the KNPD continued to work on 76 complaints that were pending from the previous five years and started to investigate 105 new complaints. Thus, the KNPD worked on a total of 181 complaints. A comparison of these figures to those of last year reveals that:

- a) The number of new complaints increased by 13, that is by 14%. This is a substantial increase especially in view of the fact that the Secretariat of the KNPD is made up of a few individuals;
- b) The total number of complaints dealt with by the KNPD increased by 15% from the previous year. Last year, the KNPD worked on 157 complaints, which means that this year there was an increase of 24 complaints.

These 181 cases can be classified as follows:

	Emp		Educ		Acc		Serv		Hse		Ins		Total
	N	%	N	%	N	%	N	%	N	%	N	%	
From previous years	1	1	7	9	54	71	1 4	1 8	0	0	0	0	<b>76</b>
New	9	9	14	13	57	54	2 2	2 1	1	1	2	2	<b>105</b>
<b>Total</b>	<b>10</b>	<b>6</b>	<b>21</b>	<b>12</b>	<b>111</b>	<b>61</b>	<b>3 6</b>	<b>2 0</b>	<b>1</b>	<b>1</b>	<b>2</b>	<b>1</b>	<b>181</b>

Table 2 is a comparison between the new cases and those of the previous years:

<b>Table 2: Complaints</b>								
<b>Type</b>	<b>00/01</b>		<b>01/02</b>		<b>02/03</b>		<b>03/04</b>	
	<b>No</b>	<b>%</b>	<b>No</b>	<b>%</b>	<b>No</b>	<b>%</b>	<b>No</b>	<b>%</b>
<b>Emp</b>	13	14	10	13	11	15	9	13
<b>Edu</b>	10	11	8	11	23	31	16	23
<b>Acc</b>	50	53	42	55	18	24	25	35
<b>Serv</b>	19	20	14	18	16	21	16	23
<b>Hse</b>	1	1	2	3	5	7	2	3
<b>Ins</b>	2	2	0	0	2	3	3	4
<b>Total</b>	95	100	76	100	75	100	71	100

<b>Table 2: Complaints</b>								
<b>Type</b>	<b>04/05</b>		<b>05/06</b>		<b>06/07</b>		<b>Total – 00/07</b>	
	<b>No</b>	<b>%</b>	<b>No</b>	<b>%</b>	<b>No</b>	<b>%</b>	<b>No</b>	<b>%</b>
<b>Emp</b>	7	8	6	7	9	9	65	11
<b>Edu</b>	26	29	24	26	14	13	121	20
<b>Acc</b>	27	30	42	46	57	54	261	43
<b>Serv</b>	25	27	18	20	22	21	130	21
<b>Hse</b>	4	4	1	1	1	1	16	3
<b>Ins</b>	2	2	1	1	2	2	12	2
<b>Total</b>	91	100	92	100	105	100	605	100

Table 2 shows that:

- In seven years, the KNPD investigated 605 complaints, an average of 86 complaints a year varying from 71 to 105 complaints. This year, there were 19 complaints more than the average and there was the highest number of complaints investigated by the KNPD in one year.
- In the employment sector, the number of new complaints increased by three. The percentage of complaints in this sector compared to all the complaints increased by 2 points while this is 4 points less than the total.
- In the education sector, the number of new complaints decreased substantially by 10 so that, now, complaints about education represent only 13% of all the complaints considered this year, that is half of last year's cases. The percentage is 7 points less 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. The percentage of complaints relating to access is slightly more than half of the total number of complaints, that is, 54% which represents an increase of 8 points from last year. This percentage is 11 points higher than the total.
- In the Provision of Goods and Services sector, the complaints increased by 4 and the percentage is equal to the total.
- Once again, the number of complaints in relation to housing and insurance was very low.

- Like last year, the biggest number of complaints was in relation to access. In fact, these complaints amount to slightly more than half (54%) of 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. Persons with disability also continued to address aspects of discrimination in relation to the provision of goods and services. On the other hand, the use of this Act for cases related to education has diminished considerably and is now similar in level to the use of the Act for employment issues.

As shown in Table 3, 98 complaints out of the 181 that the KNPD worked on this year, were concluded while 83 cases (4 of which are in Court) are still pending. This means that the KNPD managed to close slightly more than half (54%) of the cases it worked on. This is very similar to the 53% of closed cases last year.

The number of cases for which proceedings were instituted in court remained low. There were 4 cases in all, that is, 2% of all the cases that the KNPD worked on during this period. This represents a reduction of 1% from last year. This confirms the fact that the KNPD turns to the Court as a last resort. The KNPD believes that its work depends on changes in attitude and mentality that can be brought about more effectively through negotiation, mediation, and persuasion than through legal proceedings. The KNPD takes its cases to Court only when there are no alternatives.

The number of pending cases that have to be carried on to next year, that is 83 complaints, has increased by 9 (or 12%) from last year. This means that the work of the KNPD is going to increase further next year.

Table 3 also provides an analysis of the complaints that the KNPD has worked on this year classified according to type of complaint.

	Emp		Edu		Access		Services		Housing		Insurance		Total	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%
Closed	8	8	12	12	54	55	23	23	0	0	1	1	98	54
Discussed	2	3	8	10	54	68	13	16	1	1	1	1	79	44
Court	-	-	1	25	3	75	-	-	-	-	-	-	4	2
<b>Total</b>	<b>10</b>	<b>6</b>	<b>21</b>	<b>12</b>	<b>111</b>	<b>61</b>	<b>36</b>	<b>20</b>	<b>1</b>	<b>1</b>	<b>2</b>	<b>1</b>	<b>181</b>	<b>100</b>

The majority of complaints that are still open, that is 69%, are related to physical access even though the KNPD has managed to conclude slightly less than half (49%) of the complaints it received about this sector. This is mainly due to the fact that the majority of complaints made are about access. Three of the pending cases are in court. The second highest number of pending complaints is that relating to the provision of goods and services. In fact, there are 13 such cases which the KNPD is working on. The KNPD managed to conclude almost two thirds of cases related to this sector (64%). As regards education, the KNPD has 9 pending cases, one of which is in court. Here it seems that the KNPD, also thanks to the relevant

legislation, is being effective as it managed to close 12 out of the 21 (57%) complaints that it has worked on. In the employment sector, the KNPD has to pursue only 2 cases since it managed to close 8 out of the 10 cases it was dealing with. The KNPD is also going to continue working on one case in the housing sector and one case in the insurance sector.

### Entities against which Complaints were Made

The 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 the KNPD in seven years since its establishment, according to the entities against which they were made, are as shown in Table 4:

Ent	00/01		01/02		02/03		03/04		04/05		05/06		06/07		Total 00/07	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%	N	%
<b>Gvn</b>	38	40	23	30	34	45	43	61	29	32	28	30	16	15	211	35
<b>Para</b>	23	24	13	17	11	15	6	8	15	16	14	15	25	24	107	18
<b>LC</b>	6	6	16	21	9	12	8	11	11	12	5	5	15	14	70	12
<b>Ch</b>	9	9	14	18	2	3	4	6	11	12	25	27	17	16	82	14
<b>Priv</b>	19	20	10	13	19	25	10	14	25	27	20	22	32	30	135	22
<b>Tot</b>	95	100	76	100	75	100	71	100	91	100	92	100	105	100	605	100

This year too, the complaints were divided almost equally between the public sector (governmental entities, parastatal entities and local councils) and the non-governmental sector (the private sector and the Church). 56 complaints that the KNPD worked on this year (53% of the total) were against public entities while the rest, 49 complaints (47%), were against private entities. This means that the percentage of complaints against public entities is substantially less than the percentage of the total number of complaints made over the last seven years. The total percentage of complaints made against the public sector is 65%, that is, 12 points higher than that of this year. This suggests that the change which was noticed last year is being confirmed and more complaints are now being made against the non-governmental sector.

