

# Annual Report 2025

PARLIAMENTARY OMBUDSMAN MALTA



30 Years  
1995-2025

Protecting rights  
Ensuring fairness  
Standing for justice  
Fostering good governance



**OMBUDSMAN**

FOR THE PERIOD  
JANUARY - DECEMBER  
2025

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**OMBUDSMAN**

for the period

**JANUARY - DECEMBER 2025**

Presented to the House  
of Representatives Malta  
pursuant to Section 29 of the  
Ombudsman Act, 1995





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June – September    08:30am – 12:30pm

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June 2026



**OMB/6/9/29**

June 2026

The Honourable Dr Angelo Farrugia  
President of the House of Representatives  
Parliament of Malta  
Freedom Square  
Valletta

Mr Speaker

In terms of Section 29 of the Ombudsman Act 1995, I am hereby submitting the Annual Report concerning the performance of the Office of the Ombudsman for the period January to December 2025.

The Annual Report includes an oversight of the activities and initiatives taken during that year as well as relevant data regarding the conduct of the investigation of complaints. It also includes reports by the Commissioners for Education, Health and Environment and Planning covering the same period.

Yours sincerely

**Judge Emeritus Joseph Zammit McKeon**  
**Parliamentary Ombudsman**



# FOREWORD



In 2025, as in previous years, the Office of the Ombudsman (which includes the Commissioners) has been at the forefront through its investigations, acts and initiatives to ensure fairness and justice, including by challenging bias and highlighting improper discrimination in the delivery of services by the public service and the public administration.

In the past thirty (30) years, the Office has rendered a service that is free, impartial and accessible. Its impact has been impressive and extensive. We have dealt with a broad range of matters relating to the everyday lives of people. Our work contributes to improve accountability and transparency within the public service. While our investigations seek to provide redress for individual complaints, they have identified systemic issues with the scope of improvement. When we investigate, we consider the actions of public bodies not only by what they did or did not do, but also how they did it and how they dealt with people, as we believe that persons deserve to be treated with dignity and respect.

In 2025, the Office insisted with Government that the principles of good governance should be considered as a standard of primary importance, including a simplified, straightforward complaints approach to encourage public bodies to resolve complaints as early as possible. Public bodies should have every interest to push up public trust levels. Persons will trust the public administration when they see decisions taken fairly, information shared reasonably and swiftly, and public institutions held to account. We believe that the public service and the public administration must be more understanding and responsive to the concerns of people. We have had people who turn to us feeling ignored. When complaints are set aside or deemed of low priority, people become disillusioned. Complaints should be given all the attention they merit. The Office has had occasion to remark the growing risk of persons rejecting rules because they are ignored or left behind.

On the basis of our investigations, we have highlighted patterns of administrative failure. Complaints have included acts that are contrary to law and policies; rigid application of legislation and policies; improper discrimination; poor communication including avoidable delays to provide information or even to give a reply; unfair treatment including the application of inconsistent standards; lack of equity; unfair selection processes, promotions and grading; issues of quality of life and special needs; improper attitude of staff and/or management; personal matters, staff and student issues. By harnessing the insights from its casework, the Office can help address systemic challenges and make recommendations in order to bring about meaningful change for the better.

When public bodies act on our recommendations, they put good governance into practice. When they ignore them, the result is on the one hand frustration on the part of people and on the other, a missed chance to make things better. Although the implementation rate as a whole is considerable, the time taken for tangible acceptance across public bodies remains a concern. We note with disappointment that there are public bodies that treat corrective feedback as optional, forcing us to escalate unimplemented recommendations to the Prime Minister and then to the House of Representatives. Accountability and transparency are not optional extras.

In 2025, the Office referred to the challenges posed by rapid technological change. Governments (including our own) are investing heavily in digital transformation. Tools like artificial intelligence hold great promise for efficiency. However these tools should reinforce, not replace, personal accountability. New technologies require rigorous human oversight, because if not managed with care, they can introduce new forms of bias and breach the basic rights of persons.

In 2025, the Office continued to advocate for the inclusion within its mandate of the promotion and protection of human rights. We believe that upholding human rights demands proactivity. The Office believes that it has all the credentials to step in the present void, not only by investigating and recommending remedies for individual wrongs, but also by keeping persons aware of the importance of having in place verifiable human rights standards.

We have collaborated closely with international counterparts and human rights institutions, learning and sharing best practices. These contacts enrich our perspective. The Office now stands high on the Mediterranean, European and global stage of ombudsman institutions committed to good governance.

In my name and on behalf of the Commissioners, I wish to record my deep gratitude to the dedicated professional, administrative, secretarial and support staff of the Office. Their integrity, diligence and compassion are the foundation of our work.

It is indeed an honour for me to submit the Annual Report for 2025 of the Office of the Ombudsman to the Hon. Mr. Speaker of the House of Representatives in terms of Article 29(1) of the Ombudsman Act 1995 (Chapter 385 of the Laws of Malta).

I look forward to a discussion as soon as possible of this Annual Report during a dedicated sitting of the House of Representatives as provided in said Article 29(1) of the Ombudsman Act 1995 (Chapter 385 of the Laws of Malta).

**Judge Joseph Zammit McKeon**  
**Parliamentary Ombudsman of Malta**

# 2025 at a glance

## Total Incoming Complaints

January – December 2025



**2025:**  
**625 +11% ↗**

## Complaints received

January – December 2025



Ombudsman

**384 +16% ↗**



Commissioner  
for Environment  
and Planning

**86 -4% ↘**



Commissioner  
for Health

**89 -17% ↘**



Commissioner  
for Education

**66 +0% ↗**



Assistance given  
to the public



**812 +6% ↗**

## Total Finalised Complaints

January – December 2025



**2025:**  
**575 -1% ↘**



Ombudsman

**338 +6% ↗**



Commissioner  
for Environment  
and Planning

**89 +3% ↗**



Commissioner  
for Health

**85 -22% ↘**



Commissioner  
for Education

**63 -5% ↘**

## Total Pending Complaints

January – December 2025



**2025:**  
**216 +20% ↗**



Ombudsman

**216 +27% ↗**



Commissioner  
for Environment  
and Planning

**22 +5% ↗**



Commissioner  
for Health

**41 +3% ↗**



Commissioner  
for Education

**21 +17% ↗**



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# PERFORMANCE REVIEW 2025

CASES HANDLED BY THE  
OFFICE OF THE OMBUDSMAN

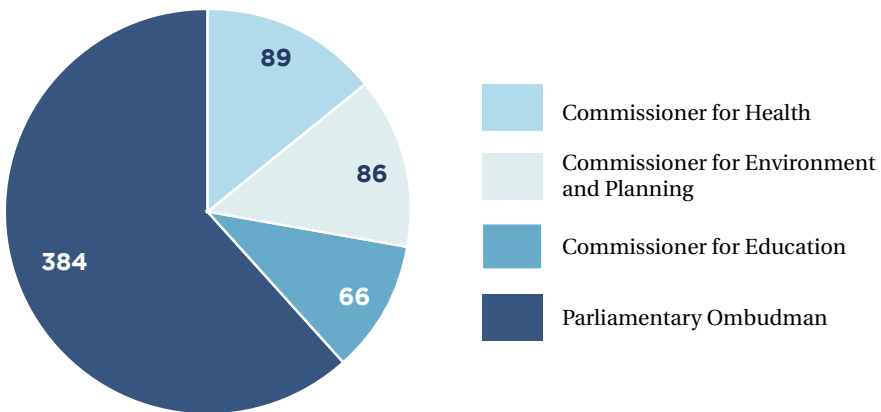
# PERFORMANCE REVIEW 2025

## CASES HANDLED BY THE OFFICE OF THE OMBUDSMAN

**TABLE 1.1 – CASES HANDLED BY THE OFFICE OF THE OMBUDSMAN  
2024 - 2025**

	2024	2025
	No of cases	No of cases
Parliamentary Ombudsman	331	384
Commissioner for Environment and Planning	90	86
Commissioner for Education	67	66
Commissioner for Health	76	89
<b>Total</b>	<b>564</b>	<b>625</b>

**DIAGRAM 1.2 – CASES HANDLED BY THE OFFICE OF THE OMBUDSMAN  
2025**



In 2025, the Office of the Ombudsman handled a total of 625 cases, marking an 11% increase compared to 2024. As shown in Table 1.1, 384 of these cases were investigated by the Parliamentary Ombudsman, an increase of 16% over the previous year.

The Commissioner for Health addressed 89 cases, reflecting a 17% rise. The Commissioner for Environment and Planning dealt with 86 cases, showing a slight 4% decline. The Commissioner for Education handled 66 cases, remaining practically at the same level as the previous year.

This continued upward trend in complaints confirms a growing recourse by the public to the Ombudsman institution, particularly in matters related to general public administration and health services. It also reflects sustained public trust in the Office as an accessible and effective avenue for redress.

**TABLE 1.3 – SUSTAINED CASES CLOSED DURING 2025 INCLUDING OUTCOME**

	No of cases	Sustained – no recommendation made	Recommendation implemented	Recommendation not implemented	Recommendation partly implemented
Parliamentary Ombudsman	17	1	9	5	2
Commissioner for Environment and Planning	12	-	4	7	1
Commissioner for Education	15	3	3	8	1
Commissioner for Health	37	20	14	2	1
<b>Total</b>	<b>81</b>	<b>24</b>	<b>30</b>	<b>22</b>	<b>5</b>

In 2025, a total of 81 cases were sustained by the Office of the Ombudsman. As shown in Table 1.3, 24 of these cases, or 30%, were resolved and did not require a formal recommendation.

In 30 cases, or 37%, the recommendations made by the Office of the Ombudsman were implemented. In 5 cases, or 6%, the recommendations were partly implemented. In 22 cases, or 27%, the recommendations were not implemented by the respective authorities.

The Commissioner for Health registered the highest number of sustained cases, 37, representing 46% of all sustained cases. In 20 of these cases, or 54%, the matter was addressed without the need for a recommendation, while 14 recommendations, or 38%, were implemented.

The Parliamentary Ombudsman had 17 sustained cases, representing 21% of the total. Recommendations were implemented in 9 cases, or 53%, partly implemented in 2 cases, or 12%, and not implemented in 5 cases, or 29%.

The Commissioner for Education had 15 sustained cases, representing 19% of the total, with 8 recommendations, or 53%, not implemented. The Commissioner for Environment and Planning had 12 sustained cases, representing 15% of the total, of which 7 recommendations, or 58%, were not implemented.

**TABLE 1.4 - CASES NOT SUSTAINED DURING 2025 INCLUDING OUTCOME 2025**

	No of cases	Not Sustained – No Recommendation Made	Not Sustained – Recommendation Implemented	Not Sustained - Recommendation Not Implemented
Parliamentary Ombudsman	73	69	1	3
Commissioner for Environment and Planning	13	12	1	-
Commissioner for Education	16	15	1	-
Commissioner for Health	17	13	4	-
<b>Total</b>	<b>119</b>	<b>109</b>	<b>7</b>	<b>3</b>

In 2025, a total of 119 cases were concluded as not sustained. As shown in Table 1.3, 109 of these cases, or 92%, did not require any recommendation.

In 10 of these cases, even though the complaint was not sustained in favour of the complainant, the Office of the Ombudsman still made recommendations to improve public administration. In 7 of these cases, or 6%, the recommendations made during the investigation were implemented by the respective authorities. In 3 cases, or 3%, the recommendations were not implemented.

The Parliamentary Ombudsman registered 73 not sustained cases, representing 61% of the total. In 69 of these cases, or 95%, no recommendation was required.

The Commissioner for Health had 17 not sustained cases, of which 13, or 76%, required no recommendation, while in 4 cases, or 24%, recommendations were implemented.

The Commissioner for Education recorded 16 not sustained cases, with 15, or 94%, requiring no recommendation. The Commissioner for Environment and Planning had 13 not sustained cases, of which 12, or 92%, did not require any recommendation.

This table shows that even where complaints are not upheld, the investigative process often clarifies issues without the need for formal recommendations. It also shows that, in a small number of cases, authorities still acted on observations made during the investigation.

**TABLE 1.5 – COMPLAINTS AND ENQUIRIES RECEIVED  
1996-2025**

Year	Total number Ombudsman's Office	Written complaints				Enquiries
		Ombudsman	Commissioner for Environment and Planning	University Ombudsman/Commissioner for Education	Commissioner for Health	
1996	1112					849
1997	829					513
1998	735					396
1999	717					351
2000	624					383
2001	698					424
2002	673					352
2003	601					327
2004	660					494
2005	583					333
2006	567					443
2007	660					635
2008	551					469
2009	566					626
2010	482					543
2011	426					504
2012	623	443	92	56	32	462
2013	493	329	61	38	65	475
2014	538	352	49	60	77	581
2015	611	405	65	65	76	554
2016	557	361	55	59	82	579

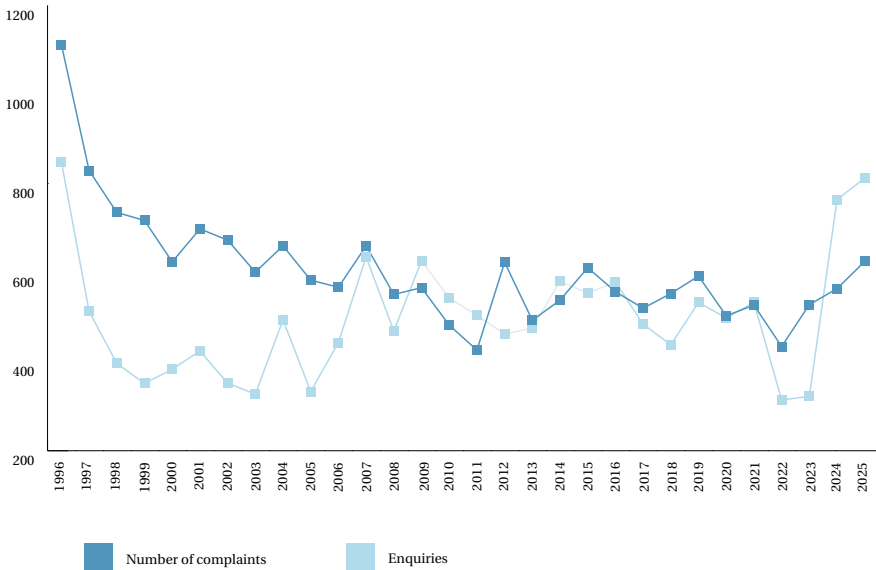
2017	520	336	62	39	83	484
2018	553	313	84	54	102	438
2019	592	336	84	68	104	533
2020	503	245	107	45	106	498
2021	527	239	95	50	143	433
2022	434	188	88	45	113	314
2023	528	294	92	51	91	322
2024	564	331	90	67	76	764
<b>2025</b>	<b>625</b>	<b>384</b>	<b>86</b>	<b>66</b>	<b>89</b>	<b>812</b>

**Total Case Load**

Table 1.4 and Diagram 1.5 illustrate the cumulative caseload managed by the Office of the Ombudsman since its inception in 1995. In 2025, the Office investigated 625 cases and responded to 812 enquiries. This represents an 11% increase in cases over the 564 handled in 2024, and a 6% increase in enquiries compared to the 764 recorded in the previous year.

The continued rise in both complaints and enquiries reflects sustained public recourse to the Office and confirms that the Ombudsman remains a recognised and accessible point of reference for persons seeking guidance, assistance, or redress.

**DIAGRAM 1.6 – OFFICE OF THE OMBUDSMAN – WORKLOAD  
1996-2025**



**TABLE 1.7 – GENERAL ELECTIONS TREND  
1997-2025**

<b>Year</b>	<b>No of Cases</b>
1997	829
1998 (GE)	735
1999	717
2000	624
2001	698
2002	673
2003 (GE)	601
2004	660
2005	583
2006	567
2007	660
2008 (GE)	551
2009	566
2010	482
2011	426
2012	623
2013 (GE)	493
2014	538
2015	611
2016	557
2017 (GE)	520
2018	553
2019	592
2020	503
2021	527
2022 (GE)	434
2023	528
2024	564
2025	625

Table 1.7 presents the number of complaints investigated by the Office of the Ombudsman in the years preceding and following a General Election. Historically, the Office records a decline in complaints in the period leading up to a general election, followed by a rise in the subsequent years.

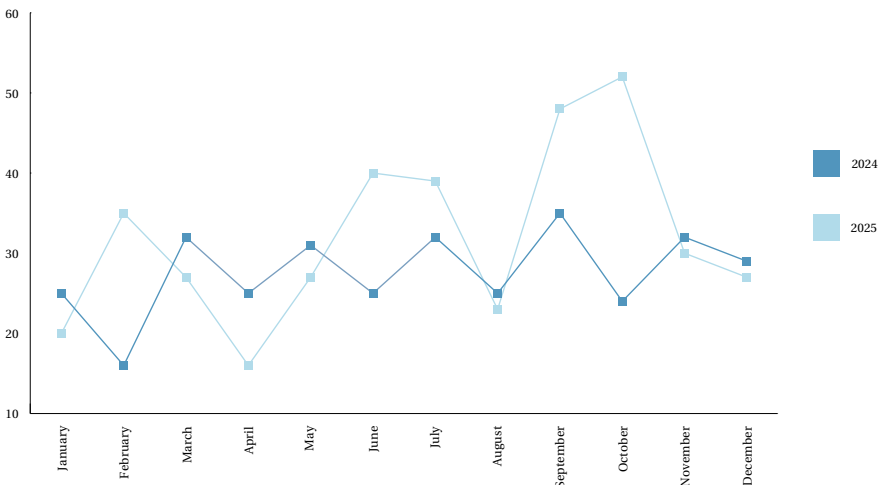
This pattern remains evident following the General Election held in March 2022. A noticeable drop in complaints was recorded during the election year. This is commonly attributed to pre-election sentiment, where individuals tend to seek direct contact with political representatives to resolve their concerns.

In the years following the election, the Office experienced a steady increase in its caseload. Complaints rose from 434 in 2022 to 528 in 2023, 564 in 2024, and 625 in 2025. This confirms the established trend of a post-election rebound in public recourse to the Ombudsman, which continues into the third year after the election.

**TABLE 1.8 – COMPLAINTS STATISTICS BY MONTH  
2024 – 2025**

	2024			2025		
	Incoming	Closures	In hand	Incoming	Closures	In hand
Brought forward from previous year			158			170
January	25	24	159	20	20	170
February	16	40	135	35	25	180
March	32	28	139	27	15	192
April	25	23	141	16	28	180
May	31	16	156	27	23	184
June	25	35	146	40	16	208
July	32	29	149	39	27	220
August	25	18	156	23	30	213
September	35	35	156	48	54	207
October	24	31	149	52	49	210
November	32	32	149	30	34	206
December	29	8	170	27	17	216
Total	331	319		384	338	
Enquiries	764			812		

**DIAGRAM 1.9 – COMPLAINTS STATISTICS BY MONTH  
2024 - 2025**



Between January and December 2025, the number of completed investigations increased from 319 in 2024 to 338 in 2025, representing a 6% rise.

By the end of 2025, the number of pending cases had reached 216, compared to 170 at the end of 2024. This represents a 27% increase in cases in hand.

**TABLE 1.10 – COMPLAINTS RECEIVED CLASSIFIED BY MINISTRY AND RESPECTIVE DEPARTMENTS  
2025**

<b>Office of the Prime Minister (OPM)</b>	
<b>Sector</b>	<b>No of Cases received</b>
Department of Industrial Relations (DIER)	2
EU Funds	1
European Union Programmes Agency (EUPA)	1
Human Rights Directorate	1
Malta Competition and Consumer Affairs Authority	4
Malta Council for Economic and Social Development	1
Office of the Prime Minister	1
People and Standards Division	8
Public Service Commission	3
<b>TOTAL</b>	<b>22</b>
<b>Ministry for Agriculture, Fisheries and Animal Rights (MAFA)</b>	
<b>Sector</b>	<b>No of Cases received</b>
Agriculture, Fisheries and Animal Rights	3
Animal Welfare	1
<b>TOTAL</b>	<b>4</b>
<b>Ministry for Culture, Land and Local Government (MCLG)</b>	
<b>Sector</b>	<b>No of Cases received</b>
Culture, Lands and Local Government	1
Lands Authority	2
Local Councils	18
<b>TOTAL</b>	<b>21</b>

<b>Ministry for the Economy, Enterprise and Strategic Projects (MEEP)</b>	
<b>Sector</b>	<b>No of Cases received</b>
INDIS Malta	3
Malta Gaming Authority	12
<b>TOTAL</b>	<b>15</b>
<b>Ministry for Education, Sport, Youth, Research and Innovation (MEYR)</b>	
<b>Sector</b>	<b>No of Cases received</b>
Authority of Integrity of Maltese Sports (AIMS)	1
Council for the Teaching Profession	1
Education, Sport, Youth, Research and Innovation	9
Foundation for Education Services	1
Malta Further and Higher Education Authority	2
MQRIC Appeals Board	2
Sport Malta	1
University of Malta	1
<b>TOTAL</b>	<b>18</b>
<b>Ministry for European Funds and the Implementation of the Electoral Programme (MFI)*</b>	
<b>Sector</b>	<b>No of Cases received</b>
European Union Programmes Agency	1
<b>TOTAL</b>	<b>1</b>
*Ministry changed following a Cabinet reshuffle	
<b>Ministry for the Environment, Energy and Public Cleanliness (MEEC)</b>	
<b>Sector</b>	<b>No of Cases received</b>
ARMS Ltd	6
Enemalta plc	2
Environment, Energy and Public Cleanliness	1
Public Cleansing and Maintenance	2
Regulator for Energy and Water Services (REWS)	2
WasteServ	1
Water Services Corporation	3
<b>TOTAL</b>	<b>17</b>

<b>Ministry for Finance (MFIN)</b>	
<b>Sector</b>	<b>No of Cases received</b>
Contracts Department	1
Finance	4
Malta Financial Services Authority	2
Malta Stock Exchange	2
Malta Tax and Customs Administration - Capital Transfer Duty	3
Malta Tax and Customs Administration - Customs and Excise	2
Malta Tax and Customs Administration - Inland Revenue	7
<b>TOTAL</b>	<b>21</b>
<b>Ministry for Foreign Affairs and Tourism (MFT)</b>	
<b>Sector</b>	<b>No of Cases received</b>
Foreign Affairs and Tourism	2
Institute for Tourism Studies	1
Malta Tourism Authority	4
<b>TOTAL</b>	<b>7</b>
<b>Ministry for Gozo and Planning (MGP)</b>	
<b>Sector</b>	<b>No of Cases received</b>
Gozo and Planning	2
Gozo Channel Ltd	1
Planning Authority	1
<b>TOTAL</b>	<b>4</b>
<b>Ministry for Health and Active Ageing (MHA)</b>	
<b>Sector</b>	<b>No of Cases received</b>
Active Ageing	
Environmental Health	1
Health and Active Ageing	1
Health Services	4
St. Vincent de Paul Residence	1
<b>TOTAL</b>	<b>7</b>

<b>Ministry for Home Affairs, Security and Employment (MHSE)</b>	
<b>Sector</b>	<b>No of Cases received</b>
Armed Forces of Malta	9
Community Malta Agency	6
Correctional Services Agency	7
Detention Services	1
Home Affairs, Security and Employment	6
Identità	38
Immigration	7
International Protection Agency	3
Jobsplus	12
Local Enforcement Services Agency (LESA)	17
Petitions Board	1
Police	16
Residency Malta Agency	3
<b>TOTAL</b>	<b>126</b>
<b>Ministry for Inclusion and the Voluntary Sector (MIV)</b>	
<b>Sector</b>	<b>No of Cases received</b>
Aġenzija Sapport	1
Commission for the Rights of Persons with Disability	2
Commission for Voluntary Organisations	5
Inclusion and the Voluntary Sector	1
<b>TOTAL</b>	<b>9</b>

<b>Ministry for Justice and Reform of the Construction Sector (MJR)</b>	
<b>Sector</b>	<b>No of Cases received</b>
Court Services Agency	2
Information and Data Protection Commissioner	4
Justice and Reform of the Construction Sector	3
Legal Aid	1
Notary to Government	1
Occupational Health and Safety Authority	2
Property Market Agency	2
<b>TOTAL</b>	<b>15</b>
<b>Ministry for Lands and the Implementation of the Electoral Programme (MLI)</b>	
<b>Sector</b>	<b>No of Cases received</b>
Lands and the Implementation of the Electoral Programme	1
Lands Authority	3
<b>TOTAL</b>	<b>4</b>
<b>Ministry for the National Heritage, The Arts and Local Government (MHAL)</b>	
<b>Sector</b>	<b>No of Cases received</b>
Heritage Malta	1
Local Councils	5
Superintendence of Cultural Heritage	2
<b>TOTAL</b>	<b>8</b>
<b>Ministry for Social and Affordable Accommodation (MSAA)</b>	
<b>Sector</b>	<b>No of Cases received</b>
Housing Authority	13
Rent	1
Social and Affordable Accommodation	1
<b>TOTAL</b>	<b>15</b>

<b>Ministry for Social Policy and Children's Rights (MSPC)</b>	
<b>Sector</b>	<b>No of Cases received</b>
Department of Social Security	9
Foundation for Social Welfare Services	1
Social Policy and Children's Rights	1
<b>TOTAL</b>	<b>11</b>
<b>Ministry for Transport, Infrastructure and Public Works (MTIP)</b>	
<b>Sector</b>	<b>No of Cases received</b>
Engineering Profession Board	3
Infrastructure Malta	1
Periti Warranting Board	2
Public Works Department	1
Transport Malta	26
Transport, Infrastructure and Public Works	1
<b>TOTAL</b>	<b>34</b>
<b>Outside Jurisdiction</b>	<b>24</b>
<b>Autonomous</b>	<b>1</b>
<b>TOTAL</b>	<b>384</b>

## Complaints by Ministry

Table 1.10 provides a breakdown of complaints received, categorised by departments and public authorities falling under each ministry's portfolio.

This section focuses on the five ministries that received the highest number of complaints. Together, these ministries accounted for 242 complaints, representing 63% of all complaints investigated by the Parliamentary Ombudsman in 2025.

### Ministry for Home Affairs, Security and Employment (MHSE)

The MHSE received the highest number of complaints, with 126 cases, equivalent to 33% of the Parliamentary Ombudsman's caseload. The sectors with the most complaints within this Ministry were Identità (38), Transport Malta Enforcement through LESA (17), the Police (16), and Jobsplus (12).

### Ministry for Transport, Infrastructure and Public Works (MTIP)

The MTIP ranked second, with 34 complaints, representing 9% of the caseload. Most complaints were directed at Transport Malta (26).

### Office of the Prime Minister (OPM)

The OPM ranked third, with 22 complaints, representing 6% of the caseload. The People and Standards Division received the highest number of complaints within this portfolio (8).