The number of complaints made against the government decreased by 12 from last year, from 28 to 16 complaints. This means that the percentage of complaints against the Government is 15 points less than that of last year and 20 points less than the total. However, the situation is completely different as regards non-governmental entities. The number of complaints against this sector increased by 11. There were 25 complaints this year as opposed to 14 last year. This means that the percentage for this year is 9 points higher than that of last year and 6 points higher than the total. There was also a substantial increase in the number of complaints against local councils as there were 15 complaints this year as opposed to the 5 made last year. The percentage of complaints made against this sector is 9 points higher than that of last year and 2 points higher than the total.

The KNPD pursued its efforts, albeit at a slower pace, in making sure that parish churches have at least their main entrance which is accessible to everyone. The number of complaints against the Church thus decreased from 25 to 17. The percentage of complaints against the Church this year is 11 points lower than that of last year but still 2 points higher than the total. The complaints made against private entities increased substantially this year as there was an increase of 12 complaints to 32 complaints. The percentage of complaints this year increased by 8 points from last year and has now reached the percentage of the total.

Table 5 offers a detailed analysis of the complaints in terms of the entities and the areas which they involved:

<b>Table 5</b>	<b>Government</b>		<b>Parastatal</b>		<b>Local Councils</b>		<b>Church</b>		<b>Private</b>		<b>Total</b>
	N	%	N	%	N	%	N	%	N	%	
<b>Emp</b>	1	11	3	33	-	-	-	-	5	56	9
<b>Edu</b>	9	64	5	36	-	-	-	-	-	-	14
<b>Acc</b>	4	7	5	9	15	26	17	30	16	28	57
<b>Serv</b>	2	9	12	56	-	-	-	-	8	36	22
<b>Hse</b>	-	-	-	-	-	-	-	-	2	100	2
<b>Ins</b>	-	-	-	-	-	-	-	-	1	100	1
<b>Total</b>	16	5	25	24	15	14	17	16	32	30	105

One can make various observations based on this table:

- Slightly more than half of the complaints made in relation to employment (56%) were against private entities.
- All the complaints made in relation to education were against the Government (64%) or Parastatal entities (34%).
- Access is the only sector about which there were complaints in all the sectors of the Maltese society. Complaints against the Government (7%) and parastatal entities (9%) were substantially lower than those against Local Councils (26%), the Church (30%) and the private sector (28%).
- The complaints relating to services were mostly against parastatal entities (56%) and private entities (36%).
- The complaints relating to housing and insurance matters were few and they were all made against the private sector.

Another analysis of the 181 complaints tackled by the KNPD in terms of the entities against which the complaints were made and the outcome of these complains reveals the following:

	Closed		Discussed		Court		Total	
	N	%	N	%	N	%	N	%
<b>Gov</b>	17	59	10	34	2	7	29	16
<b>Para</b>	19	61	12	39	-	-	31	17
<b>LC</b>	13	62	8	38	-	-	21	12
<b>Church</b>	23	50	23	50	-	-	46	25
<b>Private</b>	26	48	26	48	2	4	54	30
<b>Total</b>	<b>98</b>	<b>54</b>	<b>79</b>	<b>44</b>	<b>4</b>	<b>2</b>	<b>181</b>	<b>100</b>

The KNPD managed to close the majority (54%) of the complaints it worked on this year. This is very similar to last year's performance with only a minor decrease of 1 percentage point.

The rate at which the KNPD concluded the cases against Governmental entities and parastatal entities decreased. The KNPD concluded 59% of its cases against the Government, which is 12% less than last year. The KNPD closed 61% of the cases against parastatal entities, which represents a decrease of 10% from last year. The KNPD managed to conclude 62% of the cases against Local Councils, which is the same percentage as last year. There was an increase in the percentage of cases closed in complaints against the Church and private entities. The KNPD closed 50% of the cases against the Church, which meant an increase of 24% from the previous year, and 48% of the cases against the private sector, which meant an increase of 5% from last year.

### **Court**

This year, the KNPD worked on 4 cases which are being heard in the Courts of Malta. Three of these cases were commenced in previous years and there was one new case. The three cases from previous years were:

- a) The Court case against the Ministry of Health relating to access at the Health Centre in Gzira is still pending in court.
- b) The Court of appeal has given its judgement with respect to the case against Michele Peresso relating to access at the Medical Centre. The KNPD is analysing the judgement.
- c) The case against Calypso Hotel, Marsalforn, about access is being heard in the Court of Gozo.

This year, the KNPD instituted proceedings against the Ministry of Education in relation to the giving of medicines to students with disability in regular schools. This case started being heard as an "urgent" case in court.

These 4 cases are discussed in more detail below in this report.

## 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. The 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). The 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 the 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 Compliance Unit within the KNPD, is the Board’s secretary. Mr Chris Borg offers technical assistance to the board.

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:

<b>TABLE 7: THE TEST OF REASONABLENESS BOARD</b>										
	<b>03/04</b>		<b>04/05</b>		<b>05/06</b>		<b>07/08</b>		<b>Total 03/08</b>	
	<b>N</b>	<b>%</b>	<b>N</b>	<b>%</b>	<b>N</b>	<b>%</b>	<b>N</b>	<b>%</b>	<b>N</b>	<b>%</b>
<b>Cases Discussed</b>	51		87		63		30		231	
<b>Reasonable with Conditions</b>	30	59	27	38	15	25	11	38	83	40
<b>Not Reasonable</b>	21	41	44	62	44	75	18	62	127	60
<b>Pending</b>	0	-	16	-	4	-	1	-	-	

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

The absolute majority of the cases assessed by this board are contestations of the KNPD’s position when vetting development applications submitted to MEPA. The number of cases seen by this board decreased by more than half as 30 cases were considered as opposed to the 63 of last year. It is difficult to identify the causes of this decrease. One can be positive and argue that the developers are becoming more conscious of the issues involved and thus there are fewer disagreements with the KNPD’s position. Moreover, the number of cases deemed as reasonable with certain conditions increased by 13% from last year. This is a significant increase. The percentage is, however, on the same level as the average for the 4 years in which the board has been functioning.

## **Consultation**

The KNPD emphasises the educational aspect of the implementation of this Act. For this reason, this year, the 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 employing people, those offering services, educational entities and more. There were a high number of consultations and it was very difficult to compile accurate statistics.

## **Equal Opportunities Act Compliance Unit**

This year, the legal consultant of the KNPD, Dr. Doreen Clarke, was appointed a Magistrate. Consequently, the KNPD immediately started a process to recruit another legal consultant. After a public call for applications, the KNPD appointed Dr Daniela Mangion to occupy this position. We congratulate both lawyers on their new positions.