### Ministry for Finance (MFIN)

The MFIN ranked fourth, with 21 complaints, representing 5% of the caseload. Most complaints were related to the Malta Tax and Customs Administration, particularly Inland Revenue (7).

### Ministry for Culture, Lands and Local Government (MCLG)

This MCLG also ranked fourth, with 21 complaints, also representing 5% of the caseload. The majority of complaints were related to Local Councils (18).

### Ministry for Education, Sport, Youth Research and Innovation (MEYR)

The MEYR ranked fifth with 18 complaints, representing nearly 5% of the total caseload. Half of these complaints were directed at the Ministry itself.

**TABLE 1.11 – COMPLAINT GROUNDS  
2024-2025**

Grounds of Complaints	2024		2025	
	Count	Percentage	Count	Percentage
Contrary to law and policies or rigid application of legislation, regulations and policies	46	14%	56	15%
Improper discrimination	33	10%	17	4%
Lack of transparency or accountability	2	1%	7	2%
Failure to provide information or to provide a reply	23	7%	45	12%
Undue delay/failure to act/waiting lists	64	19%	76	20%
Unfair treatment/lack of equity	124	37%	116	30%
Unfair selection process/promotion/grading	17	5%	13	3%
Issues of quality of life/special needs	-	-	9	2%
Improper attitude of staff or management	2	1%	4	1%
Personal matters/staff issues/student issues	1	1%	2	1%
Review of Commissioner's decision	3	1%	3	1%
Other	16	4%	36	9%
<b>Total</b>	<b>331</b>	<b>100%</b>	<b>384</b>	<b>100%</b>

**DIAGRAM 1.12 – CATEGORIES OF COMPLAINTS RECEIVED (BY TYPE OF ALLEGED FAILURE)  
2025**

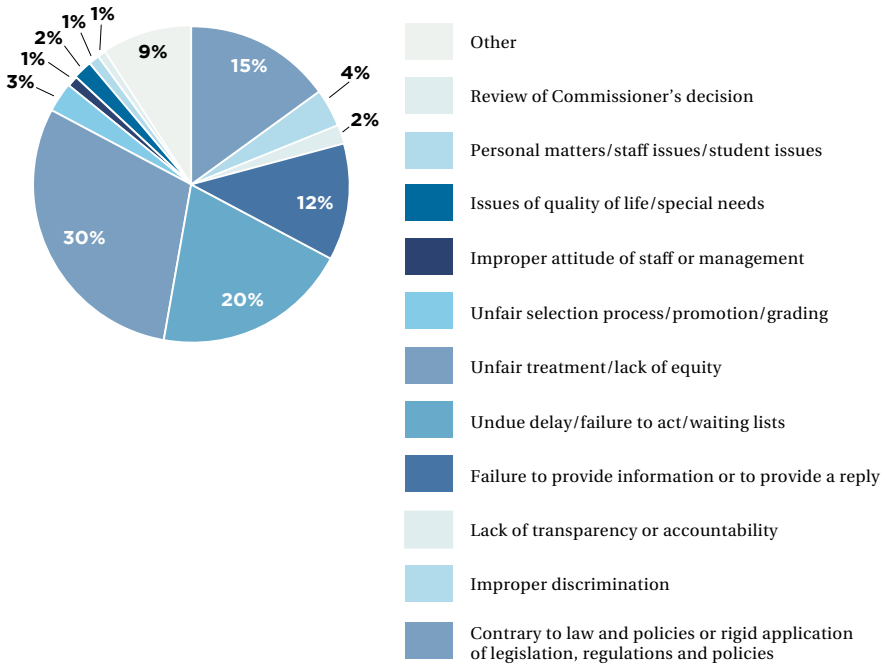


Table 1.11 and Diagram 1.12 classify complaints by the grounds on which they were made.

As in 2024, the most frequent ground of complaint in 2025 was unfair treatment or lack of equity, with 116 cases, representing 30% of all complaints. This marks a decrease from 124 cases, or 37%, in 2024.

Undue delay or failure to act remained a major concern, with 76 cases, or 20%, showing a slight increase from the previous year.

Complaints related to failure to provide information or a reply rose significantly from 23 cases, or 7%, in 2024 to 45 cases, or 12%, in 2025.

Cases classified as contrary to law, regulations, or policies increased from 46 cases, or 14%, to 56 cases, or 15%.

Complaints related to improper discrimination decreased from 33 cases, or 10%, to 17 cases, or 4%.

A new category, issues of quality of life or special needs, accounted for 9 cases, or 2%, in 2025.

This table shows that delays in administrative action, lack of response, and perceived unfair treatment remain the primary drivers of complaints, while concerns about access to information and compliance with legal and policy obligations are becoming more prominent.

**TABLE 1.13 – COMPLAINTS BY LOCALITY  
2024-2025**

Locality	2024	2025
Attard	8	4
Balzan	2	2
Birgu	2	1
Birkirkara	15	12
Birzebbugia	3	6
Bormla	1	2
Dingli	4	4
Fgura	6	10
Floriana	5	1
Gharghur	-	-
Ghaxaq	6	3
Gudja	-	1
Gżira	6	13

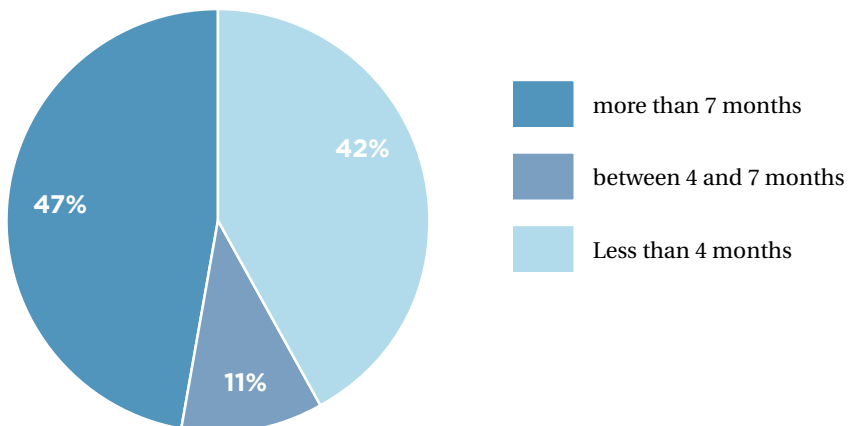
<b>Hamrun</b>	6	8
<b>Iklin</b>	1	1
<b>Kalkara</b>	6	5
<b>Kirkop</b>	2	5
<b>Lija</b>	1	-
<b>Luqa</b>	6	3
<b>Manikata</b>	-	1
<b>Marsa</b>	3	1
<b>Marsaskala</b>	8	6
<b>Marsaxlokk</b>	1	6
<b>Mdina</b>	1	-
<b>Mellieha</b>	11	6
<b>Mġarr</b>	-	1
<b>Mosta</b>	11	16
<b>Mqabba</b>	-	4
<b>Msida</b>	4	10
<b>Mtarfa</b>	3	1
<b>Naxxar</b>	13	10
<b>Paola</b>	4	4
<b>Pembroke</b>	1	4
<b>Pietà</b>	9	1
<b>Qormi</b>	9	10
<b>Qrendi</b>	1	-
<b>Rabat</b>	3	4
<b>Safi</b>	4	2
<b>San Ġiljan</b>	5	8
<b>San Ġwann</b>	8	11
<b>San Pawl il-Baħar</b>	11	23
<b>Santa Luċija</b>	2	2
<b>Santa Venera</b>	2	6
<b>Siggiewi</b>	6	5
<b>Sliema</b>	8	15
<b>Swieqi</b>	4	6
<b>Ta' Xbiex</b>	1	2
<b>Tarxien</b>	7	3
<b>Valletta</b>	13	4
<b>Xghajra</b>	-	3
<b>Żabbar</b>	10	11
<b>Żebbuġ</b>	5	11
<b>Żejtun</b>	6	2
<b>Żurrieq</b>	7	15

<b>Gozo</b>	34	23
<b>Other</b>	21	29
<b>Overseas</b>	15	37
<b>Total</b>	<b>331</b>	<b>384</b>

**TABLE 1.14 – AGE PROFILE OF OPEN CASELOAD AT END 2025**

<b>Age</b>	<b>Cases in hand</b>
Less than 2 months	41
Between 2 to 3 months	33
Between 3 to 4 months	16
Between 4 to 5 months	5
Between 5 to 6 months	10
Between 6 to 7 months	8
Between 7 to 8 months	12
Between 8 to 9 months	8
Over 9 months	83
Total Open files	216

Table 1.14 and Diagram 1.15 illustrate the number of ongoing cases and the duration for which they have been under investigation. As at the end of 2025, 47% of the pending caseload had been under investigation for more than seven months, 11% for a period between four and seven months, and 42% for less than four months. In total, 216 cases were still under investigation at year end.

**DIAGRAM 1.15 – PERCENTAGE OF OPEN COMPLAINTS BY AGE (AT THE END OF 2025)**

**TABLE 1.16 – OUTCOMES OF FINALISED COMPLAINTS  
2024-2025**

<b>Outcomes</b>	<b>2024</b>	<b>2025</b>
Sustained cases	19	17
Cases not sustained	71	73
Resolved by informal action	62	72
Investigation discontinued (not undertaken, given advice/assistance, withdrawn, etc)	130	69
Outside Jurisdiction	6	37
Declined (time-barred, trivial, etc.)	31	70
<b>Total</b>	<b>319</b>	<b>338</b>

**DIAGRAM 1.17 – OUTCOMES OF FINALISED COMPLAINTS  
2025**

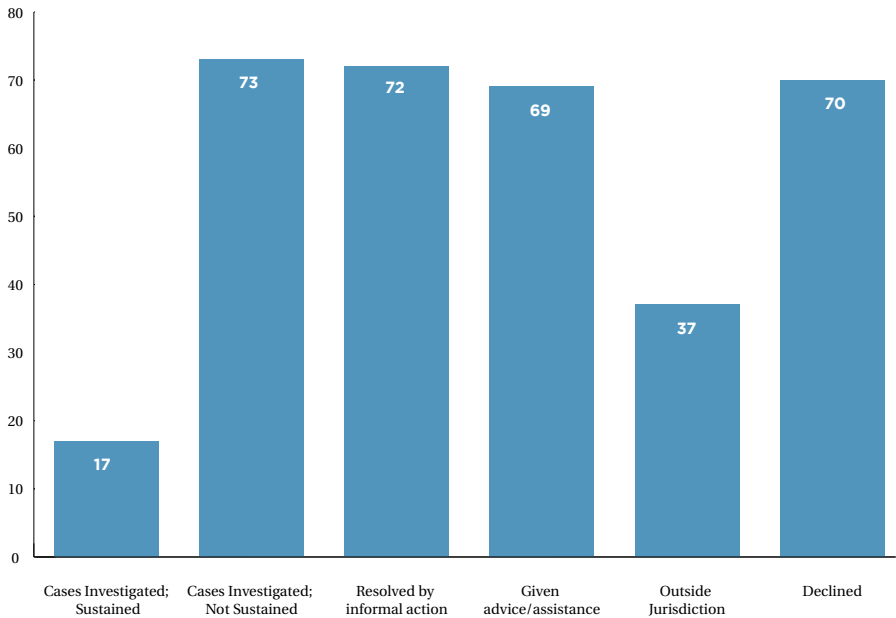


Table 1.16 and Diagram 1.17 present the outcomes of complaints finalised during the year under review.

In 2025, the Office finalised 338 complaints, compared to 319 in 2024, representing a 6% increase.

Of these, 17 cases, or 5%, were sustained, while 73 cases, or 22%, were not sustained. A further 72 cases, or 21%, were resolved by informal action during the investigation.

69 cases, or 20%, were discontinued because the investigation was not pursued, advice or assistance was provided, or the complaint was withdrawn.

37 cases, or 11%, fell outside the jurisdiction of the Office. 70 cases, or 21%, were declined as they were time barred, trivial, or did not fall within the Ombudsman's remit.

This table shows that a significant proportion of complaints are resolved through informal intervention, while only a small percentage require a formal finding that the complaint was sustained. It also highlights the number of cases that are either outside the Office's jurisdiction or cannot be pursued further for procedural reasons.

**TABLE 1.18 – TYPE OF MALADMINISTRATION IN JUSTIFIED COMPLAINTS  
2024-2025**

<b>Grounds of Complaints</b>	<b>2024</b>	<b>2025</b>
Contrary to law and policies or rigid application of legislation, regulations and policies	12	11
Improper discrimination	11	2
Failure to provide information or to provide a reply	8	14
Undue delay/failure to act/waiting lists	16	29
Unfair treatment/lack of equity	27	22
Unfair selection process/promotion/grading	1	2
Issues of quality of life/special needs	2	1
Improper attitude of staff or management	-	1
Personal matters/staff issues/student issues	-	1
Review of Commissioners' decision	1	1
Other	3	5
<b>Total</b>	<b>81</b>	<b>89</b>

In 2025, a total of 89 justified complaints were recorded, compared to 81 in 2024, representing a 10% increase.

Undue delay or failure to act was the most frequent form of maladministration, with 29 cases, or 33%, up from 16 cases in 2024. Unfair treatment or lack of equity followed, with 22 cases, or 25%, compared to 27 cases in the previous year.

Failure to provide information or a reply increased from 8 cases to 14 cases, representing 16% of justified complaints. Cases classified as contrary to law, regulations, or policies remained stable, with 11 cases, or 12%. Improper discrimination decreased significantly from 11 cases to 2 cases.

Other categories, including unfair selection processes, issues of quality of life, improper attitude, personal matters, and reviews of Commissioners' decisions, accounted for the remaining cases.

This table shows that delays in administrative action and lack of response continue to be the most common forms of maladministration identified by the Office.

# CLOSED COMPLAINTS

The following tables provide a clearer picture of what happens after a complaint is investigated and closed. They show how many cases are concluded in favour of the complainant, how many are resolved during the investigation, the rate at which public authorities act on the Ombudsman's recommendations, and the instances where matters are escalated to Parliament when recommendations are not implemented.

**Table 1.19 - Closed Complaints**  
2023 – 2025

	2023			2024			2025		
	Closed	Closed In favour	Closed others	Closed	Closed In favour	Closed others	Closed	Closed In favour	Closed others
<b>Ombudsman</b>	228	55	173	319	81	238	338	89	249
<b>Environment and Planning</b>	101	30	71	86	24	62	89	27	62
<b>Education</b>	48	20	28	66	29	37	63	28	35
<b>Health</b>	85	53	32	109	65	44	85	50	35
<b>Total</b>	<b>462</b>	<b>158</b>	<b>304</b>	<b>580</b>	<b>199</b>	<b>381</b>	<b>575</b>	<b>194</b>	<b>381</b>
		34%			34%			34%	

In 2025, the Office closed 575 complaints across all functions. Out of these, 194 cases, or 34%, were closed in favour of the complainant, while 381 cases, or 66%, were closed under other outcomes such as not sustained, declined, discontinued, or outside jurisdiction.

This percentage remains consistent with 2023 and 2024, where 34% of closed cases each year were concluded in favour of the complainant. This shows a stable pattern in the way complaints are resolved and in the proportion of cases where the Ombudsman's intervention leads to a positive outcome for the complainant.

**Table 1.20 Resolved Complaints  
2023 – 2025**

	2023		2024		2025	
	Closed In favour	Resolved	Closed In favour	Resolved	Closed In favour	Resolved
Ombudsman	55	52	81	73	89	84
Environment and Planning	30	24	24	22	27	20
Education	20	17	29	24	28	20
Health	53	53	65	65	50	48
<b>Total</b>	<b>158</b>	<b>146</b>	<b>199</b>	<b>184</b>	<b>194</b>	<b>172</b>

Table 1.20 show that in 2025, 172 cases were resolved during the investigation. These include cases resolved through informal action, cases sustained without the need for a recommendation, and cases where recommendations were implemented or partly implemented.

Out of the 194 cases closed in favour of the complainant, 172 cases, or 89%, were effectively resolved through the Ombudsman's intervention before the need for further escalation.

**TABLE 1.21 - Resolved Rate  
2023 – 2025**

	2023	2024	2025
Ombudsman	95%	90%	94%
Environment and Planning	80%	92%	74%
Education	57%	83%	71%
Health	100%	100%	96%
<b>Total</b>	<b>92%</b>	<b>92%</b>	<b>89%</b>

The resolved rate in 2025 stood at 89%. This means that in almost nine out of ten cases concluded in favour of the complainant, the issue was effectively addressed during the investigation.

The resolved rate was 94% for the Ombudsman, 96% for Health, 74% for Environment and Planning, and 71% for Education.

**Table 1.22 - Reports sent to Parliament  
2023 – 2025**

	2023	2024	2025
Ombudsman	4	8	4
Environment and Planning	5	2	7
Education	5	6	8
Health	-	-	3
<b>Total</b>	<b>14</b>	<b>16</b>	<b>22</b>

In 2025, a total of 22 reports were sent to Parliament. These cases arise when recommendations made by the Ombudsman or the Commissioners are not accepted or implemented by the respective authorities.

This represents an increase from 16 reports in 2024 and 14 in 2023. The table shows a growing recourse to Article 22(4) of the Ombudsman Act, where the Ombudsman exercises the power to bring matters before the House of Representatives when public authorities fail to take adequate and appropriate action following an investigation.



# Commemorating the 30th anniversary of the Office of the Ombudsman



Protecting rights  
Ensuring fairness  
Standing for justice  
Fostering good governance

# COMMEMORATING THE 30TH ANNIVERSARY OF THE OFFICE OF THE OMBUDSMAN

## The Ombudsman at 30: three decades of service



Protecting rights  
Ensuring fairness  
Standing for justice  
Fostering good governance

In 2025, the Office of the Ombudsman marked the 30th anniversary of the enactment of the Ombudsman Act 1995, Cap. 385 of the Laws of Malta. The establishment of the Ombudsman as an Officer of Parliament represented an important milestone in Malta's parliamentary and democratic development. The standing of the Office was further strengthened in 2007, when it was elevated to constitutional status, and in 2012, when its remit was expanded through the introduction of the Commissioners for Administrative Investigations in the areas of Health, Environment and Planning, and Education. In 2020, the Ombudsman Act itself was entrenched in the Constitution, reinforcing the Office's autonomy, permanence, and independence.

The anniversary programme provided an opportunity to reflect on three decades of service, recognise the contribution made by the institution to public life, and consider the challenges ahead. The commemorative programme was guided by four core themes that reflected the enduring mission of the Ombudsman.

Protecting rights remained central to the Office's work. Through the investigation of complaints, the pursuit of remedies, and the identification of systemic shortcomings, the Ombudsman continued to support a culture of respect for the dignity and rights of the person.

Ensuring fairness continued to define the Office's approach. Independent and thorough investigations remained the means through which the institution safeguarded persons against unfair administrative acts or omissions.

Standing for justice reflected the Ombudsman's responsibility to expose maladministration, promote accountability, and insist that public authorities act not only lawfully, but also reasonably, ethically, and fairly.

Fostering good governance remained a key objective. Through recommendations, dialogue, and constructive engagement with public institutions, the Office continued to contribute to a more transparent, accountable, and responsive public administration.

Throughout the anniversary year, the Office also emphasised cooperation with the public administration. By encouraging dialogue and mutual respect, it strengthened working relationships with government entities in the handling of complaints. This approach, firmly rooted in impartiality, accessibility, and practical resolution, continued to support public trust in the institution.

**Thematic Lecture on transparency, fairness and accountability**





The 30th anniversary commemorations were officially launched on 12 June 2025 with a Thematic Lecture held in the Plenary Hall of the House of Representatives. The lecture, entitled *“Transparency, Fairness and Accountability: Cornerstones of Good Administration – The Mandate of the Ombudsman,”* brought together Members of Parliament, senior public officials, academics, civil society representatives, and other stakeholders.

The event was preceded by the official visit to Malta of Advocate Kholeka Gcaleka, Public Protector of South Africa, who travelled to Malta at the invitation of the Parliamentary Ombudsman, Judge Joseph Zammit McKeon, to deliver the keynote lecture. During her visit, Advocate Gcaleka held a working meeting with the Ombudsman and Commissioners Perit Alan Saliba and Professor Raymond Galea. The discussion focused on institutional independence, the functions of oversight bodies, and common challenges faced by the Maltese and South African institutions. She also visited the Office of the Ombudsman, where she met staff and was introduced to the institution's work and internal processes. Later, the Ombudsman and the Public Protector paid a courtesy visit to the Speaker of the House of Representatives, the Hon. Anglu Farrugia, where they discussed the role of oversight institutions in strengthening democratic governance and public trust.

The Thematic Lecture was opened by the Speaker of the House of Representatives, who underlined the constitutional role of the Ombudsman as a safeguard of democracy and accountability. He stressed that transparency, fairness, and accountability must be treated as binding obligations and emphasised the importance of preserving institutional independence and impartiality in order to sustain public trust.

In his address, the Parliamentary Ombudsman emphasised the duty of the Office to act as a voice for those without effective means of redress. He warned against reducing the principles of good administration to rhetoric, noting that their true value lay in consistent application. He highlighted the Office's role not only in investigating complaints, but also in addressing systemic shortcomings through recommendations and own initiative investigations. He stressed that public authorities had to go beyond strict legality and act with fairness, transparency, and accountability in practice.

The keynote lecture by Advocate Gcaleka offered a comparative perspective on the role of Ombudsman institutions in protecting human rights and upholding constitutional democracy. She reflected on current challenges, including inequality, maladministration, governance failures, and the impact of digital transformation, and stressed the importance of independence and adaptability in maintaining effective oversight.

The event concluded with an interactive discussion session, during which Members of Parliament, civil servants, academics, and other participants engaged directly with the speakers on issues related to governance, accountability, and institutional effectiveness. The lecture marked the first major event in the anniversary programme and established the central message of the commemorations: that good administration is inseparable from trust, fairness, and respect for the person.

## Preparations for the Art for Rights exhibition



As part of the anniversary programme, the Parliamentary Ombudsman visited the Institute for the Creative Arts at the Malta College of Arts, Science and Technology in Mosta to meet students preparing works for the exhibition “Art for Rights: Visualising Freedom, Justice and Good Governance.”

The exhibition formed one of the creative components of the commemorative year and aimed to explore human rights themes through visual art. Students were invited to interpret freedom, justice, dignity, and good governance through painting, bringing a younger artistic voice into the anniversary programme.

During the visit, the Ombudsman met students, discussed the concepts behind their individual works, and encouraged them to approach human rights themes freely and expressively. He noted that the initiative sought to give young artists a platform within a national institution and to promote wider reflection on the values that underpin a democratic society.

The exhibition was organised in collaboration with the Institute for the Creative Arts at MCAST, under the guidance of lecturers Mr Darren Tanti and Ms Andrea Pullicino, who served as co-curators. The students' works were later exhibited in Parliament during October 2025 as part of the wider anniversary commemorations.

### International Ombudsman Conference



The centrepiece of the 30th anniversary programme was the International Ombudsman Conference held in Malta on 15 and 16 October 2025 under the theme ***“Upholding Good Governance in Challenging Times: The Role of the Ombudsman.”***

The conference brought together Ombudsman institutions, human rights defenders, accountability bodies, academics, and public leaders from across Europe, the Mediterranean, and beyond. It provided a high-level platform for reflection on the Ombudsman's evolving role in a world shaped by technological transformation, social disruption, geopolitical uncertainty, and growing pressures on democratic institutions.

Across two days, the conference explored four central themes:

1. Building People's Trust: The Ombudsman as a pillar of democracy in times of change
2. Protecting the Vulnerable: The role of the Ombudsman in upholding human rights
3. Advancing Ethical Governance: Strengthening integrity and the principles of good administration
4. Embracing Technological Innovation: The Ombudsman's role in the age of digitalisation and artificial intelligence

## Opening ceremony





The conference opened with reflections on the 30-year journey of the Office and the contemporary importance of independent oversight institutions.

In his welcome address, the Parliamentary Ombudsman, Judge Joseph Zammit McKeon, described the Office as a trusted, credible, and effective guardian of fairness. He emphasised that its authority rested not on coercive power, but on the moral weight of its recommendations, impartiality, and independence. He reaffirmed that good governance and the protection of human rights are inseparable and called on Ombudsman institutions to remain vigilant, courageous, and cooperative within the global community of accountability institutions.

Ms Erinda Ballanca, People's Advocate of Albania and President of the Association of Mediterranean Ombudsmen, placed good administration firmly within the sphere of fundamental rights. She stressed that legal principles had to be translated into practical outcomes and urged Ombudsman institutions to focus on effectiveness, integrity, and timely action in order to restore and maintain public trust.

A video message was delivered by Ms Nadine Mailloux, President of the International Ombudsman Institute and Ombudsman of Montréal. She congratulated the Maltese Office on its anniversary and reaffirmed the IOI's support for cooperation among Ombudsman institutions worldwide.

Mr Reinier van Zutphen, National Ombudsman of the Netherlands and President of the IOI European Region, reflected on the need to defend democracy, the rule of law, and human rights in an age marked by distortion and disinformation. He stressed that Ombudsman institutions must continue to speak truth to power and act as voices of conscience within democratic societies.

The European Ombudswoman, Ms Teresa Anjinho, examined the importance of maintaining transparency and accountability in public administration, even during times of crisis and pressure for rapid decision-making. She emphasised that citizen-centred administrations must communicate clearly, explain decisions, and anticipate public concerns.

The opening ceremony was brought to a close by the Speaker of the House of Representatives, the Hon. Anglu Farrugia, who described the Ombudsman as a guardian of truth and dignity in democracy. He reaffirmed Parliament's duty to safeguard the Ombudsman's independence and ensure that its recommendations are debated and acted upon.

## Plenary session one: Building People's Trust



The first plenary session focused on the role of Ombudsman institutions in strengthening public trust in democratic institutions. Speakers addressed the decline in public confidence, the need for institutions to demonstrate impact, and the importance of accessibility, transparency, and impartiality.

Ms Margaret Kelly, Public Services Ombudsman of Northern Ireland, highlighted that trust in public services had declined and that Ombudsman institutions could help restore confidence by showing tangible impact, fairness, and openness.

Mr Mehmet Akarca, Chief Ombudsman of Türkiye, described the Ombudsman as a bridge between citizens and the State, particularly during periods of crisis. He stressed that visible, responsive, and accessible institutions are essential to democratic stability.

Ms Anahit Manasyan, Human Rights Defender of Armenia, underlined that trust had to be earned through independence, professionalism, and empathy. She encouraged strong cooperation between oversight institutions and civil society while preserving institutional autonomy.

Professor Anne Marie Thake, Conference Rapporteur, reflected on the need for Ombudsman institutions to remain innovative and responsive in order to maintain relevance amid social and technological change.