This year, the KNPD also appointed a high official, Mr Chris Borg, who will be in charge of the vetting of development permits that MEPA sends to the KNPD for consultation purposes. It was decided that the administrative support to the Test of Reasonableness Board will fall under the responsibility of this official while Mr Elvin Sciberras will continue to give the necessary administrative support in the running of the Unit.

## **Conclusion**

As in the past, the KNPD is going to continue working on making sure that the Equal Opportunities (Persons with Disability) Act is implemented well so that persons with disability and their families can benefit from the best quality of life possible.

Fred Bezzina  
Executive Director  
National Commission Persons with Disability

Marianne Debono  
Manager  
Equal Opportunities Compliance  
Unit

## IMPORTANT COMPLAINTS

In this section, the KNPD will give a short account of the principal complaints it worked on 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; and
- c) complaints which have been filed in court.

### Closed Complaints

#### Employment

##### i.) *Electrician Licence*

The KNPD was asked to give its opinion about giving an electrician licence to a person with colour blindness or dyslexia. The KNPD carried out the necessary research and concluded that:

- a) persons with colour blindness cannot be given this licence;
- b) persons with dyslexia can be given the electrician licence.

##### ii.) *MIA employee*

The KNPD continued to work on the case of an MIA employee who requested the services of a Sign Language interpreter during staff meetings and who demanded to be given overtime like his colleagues. Following verbal discussions between the two sides, MIA confirmed in writing that it was ready to provide this support to this person during staff meetings. As regards overtime, it does not seem that the company is discriminating against this employee.

##### iii.) *Change of Office*

The KNPD received a complaint that an employee of the Ministry of Competitiveness needed to be in an office without air-conditioning due to his disability. Following discussions between the two sides, the Ministry accepted to carry out this reasonable change.

##### iv.) *Transfer*

A Heritage Malta employee asked to be transferred to Gozo due to his disability. Following discussions between the two sides, this organisation agreed to carry out this reasonable change.

#### Access

##### i) *Tourist Complexes*

The KNPD pursued its effort to make tourist establishments accessible to everyone. This year, the KNPD closed these cases:

- a) The Dolmen Hotel that had a conference centre that was not accessible to everyone. This problem was solved with the installation of a lift.
- b) The Waterfront Hotel, Gzira, solved the problem relating to access to the toilets in the Reception area.
- c) The Westin Dragonara, Paceville, solved the problem relating to access to the toilets around the halls.

ii) *Access to Student's House, University of Malta*

The KNPD had instituted proceedings against the University of Malta because of lack of access to an important part of the Campus. After the court ruled in favour of the KNPD, an agreement was reached to install a lift, an intercom system which allows users of the lift to enter, and accessible toilets on the same level of the canteen. These three measures have been implemented and, therefore, Student's House, although not as accessible as we would like it to be, is more accessible to persons with mobility impairment.

iii.) *Reserved Parking*

The KNPD received many complaints related to reserved parking and it managed to solve many of them through discussion. These include:

- a) A complaint about the fact that there were not enough reserved parking bays in Għadira and Golden Sands. This problem was solved during talks with the Mellieħa Local Council.
- b) Another complaint related to the fact that a number of reserved parking bays in Valletta were not available during public activities or when stages or other such things were installed over them. Following discussions with the KNPD, the Valletta Local Council drafted a regulation whereby when a reserved parking bay is removed temporarily due to an activity, the organiser has to make sure to provide a temporary replacement. This is going to be one of the conditions when Local Councils give the relevant permits.
- c) The KNPD received a complaint that in Ta' Xbiex there was a reserved parking place for persons with disability with a time limit of ten minutes. Apart from the fact that this is a very short time limit, this case went against the policy of the Malta Transport Authority about this kind of parking. According to this policy, parking spaces reserved for persons with disability should only have a time limit if the surrounding parking spaces have this time limit. Moreover, in such cases, the time limit for reserved parking spaces should be longer. The KNPD held talks with the Ta' Xbiex Local Council which immediately agreed to remove the time limit from this parking space.

iv.) *Access to the Cathedral Museum in Mdina*

The KNPD received a complaint that the Cathedral Museum in the main square of Mdina had an inadequate ramp. When there was the embellishment project in this square, the KNPD held discussions with the Chapter of the Cathedral about this matter. This museum now has an adequate ramp which is similar to that of the Cathedral.

v.) *The St Vincent de Paule Canteen*

The KNPD received a complaint that this canteen did not have an entrance which is accessible to everyone. Following discussions with the Department involved, this problem was solved and a good ramp was installed.

vi.) *PBS Building*

The KNPD has been working hard on ensuring that the Public Broadcasting Services Building is made accessible to everyone. Since there are plans for PBS to move to a new building, the KNPD accepted the temporary solution of an accessible entrance on the rear side of the building with adequate signage. This entrance is now available.

vii.) *Parish Churches in Malta*

The KNPD continued to work on ensuring that at least the main entrances of all parish churches are made accessible to everyone in terms of the guidelines of the KNPD. This exercise has already spanned over a number of years and one might think that it is taking long. However, this year, the KNPD can report that the following parish churches now have an accessible entrance:

- Attard
- Balluta
- Balzan
- Floriana
- Gharghur
- Guardamangia
- Gzira
- Hamrun (Conception)
- Iklin
- Mtarfa
- Marsa (Maria Regina)
- Marsa (Holy Trinity)
- Marsaxlokk

viii.) *Parish Churches in Gozo*

The same work was carried out by the KNPD in relation to parish churches in Gozo. Over the last year, the following Gozitan parish churches have made available an accessible entrance:

- Marsalforn
- Qala
- San Lawrenz
- Sannat
- Zebbug

### **The Provision of Goods and Services**

i.) *News in Sign Language by PBS*

The KNPD received a complaint from the Deaf People Association that PBS:

- a) had stopped transmitting news in Sign Language on Saturdays and Sundays;
- b) the time of broadcasting of the news bulletin was changing every three months;
- c) the news was often broadcast during working hours and thus many persons with disability could not see this bulletin.

The KNPD held discussions with PBS about this issue and within a reasonable time an agreement was reached whereby the news in Sign Language would start being broadcast every day and, as far as possible at the same time, after working hours.

ii.) *British Jet*

The KNPD received two complaints against this company claiming that persons with disability were being charged higher prices when:

- (a) booking seats with more leg space; and
- (b) transporting their wheelchair.

This company explained in writing that it does not charge a higher fee for the transportation of its passengers' wheelchairs. The KNPD issued a press release detailing this information. The company argued that seats with more leg space are always more expensive to book and are generally found near the emergency exits and thus cannot be given to persons with disability. The KNPD deems this to be a reasonable explanation.

iii.) *Accessible Information*

The KNPD continued to work on convincing major companies to offer the service of bills and statements in a large font. This would make these documents accessible to people with visual impairment. After various discussions, the KNPD can report that HSBC, BOV, the Water Services Corporation and Go are offering this service.

Intensive talks were also held about ways of informing the clients about this service.

There were also discussions with the Office of the Prime Minister which issued a circular to all its entities instructing every department to offer this service when requested.

iv.) *Accessible Website*

The KNPD, in collaboration with the Foundation for Information Technology Accessibility (FITA), is working on ensuring that major entities have a website which is accessible to everyone. Several private and government entities have websites which are accessible even to people with visual impairment. These include:

- Government departments
- HSBC
- Go
- Vodafone

v.) *Voting System Accessible to Persons with Disability*

The KNPD received a number of complaints that persons with disability, especially those with visual impairment, felt that they were being discriminated against by the voting system in Maltese elections because they were being asked to vote with the help of an Assistant Commissioner. They requested other ways of voting including a template or voting with the assistance of a person they trust. The KNPD understood that this problem was not simply that of persons with visual impairment and initiated discussions with the Electoral Commission to find an adequate solution to this problem.