Dr Michael Frendo, Member of the Venice Commission, highlighted the role of the Venice Principles in safeguarding Ombudsman independence and stressed the need for Parliament to debate unimplemented Ombudsman recommendations. He also supported the extension of the Ombudsman's remit to include the promotion and protection of human rights.

The session concluded that public trust is secured through independence in judgment, transparency in process, accessibility in practice, and visible improvements in the daily lives of persons.

### Plenary session two: Protecting the Vulnerable



The second plenary session examined the Ombudsman's role in protecting vulnerable persons and upholding human rights. Speakers addressed the position of migrants, children, persons with disabilities, older persons, detainees, and those affected by conflict and discrimination.

Judge Lorraine Schembri Orland of the European Court of Human Rights emphasised the shared commitment of Ombudsman institutions and the Strasbourg Court to the protection of human dignity and the rule of law. She described Ombudsmen as early defenders against arbitrary power and injustice.

In a recorded intervention, Ms Debbie Kohner, Secretary General of ENNHRI, highlighted the importance of strong, independent national human rights systems. She noted that Malta remained among the few EU Member States without an accredited National Human Rights Institution and that establishing one would strengthen the national framework for rights protection.

Mr Mykhailo Spasov, Deputy Commissioner for Human Rights of Ukraine, focused on the protection of children unlawfully deported during the war, illustrating how Ombudsman institutions can act decisively even in the most difficult circumstances.

Ms Marina Ceysac, High Commissioner for the Protection of Rights, Liberties and Mediation of Monaco, discussed the protection of persons facing cumulative vulnerability, including older persons, women in precarious situations, persons with disabilities, and victims of violence.

Dr Dijana Možina Zupanc, Deputy Human Rights Ombudsman of Slovenia, reflected on empathy as a cornerstone of justice and stressed that behind every complaint lies a person whose dignity must be respected.

Dr Tamar Gvaramadze, First Deputy Public Defender of Georgia, presented Georgia's multi-mandated model, combining Ombudsman, NHRI, equality body, and preventive functions within one institution.

Mr Andreas Accardo, Head of Institutional Cooperation and EU Charter Unit at the European Union Agency for Fundamental Rights, stressed that Ombudsman institutions remain among the most accessible routes to justice for persons unable to navigate formal court systems.

The session reaffirmed that protecting the vulnerable is not merely an administrative responsibility, but a legal and moral imperative.

### **Plenary session three: Advancing Ethical Governance**



The third plenary session focused on ethical governance, integrity, and the principles of good administration. Speakers examined how Ombudsman institutions, auditors, and other accountability bodies can promote transparency, fairness, and responsible public decision-making.

Ms Maria Stylianou-Lottides, Commissioner for Administration and the Protection of Human Rights of Cyprus, emphasised that ethical governance must remain resilient in times of crisis and that Ombudsman institutions have a duty to address both individual complaints and systemic weaknesses.

Mr Charles Deguara, Auditor General of Malta, reflected on the connection between transparency, integrity, and public trust. He stressed that governance must be guided by values, not only by rules, and highlighted the contribution of oversight institutions to democratic accountability.

Ms Maija Sakslin, Deputy Parliamentary Ombudsman of Finland, discussed the right to good administration as a fundamental right and explained how the Finnish Ombudsman had helped shape concrete standards on timeliness, reasoning, and fair administrative procedures.

Ms Sabina Aliyeva, Commissioner for Human Rights of Azerbaijan, highlighted the importance of ethical governance in a rapidly changing context and referred to emerging priorities such as digital rights, environmental sustainability, and youth participation.

Mr Vit Alexander Schorm, Deputy Ombudsman of the Czech Republic, presented the Czech experience in developing Principles of Good Administration and explained how these principles had contributed to clearer, more citizen-friendly administrative practice.

The session concluded that ethical governance is the bedrock of public trust and that Ombudsman institutions play a central role in ensuring that public administration upholds not only the letter of the law, but also the spirit of justice.

## Plenary session four: Embracing Technological Innovation



The final plenary session explored the Ombudsman's role in the age of digitalisation and artificial intelligence. Speakers considered how technological innovation can improve public administration while also creating risks linked to bias, opacity, exclusion, and weakened accountability.

Ms Tena Šimonović Einwalter, Ombudswoman of Croatia, examined the risks of AI-driven decision-making in areas such as employment, welfare, and public services. She stressed the need for oversight institutions to ensure that digital systems are designed and monitored with human rights in mind.

Ms Ülle Madise, Chancellor of Justice of Estonia, reflected on the tension between technological control and human freedom. Drawing on Estonia's experience, she warned against excessive surveillance and affirmed that technology must serve persons, not the other way round.

Ms Simona Granata-Menghini, Director and Secretary of the Venice Commission, outlined the Council of Europe's work in supporting Ombudsman institutions in the digital age, including the Venice Principles and the Framework Convention on Artificial Intelligence and Human Rights, Democracy and the Rule of Law.

Mr David Bondia, Ombudsman of Barcelona, presented the iDEM Project, which uses AI-based tools to make public information more accessible to persons often excluded from civic participation.

Professor Alexiei Dingli of the University of Malta discussed how AI could also support Ombudsman institutions themselves, for example by analysing complaint patterns, improving accessibility, and identifying systemic issues at an earlier stage, while maintaining human control over decision-making.

The session concluded that digital innovation must remain firmly anchored in human dignity, fairness, transparency, and accountability.

### Closing ceremony





The conference concluded with a closing ceremony that brought together the key themes emerging from the two days of discussion.

Professor Anne Marie Thake, as Conference Rapporteur, presented the main conclusions of the conference. She observed that the discussions had reaffirmed the Ombudsman's central mission: to protect persons in their dealings with the State and to promote fairness, accountability, and trust in public administration. She highlighted that good administration is a fundamental right, that moral authority grounded in independence remains essential, and that cooperation among Ombudsman institutions and NHRIs strengthens the global defence of rights and justice.

In his closing address, the Parliamentary Ombudsman emphasised that justice must remain the universal benchmark guiding Ombudsman institutions. He stressed that independent oversight should never be viewed as an operational hindrance to public administration, but as a democratic safeguard in the public interest. He also warned against humiliation and dehumanisation in public life, affirming that every person must be seen, heard, and valued.

The Leader of the Opposition, the Hon. Alex Borg, highlighted the Ombudsman's role as both a moral and practical instrument of justice. He reaffirmed support for strengthening parliamentary follow-up of Ombudsman reports, particularly in cases of non-implemented recommendations.

The Prime Minister of Malta, the Hon. Robert Abela, reflected on reforms aimed at strengthening democratic institutions, transparency, and accountability. He underlined the importance of institutional continuity, the rule of law, and public trust.

The closing ceremony reaffirmed that the Ombudsman remains indispensable to good governance, democratic accountability, and human dignity.

**Official commemoration under the auspices of the President of Malta**





The anniversary programme also included an official commemoration held under the auspices of H.E. Myriam Spiteri Debono, President of Malta, at the Palace in Valletta.

The ceremony brought together Ombudsman institutions and human rights defenders from across Europe, the Mediterranean, and beyond, as well as members of the diplomatic corps, senior public officials, and distinguished guests. It served both as a celebration of the institution's 30-year history and as a reaffirmation

of its mission to safeguard fairness, transparency, and accountability in public administration.

The commemoration recalled the principal milestones in the history of the Office. The Ombudsman Act was approved by Parliament on 18 July 1995, and the Office began receiving complaints later that year. Constitutional recognition followed in 2007. The introduction of specialised Commissioners in 2012 strengthened the institution's ability to address complex administrative sectors. The 2020 constitutional entrenchment of the Ombudsman Act further reinforced the Office's independence and permanence.

Since its establishment, the Office had handled more than 18,000 complaints, each representing a person seeking fairness and redress. Through this work, the institution contributed to the development of a more transparent and accountable public administration.

In his address, the Parliamentary Ombudsman reflected on the Office's enduring relevance within Malta's constitutional framework. He stressed that the institution's strength lay in its independence and the trust it continued to enjoy from both the public and the public administration. He noted that the Ombudsman's role extended beyond the resolution of complaints and included the promotion of integrity, fairness, and a culture of service in public administration.

The President of Malta congratulated the Office on reaching its 30th anniversary and described the Ombudsman as a protector of citizens' rights and an accessible mechanism of redress. She underlined that the effectiveness of the Office depended both on its independence and on the readiness of public authorities to respond to its recommendations. She also emphasised the need for adequate funding and political goodwill to support the Ombudsman's continued work.

The President further reflected on the international significance of Ombudsman institutions and referred to the United Nations General Assembly resolution recognising their role in promoting good governance, human rights, and the rule of law. Looking ahead, she called on Ombudsman institutions to remain agile and forward-looking in addressing emerging challenges such as digital rights, environmental accountability, and data privacy.

The commemoration served as a moment of institutional reflection and renewal, reaffirming that the Office of the Ombudsman remains a central pillar of democratic accountability in Malta.

### Art for Rights exhibition in Parliament





The anniversary celebrations also included the inauguration of the “Art for Rights” exhibition in the House of Representatives in Valletta. Organised in collaboration with the Institute for the Creative Arts at MCAST, the exhibition featured works by eighteen Fine Arts students who explored human rights themes through painting.

The exhibition was inaugurated by the Speaker of the House of Representatives, the Hon. Anglu Farrugia, and the Parliamentary Ombudsman, Judge Joseph Zammit McKeon, in the presence of students, families, guests, and foreign delegates participating in the International Ombudsman Conference.

In his address, the Ombudsman described “Art for Rights” as an initiative that celebrated both the legacy of the Office and its continuing commitment to good governance and human dignity. He noted that visual art gave young persons a meaningful platform to engage with issues of freedom, justice, and rights, and to encourage wider public reflection.

The Speaker welcomed the exhibition as part of the official anniversary programme and described the works as interpretations that made visible what is often left unspoken. He linked the exhibition to the Ombudsman’s wider mission of giving voice to concerns that might otherwise remain unheard.

The exhibition remained open to the public in Parliament until 3 November 2025. It provided a fitting artistic complement to the broader anniversary programme, bringing together institutional reflection, youth participation, and public engagement around the values of freedom, justice, dignity, and good governance.

### **Service Award Ceremony recognising staff dedication**





As part of the events commemorating its 30th anniversary, the Office of the Ombudsman organised its first Service Award Ceremony to recognise and thank staff members for their dedicated contribution over the years.

The ceremony was held as a gesture of appreciation to all employees whose daily work supports persons seeking assistance, guidance, and redress. It marked the first occasion on which the Office formally recognised staff service through a dedicated institutional event.

In his opening remarks, the Parliamentary Ombudsman, Judge Joseph Zammit McKeon, emphasised that the effectiveness and credibility of the Office depended on the commitment, professionalism, and sense of public duty shown by its staff. He noted that without their contribution, the institution could not fulfil its mandate or remain accessible to those who turned to it in search of fairness and justice.

The Ombudsman encouraged employees to continue carrying out their responsibilities with empathy and dedication, always keeping in mind those persons who felt excluded from the system or who approached the Office after failing to obtain redress elsewhere.

Service awards were presented in three categories, recognising staff with up to ten years of service, those with between eleven and twenty years of service, and those who had served for more than twenty years. Special recognition was given to Ms Maria Mifsud, Head of the Secretariat, who had served the Office for twenty-five years, to Mr Gordon Fitz, Finance Manager, and Ms Marthese Muscat,

Translations Coordinator, both of whom had formed part of the Office since its establishment in 1995.

During the ceremony, the Ombudsman also presented a commemorative memento to all members of staff in appreciation of their contribution to the work and development of the Office over the years.

# Initiatives and events in 2025



# INITIATIVES AND EVENTS IN 2025

## **THE OFFICE OF THE OMBUDSMAN PARTICIPATED IN AN AI ROUNDTABLE MEETING FOR FUNDAMENTAL RIGHTS AUTHORITIES ORGANISED BY MDIA January 06, 2025**

Dr Danielle Mallia, Senior Investigator, attended a meeting organised by the Malta Digital and Innovation Authority (MDIA), which serves as the national advisor and enabling body for national and EU policies on innovative technology and acts as a national focal point to direct and facilitate the secure and optimal uptake of digital innovation. The purpose of the meeting was to create a forum for continued discussion among the authorities identified by the MDIA as national bodies responsible for the protection of fundamental rights under Regulation (EU) 2024/1689 of the European Parliament and of the Council, laying down harmonised rules on artificial intelligence, published in the Official Journal in July 2024 (AI Act).

The Regulation aimed to improve the functioning of the internal market and promote the uptake of human centric and trustworthy artificial intelligence, while ensuring a high level of protection of health, safety, and fundamental rights as enshrined in the Charter, including democracy, the rule of law, and environmental protection, against the harmful effects of AI systems in the Union, while also supporting innovation. The MDIA acted as the lead authority for the EU AI Act, which required the identification or designation of various authorities and bodies. In line with the Regulation, the MDIA, in its role as market surveillance authority, identified and engaged with a number of authorities responsible for the protection of fundamental rights, including the Office of the Ombudsman, which was recognised as a body contributing to the protection of human rights, democracy, and the rule of law.

During the meeting, the participating entities discussed their respective functions as set out in the Regulation, the upcoming amendments to local legislation, and approved and adopted the Roundtable Terms of Reference aimed at encouraging long term dialogue, discussion, and cooperation between the entities involved.