The Malta Society of the Blind held discussions too and they also instituted proceedings against the Government. The judge ruled against the Malta Society of the Blind because, among other reasons, the Electoral Law was seen as overruling the Equal Opportunities Act.

The KNPD does not agree with this ruling because during the Parliamentary debates about the Equal Opportunities Act the issue of whether the Act overrules other Acts was discussed. The Attorney General of the Republic advised the Parliament that the Equal Opportunities Act overruled other Acts and, consequently, there was no need to insert this specific clause.

## **Complaints Being Discussed**

### **Employment**

#### i.) *An Employee with Disability of Eden Cooperative*

An employee with disability with the Eden Cooperative forwarded a complaint to the KNPD claiming that he had been discriminated against by the Cooperative when his employment was terminated upon the closing down of the Cooperative while other employees without disability were offered alternative employment with the Eden Foundation. The KNPD, after investigating this case, concluded, on the basis of information which it possessed, that there was no discrimination due to disability and it informed the person who had forwarded the complaint of this opinion. This person then presented new evidence which the KNPD is examining. In the meantime, this person filed a judicial process in Court, through his lawyer, against the KNPD and others. The KNPD answered this protest by stating that it was still investigating the complaint.

#### ii) *A Waste Serve Employee*

The KNPD received a complaint by a person with disability who stated that he felt threatened that he would have his employment terminated. After discussions among the parties involved, a solution was found for the employee to keep his job.

### **Education**

#### i.) *Special Arrangements for MATSEC Examinations*

The KNPD continued to receive complaints about special arrangements which are necessary for students with disability to have equal opportunities when sitting MATSEC examinations. These complaints were that:

- a) the arrangements offered by the Board were not the same as those offered in schools;
- b) the University was not providing any information as to what requests students could make;
- c) the decisions of the Board were being communicated rather late to the students;
- d) the use of information technology was restricted.

The KNPD expressed its concerns in a meeting with the new Rector of the University, Professor Juanito Camilleri, who immediately addressed the issues involved in order to improve the situation. The first step was the establishment of a new committee, *ACCESS: Disability Support Committee (ADSC)*, in charge of making sure that students and university employees are given equal opportunities. This Committee, which is headed by the Pro Rector for Students Affairs, Dr Marianne Lauri, is now part of both the Senate and the Council and can thus discuss academic matters too. The Committee formed a small number of sub-committees, one of which is responsible for examining requests by students with disability for special arrangements during MATSEC examinations and other University of Malta examinations. This subcommittee, through consultation with the KNPD, the Education Division and the Department of Examinations, started working on an adjourned document about these special arrangements. It was also decided to make this information public so as to make everyone aware of what can be requested and what cannot. It is hoped that this

document is also used by other entities in order for there to be uniformity and in order for students to receive their education with the same arrangements of the examinations.

The KNPD is going to keep on working to reach these aims.

ii.) *Access in Schools*

The Government continued to work on the physical accessibility of schools, especially those run by the State. The Foundation for Tomorrow's Schools takes care of the schools in Malta while the Ministry of Gozo is responsible for the schools in Gozo. Over the last year, the problems of access in the Zabbar and St. Paul's Bay primary school were solved while a programme spanning a number of months was drafted to solve the problems in numerous schools in Gozo.

The KNPD is working on making sure that new schools and development projects in existing schools give maximum importance to the principles of access to all.

The KNPD will keep working on ensuring that our schools are as physically accessible as possible.

iii.) *Post-Secondary Education*

The KNPD received various complaints about the fact that students with disability were not being given the opportunity to pursue their studies after finishing secondary school. These complaints were made in relation to:

- a) students with physical disability who were rejected by MCAST due to the fact that MCAST did not have the necessary resources to give them the necessary support and due to problems of physical access;
- b) students with intellectual impairment who were discriminated against due to the fact that the course, PATHWAYS, which MCAST used to offer to these students, was terminated.

After discussions with the relevant authorities, the following was the outcome:

- (a) a student with physical disability started an IT course. However, the arrangements made to give this student the necessary support still have to be made on a permanent basis and physical access has to be improved for this student to continue this course;
- (b) discussions are underway about a number of other students;
- (c) a course similar to Pathways was initiated by the Ministry of Education

The KNPD is going to keep on working for students with disability to have access to post-Secondary education with the necessary support.

iv.) *Facilitators in Church Schools*

The KNPD continued to receive complaints about the fact that a small number of students with disability in Church schools were being sent home when their facilitator was absent. This issue was raised in a meeting between the KNPD and the Archbishop Pawl Cremona. The Church made new proposals and there now seems to be a common basis for an agreement.

The KNPD is working on solving this problem within a reasonable time.

## Access

### i.) *Reserved Parking*

The KNPD received various complaints about parking bays reserved for persons with disability:

- a) There was no reserved parking space in the vicinity of the Mediterranean Conference Centre. The Valletta Local Council agreed that these changes should be made and we are now waiting for the decision to be implemented;
- b) The sign indicating a reserved parking bay near St. Augustine Church was removed and a pavement on one side of the zebra crossing in the vicinity was inaccessible. The Valletta Local Council agreed that the sign had to be installed again and promised that they would work on making the pavement accessible. However, in order for this to happen, the lighting pole for the zebra crossing has to be moved.

### ii.) *Maltese Parish Churches*

As already stated, the KNPD has been working on the accessibility of parish churches in Malta and Gozo. This year, a number of churches were made accessible while there are discussions going on about other churches. However, there are also some churches about which discussions have not even started. This issue was raised during a cordial meeting with the new Archbishop, Mons Pawl Cremona and Mons Anton Gouder, General Pro-Vicar. During this meeting it was agreed that an effort will be made to solve the problem in a reasonable way in the shortest time possible. The Executive Director and the Pro-Vicar are keeping in touch on a regular basis to make sure that this happens.

### iii.) *Gozitan Parish Churches*

The KNPD had the same problem with the parish churches in Gozo and for this reason a delegation of the KNPD met the Bishop of Gozo, Mons Mario Grech, twice. During these meetings it was decided that the Diocese would appoint a Committee to be in charge of this issue. Unfortunately, the KNPD did not see any progress in the matter and was thus forced to address the Curia of Gozo through its lawyer. Still, there was no reply. The KNPD has now been informed that the Committee has been established and it is hoped that it will start making progress within a reasonable time.

### iv.) *Access in the Streets*

The KNPD kept receiving complaints about the fact that a number of arterial and residential roads were being built in ways that breach KNPD Guidelines. The KNPD discusses residential roads with the Local Councils concerned while it discusses arterial roads with the Malta Transport Authority. In general, complaints relating to Local Councils are solved. On the other hand, initially, the KNPD did not get a positive response from the Malta Transport Authority. Nonetheless, later in the year, a meeting was held with the Assistant Chief Executive Officer of the Malta Transport Authority and it was decided that a plan should be drafted detailing the necessary corrective measures.

### v.) *The Belvedere over the Mdina Bastions*

The KNPD continued to work on making sure that the Mdina Belvedere is accessible to everyone. Discussions are ongoing with the relevant entities, primarily the Local Council and the Ministry of Resources and Infrastructure, in view of finding a reasonable solution. The

major problem is that since the Belvedere is quite high, a ramp would have to be relatively long. The idea of installing a lift is being opposed due to fear of vandalism and the maintenance costs. The KNPD will keep on working to make the bastions accessible to everyone.

vi.) *District Offices of the Social Security Department*

The KNPD reached an agreement with the Department of Social Security to carry out a detailed study of every district office to then draft a plan meant to make these offices as accessible as possible over a period of time. The report has now been completed and work is already underway to improve access in these offices. The KNPD and the Department are going to keep on working on reaching this aim.

vii.) *Bars in Paceville*

The KNPD received a number of complaints about the lack of access in many establishments in Paceville. The KNPD started working on finding solutions for what can be done but it encountered a number of problems:

- a) it is difficult to identify who the owners of certain establishments are;
- b) some establishments are found in roads with stairs and thus not even the roads themselves are accessible.

Nonetheless, the KNPD will keep on working for youths with disability to have access, where reasonably possible, to entertainment.

viii.) *Valletta Waterfront*

The KNPD kept working on ensuring that the development at the Valletta Waterfront is made accessible to everyone. Unfortunately, the pavement that leads to the waterfront from Marsa was obstructed by some signs. This problem has now been solved. A substantial number of establishments are accessible to everyone. There are ongoing discussions about the reserved parking for persons with disability, which carries a charge, and the organisation of certain activities in areas which are not accessible to everyone. The KNPD will keep on working on finding solutions to these problems.

ix.) *Cinema Theatres*

The KNPD continued discussions aimed at making the cinema theatres in the Empire Complex, Bugibba, and the Eden Century, Paceville, physically accessible to everyone. While the KNPD has sent legal letters to Empire Cinemas, it was not given any response. The KNPD also continued to insist with Eden Century Cinemas to be as accessible as possible. The KNPD will keep on working to reach this aim.

x.) *Pharmacy in Birkirkara*

The KNPD received a complaint that a recently opened pharmacy in Birkirkara was not accessible to everyone. After investigations, it was discovered that the pharmacy's MEPA permit stipulated that the pharmacy had to install a platform lift which, however, was never installed. The KNPD has given the pharmacy a reasonable time for it to conform to the law and the MEPA permit.

xi.) *Exhibitions organised by Heritage Malta*

The KNPD received a complaint about the fact that Heritage Malta was organising a number of major exhibitions at the National Museum of Archaeology in Valletta, a venue that had an

inaccessible entrance and did not have a lift. In fact, the exhibition, ‘The Silent Warriors’ could not be enjoyed by visitors with disability and there was the risk that the same would happen in the Caravaggio exhibition.

During discussions with Heritage Malta it was discovered that the building was equipped with a lift which, however, was not working due to an inadequate electricity supply. This problem has been solved as the lift is now working. Discussions are ongoing about access to the main entrance and it is hoped that an agreement will be reached.

xii.) *Access to Firstar Healthcare*

The KNPD received a complaint that Firstar was selling apparatus for persons with disability, including wheelchairs, from premises which are not accessible to persons with disability. The KNPD wrote to this company for it to conform to the Equal Opportunities Act.

(xiii.) *Government Departments*

The KNPD has been dealing with complaints about the lack of access in a number of government departments in Valletta, such as:

- a) The Public Registry;
- b) The Passport Office;
- c) The Evans Building which includes a number of government entities such as the Occupational Health Unit and the Malta Standards Authority.

These entities, which offer services to many people, have main entrances which are not accessible. The KNPD will keep on working on seeing that everything possible to improve the situation is done.

(xiv.) *The Regional Tribunal in Qormi*

Following the KNPD’s work to ensure that all Regional Tribunals functioned from accessible buildings, all such tribunals are now accessible except for the one in Qormi. Another year has passed but we have not yet managed to find a solution mainly because this building has not yet been transferred from the Government to the Local Council despite the several attempts made by the KNPD to discuss the issue with the Ministry of Justice, the Local Council and the Lands Authority, which is responsible for the land transfer.

xv.) *Tourist Establishments*

The KNPD receives various complaints about the lack of access in tourist establishments. This year, the KNPD worked on the following complaints:

- The lack of access to the pizzeria and pool of Riviera Hotel in Cirkewwa. While progress has been made, more has to be done and the KNPD is working on this.
- The lack of access to the restaurants at the Hilton Hotel in Paceville. Proposals have been made and there seems to be the basis for an agreement.
- The inaccessible pavements at the Waterfront in Cottonera.
- While it had been promised that the Bugibba Bay would be made accessible to everyone and while there is a good ramp leading from the road to the sandy beach, there are problems relating to access to the toilets and the wooden platform. Also, the hoist to the sea that was included in the MEPA permit has not been installed yet.

xvi.) *The Aula Magna in the Old University*

The KNPD has received a complaint about the fact that the Aula Magna of the Old University, in which several meetings are held, is inaccessible because it is on the second floor of the building. The KNPD has been told by the University of Malta that there are plans for the building to be made accessible to everyone. The KNPD will keep on working for this to happen.

### **The Provision of Goods and Services**

i.) *Accessible Self Drive Cars*

The KNPD received a complaint from a tourist with disability that in Malta one cannot rent self drive cars which can be driven by hand with the help of special controls.

The KNPD wrote to the major garages offering car rental services asking them to start offering this service. A number of these garages asked us to discuss the matter with their Association, the Rent-a-Car Association (RACA). An agreement was reached about hand-controlled cars but this agreement was never implemented. The KNPD will keep working to ensure that this problem is solved as soon as possible.

ii.) *Gozo Channel Services*

The KNPD receives, from time to time, complaints about the fact that while Gozo Channel ferries are physically accessible, the lifts are often blocked by cars parked in front of them. An agreement was reached between the KNPD and this company stipulating that a leaflet would be published detailing the ways in which persons with disability can get a good service from this company. Unfortunately, this company is refusing to honour this agreement. The KNPD will keep insisting for the agreement to be respected.

iii.) *Accessible Information*

The KNPD has worked hard this year on ensuring that big companies have a service offering statements and bills in large font to those who request them. The KNPD is still in talks with Melita Cable for it to offer this service effectively.

iv.) *Accessible Websites*

The KNPD, in collaboration with the Foundation for Information Technology Accessibility (FITA), continued to work on ensuring that major entities have a website which is accessible to everyone, especially persons with visual impairment. A number of other entities such as the Church of Malta, the Church of Gozo, Melita Cable and Water Services Corporation, do not have accessible websites but they have informed the KNPD that they are in the process of updating their websites to make them accessible. The Church of Gozo did not give an answer to the KNPD about this problem. In the case of Bank of Valletta, the website is accessible but internet banking is not.

The KNPD and FITA deem this issue as being very important and are going to continue working to make these websites accessible to everyone.

v.) *Accessible Transport*

The KNPD has been informed that bus operators were exchanging their timetables in a way which often meant that while an accessible bus was going to be used on a particular route an

inaccessible one is eventually used. The KNPD forwarded this complaint to the Transport Authority and is working on finding a solution to this problem.

vi.) *Xarabank and Sign Language*

The KNPD received a complaint that people with hearing impairment whose first language is the Maltese Sign Language could not access the most popular TV programme in Malta, *Xarabank*, which is shown on TVM every Friday. The KNPD initiated discussions both with the directors of PBS and the producers of *Xarabank*. An acceptable proposal was made and discussions are ongoing to implement it.