## **OMBUDSMAN DELIVERED A LECTURE AT THE UNIVERSITY OF MALTA**

### **January 10, 2025**



In January 2025, the Parliamentary Ombudsman, Judge Joseph Zammit McKeon, delivered a lecture to two groups of students at the University of Malta's Department of Policy, Politics, and Governance within the Faculty of Economics, Management, and Accountancy. The first group, led by Dr Marguerite Camilleri, comprised first year undergraduates reading for the Politics and Governance BA (Hons), while the second group, lectured by Dr George Vital Zammit, included graduate students following the study unit Good Governance and Leadership.

During the lecture, the Ombudsman explained the constitutional status and functions of the Office, with particular emphasis on its autonomy, independence, and the powers conferred by the Ombudsman Act. He also highlighted the Office's relationship with Parliament, noting its role as an Officer of Parliament, and discussed the dynamics of engagement with the public administration. He emphasised a bridge building approach aimed at giving a voice to those without access to redress and improving public services.

Students and lecturers engaged actively in discussion, and raised questions on the work and role of the Ombudsman. The Ombudsman noted that such lectures formed part of the Office's ongoing outreach initiatives, which continued to contribute to increased visibility and engagement with the public.

## **UN GENERAL ASSEMBLY RECOGNISED THE ROLE OF OMBUDSMAN INSTITUTIONS IN PROMOTING HUMAN RIGHTS, GOOD GOVERNANCE, AND THE RULE OF LAW**

**January 15, 2025**

In December 2024, the United Nations General Assembly adopted the resolution titled “The Role of Ombudsman and Mediator Institutions in the Promotion and Protection of Human Rights, Good Governance, and the Rule of Law.”

The resolution reaffirmed the important role played by Ombudsman and mediator institutions in promoting and protecting human rights, strengthening good governance, and upholding the rule of law. It recognised their capacity to address systemic issues, resolve complaints, and build trust in public administration.

The resolution also highlighted the importance of international cooperation. It called on Member States to strengthen Ombudsman institutions, ensure their independence, and provide adequate resources. It emphasised collaboration with international networks, including the International Ombudsman Institute and the Association of Mediterranean Ombudsmen, to share best practices and enhance institutional effectiveness.

A central element of the resolution was the emphasis on financial and administrative independence. It called for safeguards against political interference to ensure that Ombudsman institutions can carry out their mandate effectively.

The resolution also underlined the importance of the Venice Principles, which establish the key standards for the protection and proper functioning of Ombudsman institutions. It further linked the work of these institutions to the achievement of Sustainable Development Goal 16, which promotes effective, accountable, and inclusive institutions.

For Malta, the resolution represented an important international acknowledgment of the role of the Ombudsman in governance and the protection of rights. It supported ongoing efforts to strengthen the institutional framework and reinforced the case for the establishment of a National Human Rights Institution in line with the Paris Principles.

## THE OMBUDSMAN MET WITH THE AMBASSADOR OF BELGIUM TO MALTA January 16, 2025



In January 2025, the Parliamentary Ombudsman, Judge Joseph Zammit McKeon, received the Ambassador of Belgium to Italy, Malta and San Marino, H.E. Mr Pierre Emmanuel de Bauw, at the Office of the Ombudsman.

During the meeting, the Ombudsman explained that the Office was committed to assisting not only Maltese nationals but also foreign nationals, including visitors who experienced maladministration by Maltese public authorities. He emphasised the importance of ensuring fairness and justice for all persons, regardless of nationality.

The Ambassador acknowledged the role of the Ombudsman institution as an accessible avenue of redress for persons in Malta who require its intervention. The Ombudsman outlined the work of the Office, highlighting its moral authority, derived from thorough and impartial investigations that often resolved complaints before formal recommendations were issued. He described his role as a bridge builder between the complainant and the public administration, while noting that the Office did not hesitate to report matters to Parliament where recommendations were not implemented.

The Ombudsman also referred to outreach efforts aimed at maintaining direct contact with the public, including vulnerable groups. He highlighted visits to correctional facilities, which enabled inmates to raise concerns directly with the Office.

The meeting also addressed initiatives linked to the 30th anniversary of the Office, including the launch of a Master's programme in Ombudsman Law and Governance in collaboration with the University of Malta.

Finally, the Ombudsman provided an update on efforts to expand the mandate of the Office to include the promotion and protection of human rights, with a view to its development into a National Human Rights Institution in line with international standards.

The Ambassador expressed appreciation for the exchange and recognised the importance of the Ombudsman's role in promoting good governance in Malta.

### **COMMISSIONER FOR EDUCATION CONTINUED SCHOOL OUTREACH AT ST AUGUSTINE COLLEGE**

**January 17, 2025**



The Commissioner for Education, Chief Justice Emeritus Vincent De Gaetano, continued the series of educational talks in secondary schools with a visit to St Augustine College. Addressing a group of Social Studies students, the Commissioner highlighted the role of the Ombudsman in promoting good governance and the rule of law.

During the session, students showed strong interest in understanding their rights and the mechanisms in place to ensure fairness and justice within the public administration. The Commissioner underscored the importance of the Ombudsman's oversight in protecting persons from maladministration and emphasised that accountability and transparency are essential pillars of a democratic system.

This initiative, led by the Office of the Ombudsman, targeted students in Years 10, 11, and Sixth Form across public and Church schools. It aimed to strengthen their understanding of civic responsibility and highlighted how the Ombudsman contributes to good governance in Malta, equipping young persons with the knowledge needed to engage effectively with public institutions.

## **UN GENERAL ASSEMBLY RESOLUTION: THE ROLE OF OMBUDSMAN INSTITUTIONS IN UPHOLDING GOOD GOVERNANCE**

**January 17, 2025**

In December 2024, the United Nations General Assembly adopted a resolution reaffirming the role of Ombudsman institutions in promoting the rule of law, good governance, and respect for human rights and fundamental freedoms.

The resolution recognised the historical development and continued evolution of Ombudsman institutions worldwide. It highlighted their role in addressing imbalances between persons and public authorities, strengthening trust in public administration, and promoting transparency, accountability, and fairness.

Ombudsman institutions were described as key actors in upholding the rule of law. Through their mandate, they ensured that public services operated within a framework of justice and equality, while safeguarding fundamental rights.

The resolution also reflected the growing international recognition of the importance of Ombudsman institutions and the need to strengthen them. It underlined their role as independent and accessible mechanisms in resolving complaints and ensuring fairness in public administration.

Particular importance was given to international and regional networks, including the International Ombudsman Institute and the Association of Mediterranean Ombudsmen, which support cooperation, exchange of good practices, and institutional development.

The Office of the Ombudsman in Malta continued to play an active role within these networks. The Parliamentary Ombudsman, Judge Joseph Zammit McKeon, served on the World Board and the European Regional Board of the International Ombudsman Institute and held the position of Secretary General and Treasurer of the Association of Mediterranean Ombudsmen.

In reaction to the resolution, the Ombudsman stated that it reinforced the relevance of Ombudsman institutions in strengthening the relationship between public administration and persons, and in contributing to justice, equality, and sustainable development. He also noted that the resolution supported ongoing efforts to broaden the mandate of the Office to include the promotion and protection of human rights, in line with international standards.

## THE OMBUDSMAN INTERVIEWED BY THE MALTA INDEPENDENT

### January 20, 2025



In an interview with The Malta Independent, the Parliamentary Ombudsman, Judge Joseph Zammit McKeon, outlined the core philosophy and practical workings of the Office, emphasising the importance of moral authority over coercive power in ensuring good governance. While some commentators argued in favour of enforcement powers, the Ombudsman maintained that recommendations, rather than binding decisions, encouraged public authorities to take ownership of corrective action and promoted cooperation over confrontation.

The Ombudsman explained that the Office's mandate extended beyond government ministries and the civil service to include local councils and majority state owned entities, such as ARMS Ltd and the Gozo Channel. He referred to instances where he launched own initiative investigations, including cases concerning hazardous lift shafts and access to the Gozo Channel ferry hold, following issues raised in the media. These interventions demonstrated the Office's ability to act in the public interest, particularly where vulnerable persons lacked a direct voice.

He also described the investigative process that underpins the Office's work, which involved hearing all relevant parties and maintaining strict confidentiality. He noted that final decisions carried significant weight and could be presented as evidence in court. This approach contributed to the Office's strong reputation both locally and at European level.

The Ombudsman highlighted the continued increase in public engagement, with a significant rise in assistance provided and a steady increase in formal complaints. He attributed this to improved visibility and proactive outreach initiatives, including participation in university events. He stressed that public awareness remained essential to ensure that persons made use of the Office as a free and effective means of redress.

While most recommendations were implemented, the Ombudsman noted that a small number remained unaddressed. He reiterated the need for stronger parliamentary oversight, proposing the establishment of a Select Committee to review such cases and ensure that justified concerns were properly addressed.

### **IOI EUROPEAN BOARD MET THE PRESIDENT OF CYPRUS**

**January 21, 2025**



In January 2025, members of the European Regional Board of the International Ombudsman Institute, including the Parliamentary Ombudsman of Malta, Judge Joseph Zammit McKeon, met with the President of the Republic of Cyprus, Nikos Christodoulides, at the Presidential Palace in Lefkosia.

The meeting formed part of the Board's visit to Cyprus for a scheduled meeting.

During the discussion, President Christodoulides emphasised the role of Ombudsman institutions in safeguarding and promoting human rights.

Members of the European Regional Board reaffirmed their commitment to strengthening good governance, accountability, and transparency within public administration, and highlighted ongoing efforts to enhance cooperation among Ombudsman institutions across Europe.

## PARLIAMENTARY OMBUDSMAN ATTENDED EUROPEAN REGIONAL BOARD MEETING OF THE IOI IN CYPRUS

January 21, 2025



The Parliamentary Ombudsman of Malta, Judge Joseph Zammit McKeon, participated in a meeting of the European Regional Board of the International Ombudsman Institute, held in Nicosia, Cyprus, on the invitation of the Cypriot Commissioner for Human Rights, Ms Maria Stylianou Lottides. The meeting was presided over by Mr Reinier Van Zutphen, Ombudsman of the Netherlands and President of the IOI European Region.

During the meeting, Board members reviewed recent activities and discussed current developments within the European region. They examined the work of the IOI working groups and representation within these structures. The Parliamentary Ombudsman of Malta was designated to represent IOI Europe, together with the President of the Board, on both the Code of Ethics Working Group and the By Laws Committee. The Board also discussed matters relating to the functioning of the IOI European region, as well as upcoming initiatives and events.

The meeting also addressed the United Nations General Assembly resolution adopted on 17 December 2024, which reaffirmed the role of Ombudsman institutions in promoting the rule of law, good governance, and respect for human rights and fundamental freedoms. It was noted that, in jurisdictions where the Ombudsman also functions as a National Human Rights Institution, this dual mandate had proven effective, as both roles complemented each other.

### **European Regional Board Membership**

The European Regional Board was composed of Mr Reinier Van Zutphen, Ombudsman of the Netherlands and Regional President, Mr Marc Bertrand, Ombudsman of Wallonia and the Wallonia Brussels Federation, Judge Joseph Zammit McKeon, Parliamentary Ombudsman of Malta, Mr Marino Fardelli, President of the National Coordination of Regional Ombudsmen in Italy, Mr Peter Svetina, Ombudsman of Slovenia, Mr Dymtro Lubinets, Ukrainian Parliament Commissioner for Human Rights, and Ms Maria Stylianou Lottides, Human Rights Commissioner of Cyprus.

### **About the IOI**

Established in 1978, the International Ombudsman Institute is the only global organisation dedicated to cooperation among more than 200 independent Ombudsman institutions from over 100 countries. Organised into six regional chapters, Africa, Asia, Australasia and Pacific, Europe, the Caribbean and Latin America, and North America, the Institute supports its members through training, research, and regional project funding. Its aim is to promote good governance and strengthen the capacity of Ombudsman institutions worldwide.

### **THE MALTA INDEPENDENT EDITORIAL ON THE NEED OF A SELECT COMMITTEE TO DISCUSS THE OMBUDSMAN'S REPORTS**

**January 23, 2025**

In an editorial titled “The Ombudsman’s job to recommend, the government’s job to listen”, published in The Malta Independent, reflected on the perspective of the Parliamentary Ombudsman, Judge Joseph Zammit McKeon, on the importance of moral authority. During the interview, the Ombudsman emphasised that the primary responsibility of the Office was to issue recommendations rather than exercise executive power.

The editorial underlined that the effectiveness of the Ombudsman’s work depended on whether public authorities recognised their responsibility to consider and act on these recommendations. While the Office examined complaints brought forward by citizens, the objective remained to ensure fair treatment and responsive administration.

The issue of non-implementation of recommendations was also addressed. The editorial noted that in a number of cases, sustained recommendations were not carried out, leading the Ombudsman to submit reports to Parliament. It also referred to the proposal in the Ombudsplan 2025 to establish a Select Committee of the House of Representatives to review such cases and strengthen accountability.

The editorial concluded that reducing the number of unimplemented recommendations, together with legislative measures to reinforce the Ombudsman’s role, would contribute to more effective, transparent, and accountable governance.

## THE PROPOSAL: THE OFFICE OF THE PARLIAMENTARY OMBUDSMAN AS THE NATIONAL HUMAN RIGHTS INSTITUTION FOR MALTA

February 01, 2025



***The Ombudsman presented the new Ombudsman Bill to Government for consideration.***

In February 2025, the Ombudsman presented a new Ombudsman Bill to Government for consideration, aimed at establishing the Office as Malta's National Human Rights Institution in line with the Paris Principles of the United Nations.