## **Insurance**

i.) *Insurance for Persons with Disability by Middle Sea through Bank of Valletta*

The KNPD received a complaint that Bank of Valletta was offering an insurance package through Middle Sea whose prospectus indicated that relatives with disability of the insured were not covered by the insurance. Middle Sea informed us that this is not the case and thus we requested Bank of Valletta to change the words of the prospectus. This has not been done yet but the KNPD will keep on working to see that this is done.

## **Court Cases**

### **Education**

i.) *The Giving of Medicine in Regular Schools*

The KNPD has been concerned for a long time because of the complaints that it receives about the fact that a small number of students with disability are not being given the medicine they need while they are at school or else their parents have to go to school everyday (sometimes more than once) to give the medicine to their children. The KNPD understood that this was a complicated issue and thus agreed to participate actively in a task force appointed by the Ministry of Education to make a number of recommendations. This task force consisted of representatives of the Ministry of Education, the Ministry of Health and the KNPD. The task force completed its work and presented its report to the Ministry of Education, which, in turn, asked the Attorney General of the Republic to give his advice about certain recommendations of the report.

Despite the fact that months passed and despite the fact that the KNPD asked the Ministry of Education a number of times to take the necessary steps to solve this problem, no progress was made. For this reason, the KNPD filed a judicial protest against the Ministry of Education which was not answered. Consequently, the KNPD had to institute proceedings against the Ministry of Education. The KNPD hopes that the ruling will be made in the shortest time possible or that, better than that, the Ministry of Education will find a just and reasonable solution to this problem before the Court pronounces its judgement.

## Access

### i.) *Calypso Hotel, Gozo*

The KNPD received a complaint about the fact that when the Calypso Hotel in Marsalforn, Gozo, carried out major refurbishing works, it did not provide adequate access to the main entrance since the ramp leading to it was too steep and did not comply with the KNPD's guidelines. The Hotel had proposed to install a platform lift in the application for a permit it had submitted with MEPA. However, the lift had not been installed. The discussions between the two sides initially failed and the KNPD instituted proceedings in the court of Gozo. However, the discussions eventually resumed and an agreement was reached whereby a lift was going to be installed by July 2007. The management requested an extension and the KNPD accepted. The KNPD hopes that this agreement will now be fulfilled in order to avoid the need of pursuing the Court case.

### ii.) *Gzira Health Centre*

The KNPD pursued its court case against the Ministry of Health about the lack of access at the Health Centre in Gzira. The first sitting was in January 2007. Unfortunately, little progress has been made and it seems that the case is going to take very long.

### iii.) *Michele Peresso Medical Centre*

The KNPD had won the case it had against the Michele Peresso Medical Centre. The KNPD had instituted proceedings because this company, which sells apparatus for the specific use of persons with disability, was located in a place which did not comply with the *Access for All Guidelines* of the KNPD.

The company argued that:

- (a) The KNPD does not have the legal right to institute proceedings;
- (b) The Equal Opportunities Act does not apply to buildings which existed before the year 2000, when this law was introduced;
- (c) The building in question was accessible through a garage in a secondary road and had a ramp to the entrance that did not comply with the KNPD's guidelines because it was built before the year 2000.

The Court of Appeal rejected the first and second ground of appeal, that is, it confirmed the judgment of the First Hall of the Civil Court with regard to the first two pleas and confirmed that:

- (a) The KNPD has the legal right to institute proceedings;
- (b) The Equal Opportunities Act applies to buildings which existed before the year 2000, when this law was introduced.

However, the Court of Appeal argued that the declaration of discrimination is very serious especially with respect to commercial entities. The Court concluded that while entering the premises from a garage or by using an inadequate ramp was inconvenient, this could not be defined as discriminatory.

The KNPD is analyzing this judgment in order to redefine its strategies.

**A List of All Cases – 2006/2007 Report**

<b>Employment – Cases from Previous Years</b>					
<b>No</b>	<b>Sector</b>	<b>Status</b>	<b>Entity</b>	<b>Complaint</b>	<b>Opened</b>
1	Private	Closed	MIA	Sign Language Interpretation during staff meetings and overtime	August 2006
<b>Employment – New Cases</b>					
<b>No</b>	<b>Sector</b>	<b>Status</b>	<b>Entity</b>	<b>Complaint</b>	<b>Opened</b>
1	Private	Closed	Private Company	Termination of employment	October 2006
2	Parastatal	Closed	ETC	Registration for work	March 2007
3	Private	Closed	Private Company	Inappropriate treatment	May 2007
4	Private	Under Discussion	Eden Coop	Termination of employment.	August 2007
5	Parastatal	Under Discussion	WasteServ Ltd	Termination of employment	August 2007
6	Government	Closed	Ministry	Change of place of work	August 2007
7	Parastatal	Closed	Public Foundation	Change of place of work	September 2007
8	Private	Closed	Private Company	Termination of employment	September 2007
9	Parastatal	Closed	Public Agency	Transfer	September 2007
<b>Education – Cases from Previous Years</b>					
<b>No</b>	<b>Sector</b>	<b>Status</b>	<b>Entity</b>	<b>Complaint</b>	<b>Opened</b>
1	Government	Court	Education Division	Lack of access to the giving of medicines in schools	January 2003
2	Government	Closed	Education Division	Lack of Access at Victoria Primary School	March 2003
3	Government	Closed	Foundation for Tomorrow's Schools (FTS)	Lack of Access at St. Paul's Bay Primary School	March 2005
4	Government	Under Discussion	FTS	Lack of Access at St. Julian's Bay Primary School	October 2005
5	Parastatal	Closed	University of Malta	Special Arrangements during Examinations	January 2006
6	Church	Closed	Church of Malta	Church Schools Transport	March 2006
7	Church	Under Discussion	Church School	Student with disability sent home when facilitator is absent	August 2006

<b>Education – New Cases</b>					
1	Government	Closed	Ministry of Finance	Request for Financial Assistance	October 2006
2	Parastatal	Closed	Public Agency	Electricians Licence	October 2006
3	Government	Under Discussion	Ministry of Gozo	Lack of Access at de Soldanis Secondary School (Gozo)	November 2006
4	Government	Under Discussion	FTS	Lack of Access at Attard Primary School	Di'embru 2006
5	Government	Closed	Education Division	Lack of facilitator	November 2006
6	Government	Closed	Ministry of Education	Awarding of stipend	January 2007
7	Government	Closed	Education Division	Participation in extra-curricular activities	February 2007
8	Government	Closed	Ministry of Education	Participation in extra-curricular activities	February 2007
9	Government	Under Discussion	FTS	Lack of Access at Zabbar Primary School	May 2007
10	Parastatal	Under Discussion	MCAST	Lack of personal assistance	May 2007
11	Parastatal	Closed	University	Special arrangements for examinations	May 2007
12	Government	Closed	Education Division	Lack of facilitator at post-secondary level	May 2007
13	Parastatal	Under Discussion	MCAST	Lack of personal assistance and lack of adequate sanitary facilities	July 2007
14	Parastatal	Under Discussion	MCAST	Course application	September 2007
<b>Access - Cases from Previous Years</b>					
No	Sector	Status	Entity	Complaint	Opened
1	Private	Court	Michele Peresso	Lack of access	April 2000
2	Government	Under Discussion	Health Division	Lack of access to main entrance of Evans Building	November 2000
3	Parastatal	Closed	University of Malta	Lack of access to Student's House	March 2001
4	Government	Court	Health Division	Lack of lift at Gzira Health Centre	July 2001
5	Councils	Under Discussion	Qormi Local Council	Lack of access to Regional Tribunal	August 2002
6	Church	Closed	Hamrun Conception Parish Church	Lack of access to main entrance	August 2002
7	Church	Protest	Gharb Parish Church	Lack of access to main entrance of parish church	August 2002

8	Parastatal	Closed	Public Broadcasting Services	Lack of access	November 2002
9	Private	Under Discussion	San Gwann Band Club	Lack of access	March 2003
10	Private	Under Discussion	Sant'Antnin Birkirkara Band Club	Lack of access	August 2003
11	Councils	Under Discussion	Mgarr Local Council	Lack of access	March 2004
12	Private	Under Discussion	Riviera Hotel	Lack of access	June 2004
13	Private	Under Discussion	Valletta Waterfront	Lack of access	August 2004
14	Church	Closed	Balluta Parish Church	Lack of access to main entrance of parish church	October 2004
15	Church	Closed	Burmarrad Parish Church	Lack of access to main entrance of parish church	October 2004
16	Church	Under Discussion	Dingli Parish Church	Lack of access to main entrance of parish church	October 2004
17	Church	Under Discussion	Fgura Parish Church	Lack of access to main entrance of parish church	October 2004
18	Church	Closed	Floriana Parish Church	Lack of access to main entrance of parish church	October 2004
19	Church	Closed	Gharghur Parish Church	Lack of access to main entrance of parish church	October 2004
20	Private	Court	Calypso Hotel	Lack of access	November 2004
21	Private	Under Discussion	Eden Century Cinemas	Lack of access	November 2004
22	Parastatal	Under Discussion	Transport Authority (ADT)	Lack of access to pavements	July 2005
23	Private	Under Discussion	Hilton Hotel	Lack of access	September 2005
24	Church	Under Discussion	Santa Venera Parish Church	Lack of access to main entrance of parish church	October 2005
25	Parastatal	Under Discussion	University of Malta	Lack of access to Aula Magna	October 2005
26	Government	Under Discussion	Department of Social Security	Lack of Access to Social Security District Office	November 2005
27	Private	Closed	Westin Dragonara	Lack of access to sanitary facilities	February 2006
28	Private	Under Discussion	Empire Cinema	Lack of access to theatre	March 2006
29	Government	Closed	Department for the Elderly	Lack of access to canteen of St. Vincent Hospital	March 2006

30	Councils	Under Discussion	Naxxar Local Council	Lack of access to Triq is-Saghjar, Naxxar	March 2006
31	Councils	Under Discussion	Mosta Local Council	Lack of access to Triq l-Ahwa Galea, Mosta	March 2006
32	Church	Under Discussion	St. Julian's Parish Church	Access to main entrance of parish church	March 2006
33	Government	Under Discussion	Ministry of Infrastructure	Access in the roads in Grand Harbour Marina Vittoriosa	April 2006
34	Church	Under Discussion	San Gaetano Parish Church, Hamrun	Lack of access to main entrance of parish church	April 2006
35	Church	Under Discussion	St. George Parish Church, Victoria	Lack of access to main entrance of parish church	April 2006
36	Church	Under Discussion	Maria Bambina Parish Church (Xaghra)	Lack of access to main entrance of parish church	April 2006
37	Church	Closed	Guardamangia Parish Church	Lack of access to main entrance of parish church	April 2006
38	Church	Closed	Balzan Parish Church	Lack of access to main entrance of parish church	April 2006
39	Church	Closed	Attard Parish Church	Lack of access to main entrance of parish church	April 2006
40	Councils	Closed	Mosta Local Council	Access to establishment	Ġunju 2006
41	Private	Closed	Waterfront Hotel, Gzira	Access to toilets	July 2006
42	Private	Under Discussion	Saint Anne's Hall, Marsascalea	Access to hall	July 2006
43	Government	Under Discussion	Public Registry	Access to office of Public Registry	July 2006
44	Church	Under Discussion	Ibragg Parish Church	Lack of access to main entrance of parish church	August 2006
45	Church	Closed	Gzira Parish Church	Lack of access to main entrance of parish church	August 2006
46	Church	Closed	Iklin Parish Church	Lack of access to main entrance of parish church	August 2006
47	Church	Under Discussion	Lija Parish Church	Lack of access to main entrance of parish church	August 2006
48	Church	Under Discussion	Manikata Parish Church	Lack of access to main entrance of parish church	August 2006
49	Church	Under Discussion	Luqa Parish Church	Lack of access to main entrance of parish church	August 2006
50	Church	Closed	Maria Regina Parish Church	Lack of access to main entrance of parish church	August 2006

			(Marsa)		
51	Church	Closed	Trinity Parish Church (Marsa)	Lack of access to main entrance of parish church	August 2006
52	Church	Under Discussion	Fleur de Lys Parish Church	Lack of access to main entrance of parish church	August 2006
53	Government	Under Discussion	Health Division	Access to Zejtun Health Centre	August 2006
54	Councils	Closed	Valletta Local Council	Access to Parking	September 2006

#### Access – New Cases

No	Sector	Status	Entity	Complaint	Opened
1	Church	Closed	Cathedral Museum, Mdina	Lack of access to main entrance	October 2006
2	Government	Under Discussion	Belvedere, Mdina	Lack of access	October 2006
3	Councils	Closed	St. Julian's Local Council	Lack of access in Triq Paceville, Paceville	October 2006
4	Councils	Closed	Mellicha Local Council	Reserved Parking in Ghadira and Golden Bay	October 2006
5	Councils	Closed	Mosta Local Council	Lack of access in Mosta square	October 2006
6	Parastatal	Closed	ADT	Fault in Blata l-Bajda traffic lights	November 2006
7	Private	Closed	BOV	Access to Birkirkara branch	November 2006
8	Private	Closed	Fortina Hotel	Lack of access	November 2006
9	Private	Closed	Cafeteria in Naxxar	Lack of access to entrance	November 2006
10	Parastatal	Closed	ADT	Lack of reserved parking	January 2007
11	Private	Under Discussion	Huggins Pub	Lack of access	January 2007
12	Private	Closed	Hugo's Pub	Lack of access	January 2007
13	Private	Under Discussion	Footloose Pub	Lack of access	January 2007
14	Private	Under Discussion	Plush Pub	Lack of access	January 2007
15	Private	Under Discussion	Ghall-Kafè	Lack of access	January 2007
16	Private	Under Discussion	Burger King, Paceville	Lack of access	January 2007
17	Private	Under Discussion	Empire Pub	Lack of access	January 2007
18	Private	Closed	Coccolato Pub	Lack of access	January 2007
19	Councils	Closed	Iklin Local Council	Reserved parking	January 2007
20	Councils	Closed	Sliema Local	Access to public toilet and playing field	January 2007