Malta remained one of the few European Union and Council of Europe member states without a National Human Rights Institution. The Office of the Ombudsman continued to advocate for the extension of its mandate to include a broader human rights function. Under the existing Ombudsman Act, the Office was already empowered to investigate complaints and make recommendations on acts of maladministration, including those that were unjust, oppressive, or improperly discriminatory.

The proposal built on the institutional strengths of the Office, including its constitutional independence, financial autonomy, and established role as an Officer of Parliament. These elements provided a solid foundation for the Office to assume additional responsibilities in the promotion and protection of human rights.

The Ombudsman noted that in several European jurisdictions, Ombudsman institutions also functioned as National Human Rights Institutions, with both mandates complementing each other. International bodies had also recognised the role already played by the Office in Malta in the field of human rights.

The Office recalled its long-standing advocacy in this area, including a proposal made in 2013 and its engagement with the Government's 2015 White Paper on the establishment of a Human Rights and Equality Commission. While acknowledging the need for such a body, the Ombudsman had emphasised that any new structure should complement existing institutions and avoid duplication or conflict of functions.

Following the dissolution of Parliament in 2022, pending legislation on equality and human rights lapsed, and no new proposals have been presented. In 2023, the Office renewed its efforts by putting forward a practical proposal for the integration of NHRI functions within the existing Ombudsman framework. This approach aimed to provide an effective and resource efficient solution, building on the Office's existing structures, expertise, and public trust.

In November 2023, the Ombudsman submitted this proposal to the Prime Minister, and in February 2024 held discussions with the Parliamentary Secretary for Reforms and Equality. However, no definitive position was adopted by the Government at that stage.

In parallel, the Office applied for and was granted Associate Member status within the European Network of National Human Rights Institutions. This was followed by a detailed review of the Ombudsman Act to assess alignment with the Paris Principles. The review identified areas for strengthening, including the expansion of the mandate, enhancement of independence, and increased engagement with civil society.

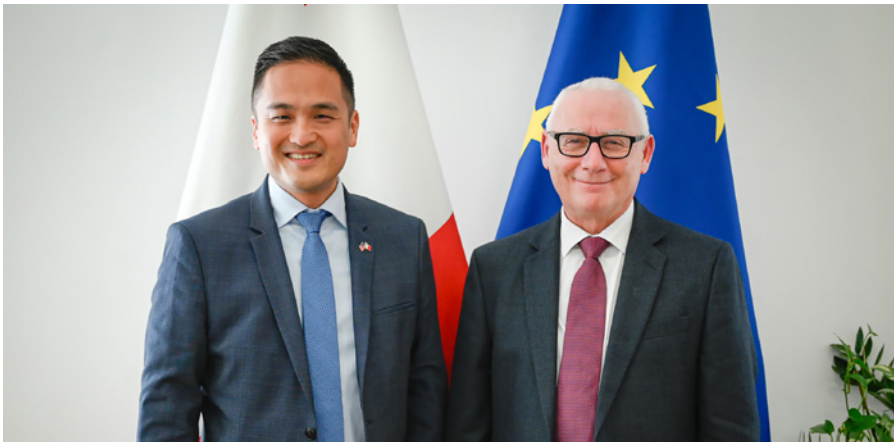
In response, the Ombudsman prepared a new comprehensive legislative proposal rather than introducing piecemeal amendments. The draft Bill was further reviewed in consultation with the European Network, which acknowledged the efforts made to align the Office with international standards and supported the proposed extension of its mandate.

The proposal was also supported by broader international developments. The European Commission's Rule of Law Report of July 2024 noted the lack of progress in establishing a National Human Rights Institution in Malta. The United Nations General Assembly resolution of December 2024 further recognised the role of Ombudsman institutions in promoting and protecting human rights and highlighted the flexibility within the Paris Principles to allow such institutions to assume NHRI functions.

On 19 November 2024, the Ombudsman formally presented the new Ombudsman Bill to the Prime Minister. The proposed legislation provided a comprehensive and resource efficient solution to establish a National Human Rights Institution in Malta by expanding the existing mandate of the Office. It aimed to ensure compliance with international standards while reinforcing the protection and promotion of fundamental rights within the existing institutional framework.

### **THE OMBUDSMAN RECEIVED THE CHARGÉ D'AFFAIRES OF THE USA EMBASSY IN MALTA ON A COURTESY VISIT**

**February 03, 2025**



The Parliamentary Ombudsman, Judge Joseph Zammit McKeon, received H.E. Ken Toko, Chargé d'Affaires of the Embassy of the United States of America in Malta, on a courtesy visit.

During the meeting, the Ombudsman provided an overview of his mandate and that of the Commissioners, and explained how the Office conducted investigations following written complaints concerning acts or omissions of the public service or the public administration. He emphasised that the services of the Office were free of charge and accessible to all persons, including foreign nationals. He also underlined the Office's role in ensuring that the principles of good governance were upheld in the day-to-day functioning of the public administration.

The Chargé d'Affaires highlighted the importance of the Ombudsman institution in a democratic system, noting its role as a credible and accessible avenue of redress for persons who consider themselves aggrieved by public authorities. He also expressed appreciation for the Office's openness to collaboration.


The Ombudsman updated H.E. Toko on ongoing efforts to extend the mandate of the Office to include the promotion of human rights and fundamental freedoms.

Both parties reaffirmed the strength of diplomatic relations between Malta and the United States and acknowledged the importance of continued dialogue and cooperation.

### **THE PARLIAMENTARY OMBUDSMAN MET THE PRINCIPAL PERMANENT SECRETARY AND PERMANENT SECRETARIES**

**February 04, 2025**



 Clodagh O'Neill

Judge Joseph Zammit McKeon, Parliamentary Ombudsman, participated in a meeting organised by the Office of the Principal Permanent Secretary in collaboration with the Office of the Ombudsman and the National Audit Office. The meeting, titled “Insahhu l-hidma ta’ bejnietna”, was addressed by the Principal Permanent Secretary, Mr Tony Sultana, the Auditor General, Mr Charles Deguara, and the Ombudsman. Professor Edward Warrington moderated the event.

The meeting brought together Permanent Secretaries from all ministries and aimed to strengthen collaboration between the public administration and the two integrity institutions, with the objective of enhancing good governance and reinforcing accountability in public service delivery.

During the meeting, the Ombudsman emphasised the importance of cooperation from the public service during ongoing investigations. He stressed that the timely provision of information was essential for the effective discharge of the Office's functions and highlighted the role of the Ombudsman as an independent overseer of public administration. He also noted that persons approaching the Office often sought guidance and clarity after facing difficulties in obtaining a response from public authorities.

The Ombudsman further underlined that when a complaint was upheld and redress was recommended, public bodies were expected to act promptly and implement the recommendations. He noted that the Office conducted investigations thoroughly and impartially, and that its recommendations were intended not only to provide redress but also to improve administrative practices. He expressed the expectation that the implementation rate would improve further following the level recorded in 2024.

The Principal Permanent Secretary highlighted that structures were in place to support timely action on Ombudsman cases. Each ministry designated a liaison officer to coordinate with the Office of the Ombudsman, while the Governance Action Directorate maintained regular contact with these officers and provided guidance and training on best practices and reporting standards.

### **OFFICE OF THE OMBUDSMAN PARTICIPATED IN IOI OMBUDSMAN TRAINING ACADEMY ON COMPLAINT BEHAVIOUR**

**February 05, 2025**

In January 2025, the Office of the Ombudsman participated in the IOI Ombudsman Training Academy on Complaint Behaviour, held in The Hague. The training was organised by the Ombudsman Office of the Netherlands and brought together 22 participants from 18 countries.

The training followed a decision taken during the IOI European Board meeting in July 2024 to address the issue of complaint behaviour. It aimed to strengthen understanding of how complainants acted in challenging situations and to identify effective ways of managing such cases.

During the sessions, participants examined different approaches to handling challenging behaviour, including recognising varying tolerance levels, understanding the perspective of complainants, and managing emotionally charged interactions. Discussions also focused on setting clear boundaries, using effective communication strategies, and identifying appropriate follow up actions in complex cases.

The training also addressed the importance of the staff's wellbeing, highlighting the need for support mechanisms for employees dealing with difficult interactions.

Overall, the programme emphasised the importance of maintaining objectivity, consistency, and clear communication, while ensuring that complainants are heard and that staff are supported in carrying out their duties.

## TALKING POINT: CLIMATE CHANGE AND HUMAN RIGHTS

February 07, 2025



Talking Point by the Parliamentary Ombudsman, Judge Joseph Zammit McKeon published on the Times of Malta on 7th February 2025

In February 2025, the Parliamentary Ombudsman, Judge Joseph Zammit McKeon, published a commentary in *The Times of Malta* addressing climate change from a human rights perspective.

The Ombudsman highlighted the growing scientific evidence on the impact of climate change, including studies indicating that, in a worst-case scenario, heat related deaths in Malta could significantly increase by the end of the century. He also referred to wider global trends, including extreme weather events, rising sea temperatures, and increasing risks to livelihoods and human wellbeing.

The commentary stressed that climate change should be understood as a human rights issue. The Ombudsman noted that states have a primary obligation to respect, protect, and fulfil the fundamental rights of persons under their jurisdiction. He warned that failure to take timely and effective action could result in serious consequences for present and future generations.

Reference was made to international developments, including the recognition by the United Nations Human Rights Council of a clean, healthy, and sustainable environment as a human right, and to case law of the European Court of Human Rights, which highlighted the responsibility of states to adopt effective regulatory frameworks to address climate change.

The Ombudsman also acknowledged national efforts, including the enactment of the Climate Action Act in 2024, while emphasising that continued action was necessary to ensure that policies translated into tangible protection of rights.

The commentary concluded that addressing climate change required clear, fair, and effective measures, and that a human rights-based approach was essential to ensure accountability and safeguard the wellbeing of all persons.

### **THE PARLIAMENTARY OMBUDSMAN HIGHLIGHTED THE ROLE AND FUTURE OF THE INSTITUTION ON MILL-KAMRA**

**February 12, 2025**



The Parliamentary Ombudsman, Judge Joseph Zammit McKeon, was interviewed on *Mill-Kamra* by journalist Karl Azzopardi. During the interview, the Ombudsman outlined the functions of the Office, the challenges encountered, and ongoing efforts to extend its mandate to include the promotion and protection of human rights.

The Ombudsman explained that the Office investigated acts or omissions by government bodies, including the public administration and public entities. He clarified that any person, including foreign nationals, organisations, and companies, could submit a complaint. He also referred to the Office's power to initiate own initiative investigations in cases involving systemic issues or matters of public interest. He described the Ombudsman's role as that of a watchdog focused on building constructive engagement between persons and the public administration.

The Ombudsman highlighted the importance of regular engagement with the public service to address issues affecting persons directly. This approach supported a proactive role in safeguarding good governance and fairness in administrative action.

On the question of strengthening the Office, the Ombudsman stated that the objective was not to increase powers but to widen the mandate to include human rights. He noted that Malta remained one of the few European Union countries without a National Human Rights Institution in line with the Paris Principles. He explained that the Office had proposed legislative changes to enable persons to seek redress for human rights concerns through the Ombudsman.

The Ombudsman also addressed the need for greater parliamentary engagement with the Office's reports, particularly in cases where recommendations were not implemented. He referred to the proposal to establish a dedicated parliamentary committee to review such reports and enhance accountability.

He further described the investigative process of the Office, which was based on thorough and impartial examination of each case. This approach strengthened the credibility and authority of the Office's conclusions. He noted that a high proportion of recommendations were implemented and referred to the continued increase in public engagement as an indication of growing trust in the institution.

## **THE PARLIAMENTARY OMBUDSMAN VISITED UNHCR MALTA**

**February 13, 2025**



The Parliamentary Ombudsman, Judge Joseph Zammit McKeon, visited the UNHCR Malta offices in Ta' Xbiex following an invitation for a briefing session aimed at discussing the Ombudsman's recent proposal to broaden the remit of the Office to include the promotion and protection of human rights. The new Ombudsman Bill as proposed seeks to align the Office of the Ombudsman with the Paris Principles of the United Nations and consequently qualify to become the National Human Rights Institution (NHRI) for Malta. The meeting also provided an insight on the work and initiatives undertaken by UNHCR Representation to Malta with a view to explore and develop areas of mutual collaboration.

In her opening remarks, Ms Parvina Munovarova, Associate Protection Officer at UNHCR Malta, expressed the organisation's positive response to the proposal and voiced hope that the Government would support the initiative to extend the Ombudsman's mandate to include the promotion and protection of human rights. Ms Munovarova commended the Ombudsman's efforts, noting that they align with UNHCR Representation to Malta's mission to uphold and strengthen human rights protections in Malta.

Ms Munovarova provided an overview of UNHCR Representation to Malta's key activities and priorities, noting that as of June 2024, Malta hosted 6,272 refugees and subsidiary protection holders and issued temporary protection to 2,955 Ukrainian citizens, the majority of them, around 2500, are still living in Malta. UNHCR Representation to Malta's work focused on safeguarding the rights and well-being of asylum-seekers, refugees, subsidiary and temporary protection status holders and stateless people. A key part of its mandate involves monitoring access to territory, asylum and reception conditions, ensuring individuals in need of protection are treated in accordance with international standards.