			Council		
21	Councils	Closed	St. Paul's Bay Local Council	Access to bay	February 2007
22	Church	Under Discussion	Kercem Parish Church	Lack of access to main entrance of parish church	March 2007
23	Church	Closed	Marsalforn Parish Church	Lack of access to main entrance of parish church	March 2007
24	Church	Under Discussion	Munxar Parish Church	Lack of access to main entrance of parish church	March 2007
25	Church	Closed	Qala Parish Church	Lack of access to main entrance of parish church	March 2007
26	Church	Under Discussion	Cathedral Parish Church, Victoria	Lack of access to main entrance of parish church	March 2007
27	Church	Closed	San Lawrenz Parish Church	Lack of access to main entrance of parish church	March 2007
28	Church	Closed	Sannat Parish Church	Lack of access to main entrance of parish church	March 2007
29	Church	Closed	Santa Lucia Parish Church, Gozo	Lack of access to main entrance of parish church	March 2007
30	Church	Under Discussion	Xlendi Parish Church	Lack of access to main entrance of parish church	March 2007
31	Church	Closed	Zebbug, Gozo, Parish Church	Lack of access to main entrance of parish church	March 2007
32	Church	Closed	Marsaxlokk Parish Church	Lack of access to main entrance of parish church	March 2007
33	Church	Under Discussion	Mellieha Parish Church	Lack of access to main entrance of parish church	March 2007
34	Church	Under Discussion	Mgarr, Malta Parish Church	Lack of access to main entrance of parish church	March 2007
35	Church	Under Discussion	Mqabba Parish Church	Lack of access to main entrance of parish church	March 2007
36	Church	Under Discussion	Msida Parish Church	Lack of access to main entrance of parish church	March 2007
37	Church	Closed	Mtarfa Parish Church	Lack of access to main entrance of parish church	March 2007
38	Private	Closed	Dolmen Hotel	Access in hotel	March 2007
39	Private	Under Discussion	Rational Pharmacy, Birkirkara	Access to Pharmacy	March 2007
40	Councils	Closed	Local Council Valletta	Access to St. John Co-Cathedral	March 2007
41	Councils	Under Discussion	Ta' Xbiex Local Council	Reserved Parking	June 2007

42	Government	Under Discussion	Passport Department	Lack of access	May 2007
43	Councils	Under Discussion	Mosta Local Council	Lack of access to public toilets in Mosta square	July 2007
44	Councils	Closed	Birgu Local Council	Lack of access in St. Edward's Street, Birgu	July 2007
45	Councils	Closed	Hamrun Local Council	Lack of access in Triq Nazzjonali, Blata l-Bajda	July 2007
46	Councils	Closed	St. Julian's Local Council	Lack of access in Paceville bus terminus	July 2007
47	Councils	Closed	Valetta Local Council	Lack of access in Valetta bus terminus	July 2007
48	Parastatal	Closed	ADT	Reserved Parking	July 2007
49	Parastatal	Closed	MEPA	Building Permit	July 2007
50	Parastatal	Under Discussion	Heritage Malta	Lack of access to Heritage Malta exhibition	August 2007
51	Private	Closed	Private company	Access to lift	August 2007
52	Parastatal	Under Discussion	Sedqa	Entrance not accessible	August 2007
53	Private	Under Discussion	Firstar Healthcare	Entrance not accessible	August 2007
54	Councils	Under Discussion	Local Council Valetta	Reserved Parking near St. Augustine Church	August 2007
55	Councils	Under Discussion	Valetta Local Council	Reserved Parking near Mediterranean Conference Centre	August 2007
56	Parastatal	Closed	MEPA	Building Permit	July 2007
57	Government	Closed	Health Division	Reserved Parking	September 2007

#### Provision of Goods and Services – Cases from Previous Years

No	Sector	Status	Entity	Complaint	Opened
1	Government	Closed	Electoral Commission	Lack of access in voting system	January 2005
2	Private	Under Discussion	Bank of Valetta	Small font used in bank statements and website	March 2005
3	Private	Closed	HSBC	Fonts used in bank statements	March 2005
4	Private	Closed	Maltacom	Small font used in statements and lack of access to website	March 2005
5	Government	Closed	Office of the Prime Minister	Lack of access to government circulars	March 2005
6	Parastatal	Under Discussion	Water Services Corporation	Small font used in statements and lack of access to website	March 2005
7	Private	Closed	Vodafone Malta Ltd	Small font used in statements and lack of access to website	May 2005
8	Private	Under	Melita Cable	Small font used in statements and lack	October 2005

		Discussion		of access to website	
9	Private	Under Discussion	HSBC Bank	Lack of access to ATMs in Sliema, Mdina and Valletta	June 2006
10	Private	Under Discussion	Self-drive car hire garages	Provision of accessible services	June 2006
11	Private	Closed	BOV	The use of the Special Identity Card	August 2006
12	Church	Under Discussion	Church of Gozo	Lack of access to website	August 2006
13	Church	Under Discussion	Church of Malta	Lack of access to website	January 2006
14	Private	Closed	Mediterraneo Marine Park	Participation in Swimming	July 2006

### Provision of Goods and Services – New Cases

No	Sector	Status	Entity	Complaint	Opened
1	Government	Closed	PBS	News in Sign Language	October 2006
2	Parastatal	Closed	Enemalta	Enemalta services	November 2006
3	Private	Closed	Various	Sign Language Interpreters for deaf participants in sports	December 2006
4	Parastatal	Under Discussion	Gozo Channel	Service on Gozo Channel ferries	January 2007
5	Parastatal	Under Discussion	ADT	Changes in public transport time table	January 2007
6	Government	Closed	MFSS	Persons with disability pension	January 2007
7	Private	Closed	Malta Bargains Ltd	Higher charges	January 2007
8	Private	Closed	Private Company	Lift Security	February 2007
9	Parastatal	Under Discussion	ADT	Access to Valletta Park & Ride	February 2007
10	Private	Under Discussion	Where's Everybody?	Access to Xarabank programme	April 2007
11	Parastatal	Under Discussion	ADT	Access to Valletta Park & Ride	April 2007
12	Parastatal	Closed	ADT	Reserved Parking	March 2007
13	Private	Closed	BritishJet.Com	Higher charges	June 2007
14	Private	Closed	HSBC Bank	The use of the Special Identity Card	July 2007
15	Parastatal	Closed	SUPPORT Agency	Provision of Goods	August 2007
16	Parastatal	Closed	ADT	Parking in Valletta	August 2007
17	Private	Under Discussion	Private Company	Access to cruise	August 2007
18	Private	Closed	HSBC Bank	The use of the Special Identity Card	August 2007
19	Parastatal	Closed	ADT	Reserved Parking	August 2007
20	Government	Closed	Court	Urgency of Court case	August 2007

21	Parastatal	Closed	ADT	Parking in Valletta	September 2007
22	Parastatal	Closed	KNPD	Amendment to Equal Opportunities Act	September 2007

#### **Insurance – New Cases**

<b>No</b>	<b>Sector</b>	<b>Status</b>	<b>Entity</b>	<b>Complaint</b>	<b>Opened</b>
1	Private	Under Discussion	Middlesea Insurance & BOV	Insurance of person with disability	February 2007

#### **Housing – New Cases**

<b>No</b>	<b>Sector</b>	<b>Status</b>	<b>Entity</b>	<b>Complaint</b>	<b>Opened</b>
1	Private	Closed	Private Company	Installation of lift	October 2006
2	Private	Under Discussion	Private Company	Access to lift	August 2007