UNHCR also plays a critical role in advocating for a protection-sensitive asylum system, promoting inclusive policies that respect the dignity of forcibly displaced and stateless persons while ensuring fair and efficient procedures. UNHCR actively strives to strengthen the capacities of government bodies and partner agencies, offering technical and legal expertise to improve the effectiveness of national asylum processes. In addition to immediate protection measures, UNHCR is committed to promoting and seeking durable solutions for refugees and stateless persons with a strong focus on local integration as a sustainable pathway for those settling in Malta. Recognising the importance of societal inclusion, UNHCR places a high priority on raising public awareness about asylum and refugee issues, fostering greater understanding and empathy within Maltese society.

Ms Munovarova highlighted the fruitful cooperation with the Government of Malta and on-going collaboration. She also elaborated on some challenges encountered, including access to effective remedy in the context of applying accelerated procedures, reception and detention conditions, access to education for some children, elderly refugees' access to active ageing services, and family reunification

possibility for subsidiary protection status holders. She stressed the importance of proactive engagement and coordination with the Government and relevant authorities to address these concerns and improve opportunities for local integration and self-reliance.

In his closing remarks, the Ombudsman expressed appreciation for the invaluable work carried out by UNHCR in its day-to-day activities. He reaffirmed that the Office of the Ombudsman is accessible to all persons, including those seeking protection, should they feel aggrieved by acts or omissions of the public service and/or the public administration. The Ombudsman also welcomed continued collaboration with UNHCR Representation to Malta and NGOs working in the field of migration and asylum.

Ms Marcelle Bugre Zanya, Associate Durable Solutions Officer, and Mr Joseph Meli, Assistant Communications Officer, from UNHCR Representation to Malta, as well as Mr Paul Borg, Director General, and Mr Jurgen Cassar, Head of Communications and Research, from the Office of the Ombudsman, were also present for the meeting,

### **MARIA REGINA COLLEGE STUDENTS ENGAGE IN AN EDUCATIONAL SESSION AT THE OFFICE OF THE OMBUDSMAN**

**February 14, 2025**



A group of seventeen Social Studies students and their teachers from Maria Regina College, Mosta Secondary School, Żokrija, visited the Office of the Ombudsman as part of their Politics module, which included the role of the Ombudsman in the syllabus. The visit formed part of an initiative organised by the Office in collaboration with public and Church secondary schools.

The Commissioner for Education, Chief Justice Emeritus Vincent De Gaetano, welcomed the students and delivered a presentation on the role and functions of the Ombudsman, with a focus on principles of good administration and the rule of law. The session was interactive, with students engaging in discussion and raising questions.

The initiative aimed to strengthen students' understanding of civic responsibility and to highlight the role of the Ombudsman in promoting good governance in Malta. Through such engagement, students were better equipped to understand how to interact with public institutions and the importance of accountability and transparency in public administration.

The Office continued to support educational outreach and hosted student visits as part of its wider engagement programme.

## **THE PARLIAMENTARY OMBUDSMAN MET THE AMBASSADOR OF THE REPUBLIC OF POLAND**

**February 14, 2025**



The Parliamentary Ombudsman, Judge Joseph Zammit McKeon, received H.E. Tomasz Czyszcz, Ambassador Extraordinary and Plenipotentiary of the Republic of Poland to Malta, on a courtesy visit.

During the meeting, the Ombudsman provided an overview of his mandate and the role of the Office in promoting good administration, good governance, and the rule of law.

The Ambassador referred to the Office's proposal to extend its mandate to include the promotion and protection of human rights, with a view to its development as a National Human Rights Institution. He noted that combining Ombudsman and human rights functions was a recognised practice in several European Union countries.

The Ombudsman outlined the preparatory work undertaken in support of the proposed legislation, including the Office's associate membership within the European Network of National Human Rights Institutions and consultations with experts during the drafting process. He explained that the proposal aimed to provide a comprehensive framework for consideration by Government.

The Ambassador also noted that the services of the Office were accessible to all persons in Malta, including the Polish community and visitors.

The Ombudsman referred to his involvement in international networks, including his role within the Association of Mediterranean Ombudsmen and the International Ombudsman Institute. He highlighted the importance of these networks in supporting Ombudsman institutions and sharing good practices.

The discussion also touched on international experiences, including developments in Poland, which illustrated the importance of safeguarding the independence of Ombudsman institutions.

## **OMBUDSMAN INTERVIEWED ON AGORA ON CAMPUS FM**

**February 17, 2025**

The Parliamentary Ombudsman, Judge Joseph Zammit McKeon, was interviewed by Professor Mario Thomas Vassallo, Head of the Department of Policy, Politics and Governance at the University of Malta, on the radio programme *Agora* aired on Campus FM. The discussion addressed the work of the Office, including the effectiveness of its reports, investigative methods, public engagement, and future developments.

During the interview, the Ombudsman explained that, although recommendations were not legally binding, the Office achieved tangible results through a combination of thorough investigations and a constructive approach with the public administration. He noted that a high proportion of recommendations were implemented, reflecting the credibility of the institution. He also referred to the continued increase in public engagement, highlighting a rise in both assistance provided and formal complaints, which he attributed to outreach efforts and greater visibility.

The Ombudsman outlined the investigative process, which ensured that all parties were heard and, where necessary, included site visits to establish the facts. He emphasised that investigations were conducted impartially and that recommendations were based on careful assessment. Where recommendations were not implemented, the Office followed up with the relevant authorities and, if necessary, escalated the matter to the Prime Minister and subsequently to Parliament. Confidentiality remained a key element throughout the process.

The need for greater parliamentary engagement was also discussed. The Ombudsman reiterated the proposal for a dedicated parliamentary committee to review reports where recommendations were not accepted, with the aim of strengthening accountability.

He further explained the Office's approach of maintaining constructive engagement with the public administration. In many cases, issues were resolved through dialogue without the need for a formal investigation. Regular meetings with senior officials were held to address systemic issues and improve administrative practices.

The Ombudsman also referred to the legal framework governing maladministration, which included acts or omissions that were unlawful, unjust, unreasonable, oppressive, or improperly discriminatory. He emphasised the importance of addressing such cases to improve governance and protect the rights of persons.

The discussion also addressed the need for Malta to establish a National Human Rights Institution. The Ombudsman outlined efforts to extend the mandate of the Office to include human rights functions, supported by engagement with international bodies and alignment with recognised standards.

The interview concluded with reference to the collaboration between the Office of the Ombudsman and the University of Malta in the development of a Master of Arts in Ombudsman Law and Governance, planned to commence in October 2025. The programme aimed to provide specialised training in areas related to investigation, mediation, governance, and human rights.

## OMBUDSMAN DISCUSSED THE ROLE, RECOMMENDATIONS, AND THE NEED FOR A NATIONAL HUMAN RIGHTS INSTITUTION

February 18, 2025



The Parliamentary Ombudsman, Judge Joseph Zammit McKeon, was interviewed by Malta Today journalist Karl Azzopardi, where he discussed key aspects of the work of the Office, the effectiveness of its recommendations, and the proposal to establish a National Human Rights Institution in Malta.

During the interview, the Ombudsman referred to the high rate of implementation of recommendations, noting that in recent years a substantial proportion had been acted upon. He also acknowledged that in some cases recommendations were not implemented. In such instances, the Office followed the procedure set out in the Ombudsman Act, escalated the matter to the Prime Minister and, where necessary, to Parliament.

The Ombudsman reiterated the proposal to establish a National Human Rights Institution by extending the mandate of the Office. He noted that Malta remained one of the few European Union and Council of Europe member states without such an institution. The proposal aimed to integrate human rights functions within the existing Ombudsman framework, provided an accessible avenue of redress while also promoted awareness and education in the field of human rights.

He explained that the Office had prepared a comprehensive legislative proposal to support this reform, with the aim of providing a practical basis for further consideration. He also underlined that the role of the Ombudsman extended beyond the investigation of complaints included recommendations aimed at improving public administration and governance.

The Ombudsman further highlighted the need for stronger parliamentary scrutiny of reports, particularly in cases where recommendations were not implemented. He referred to the proposal for the establishment of a parliamentary committee to review such cases and enhance accountability.

The interview emphasised the importance of transparency, accountability, and accessibility in public administration, and reaffirmed the role of the Office as a bridge between persons and public authorities.

### **THE COMMISSIONER FOR EDUCATION ENGAGED WITH ST ALOYSIUS' COLLEGE SIXTH FORM STUDENTS ON GOOD ADMINISTRATION AND THE RULE OF LAW**

**February 19, 2025**



The Commissioner for Education, Chief Justice Emeritus Vincent De Gaetano, delivered a talk to over 100 sixth form students at St Aloysius' College. The session was attended by students studying Arts and Humanities, as well as members of the teaching staff, and focused on the role of the Ombudsman, the right to good administration, and the rule of law in public administration.

The Commissioner expressed appreciation to Fr Jimmy Bartolo SJ, Rector of St Aloysius' College, and Ms Gabriella Abela, Head of Sixth Form, for the invitation and organisation of the event.

During the session, the Commissioner explained how the Ombudsman assessed complaints, ensuring that decisions taken by public authorities were lawful, fair, and transparent. He outlined that investigations addressed cases involving unjust or discriminatory actions, decisions based on incorrect facts, or insufficient reasoning. He emphasised that good governance extended beyond legality and required ethical and moral responsibility.

The presentation also addressed the rule of law, focusing on accountability, just laws, open government, and access to justice. The Commissioner stressed that these principles needed to be applied in practice by those in positions of authority.

Students participated actively, raising questions and engaging in a mock complaint exercise.

Through such initiatives, the Office continued to promote awareness of democratic values and to strengthen understanding of the mechanisms available to ensure fairness and accountability in public administration.

### **PARLIAMENTARY OMBUDSMAN ADDRESSED SOCIAL JUSTICE CONFERENCE IN PARLIAMENT**

**February 20, 2025**



The Parliamentary Ombudsman, Judge Joseph Zammit McKeon, addressed a conference on Social Justice held in Parliament, where he focused on the role of good governance and accountability in achieving social justice.

He emphasised that social justice must be grounded in universal principles and must prioritise the protection of vulnerable persons. While good laws were essential, he stressed that without proper enforcement, they would not bring real change. Accountability and consequences for failure to act were key elements in ensuring justice.

The Ombudsman highlighted the dual role of the Office. It provided remedies for persons who suffered administrative injustice and promoted better standards in public administration. Through investigations and recommendations, the Office contributed to improving administrative practices and reducing unnecessary bureaucracy.

He underlined that the strength of the institution lay in its independence, thorough investigations, and moral authority. This approach ensured that most recommendations were implemented and that many cases were resolved even before reaching a final report.

The Ombudsman also stressed the importance of follow up. Where recommendations were not implemented, the Office used its powers to escalate matters to the Prime Minister and, where necessary, to Parliament. He called for stronger parliamentary involvement to ensure accountability in such cases.

He concluded by reaffirming that the Office existed to safeguard fairness, uphold the rule of law, and provide an accessible avenue of redress for persons who had no other means of resolving their grievances.

### **OMBUDSMAN AND COMMISSIONER FOR HEALTH ENGAGED WITH THE ELDERLY COMMUNITY IN TARXIEN**

**February 21, 2025**



The Parliamentary Ombudsman, Judge Joseph Zammit McKeon, and the Commissioner for Health, Professor Raymond Galea, addressed a group of elderly residents as part of the Tarxien Local Council's Anzjanità Attiva initiative, following an invitation from the President of the Local Councils Association.

During the session, the Ombudsman outlined the role and functions of the Office and explained how its services could assist elderly persons. He emphasised the importance of outreach initiatives in raising awareness of rights and available remedies in cases of maladministration.

The Commissioner for Health focused on issues related to access to public healthcare, highlighting common concerns faced by elderly persons and explaining how the Office could investigate complaints and promote improvements in service delivery.

During the interactive session, participants raised questions and shared their concerns. The engagement highlighted the importance of maintaining direct contact with the public and ensuring accessibility of the Office. The Ombudsman concluded by expressing appreciation to the organisers for facilitating the initiative.

### **COMMISSIONER FOR EDUCATION INTERVIEWED BY ANDREW AZZOPARDI ON RTK**

**February 24, 2025**



The Commissioner for Education, Chief Justice Emeritus Vincent De Gaetano, was interviewed by Professor Andrew Azzopardi on RTK, where he discussed his role, the work of the Office of the Ombudsman, and challenges in ensuring good governance in the education sector.

During the interview, the Commissioner explained that his primary function was to investigate complaints related to maladministration in further and higher education. He also addressed cases concerning state provided education when assigned by the Parliamentary Ombudsman and could initiate own initiative investigations on systemic issues following consultation.

He emphasised the independence of Commissioners within the Office, noting that each operated autonomously in conducting investigations to ensure impartiality and thoroughness.

The Commissioner highlighted the importance of clear communication by the public administration. He noted that many complainants sought explanations rather than simple determinations, and that a lack of proper reasoning in decisions often undermined transparency and open governance.

He explained that the work of the Office extended beyond the investigation stage. Recommendations were followed up, and where they were not implemented, cases could be escalated to the Prime Minister and subsequently to Parliament.

On the conduct of investigations, the Commissioner noted that while no fixed timeframes were imposed, cases were handled efficiently, with many resolved informally without the need for full investigation. He also emphasised the importance of confidentiality, noting that all information obtained during investigations was protected by law.

The interview also addressed proposals to extend the mandate of the Office to include the promotion and protection of human rights, with the aim of establishing the institution as Malta's National Human Rights Institution.

### **THE COMMISSIONER FOR HEALTH INTERVIEWED ON CAMPUS FM February 27, 2025**



The Commissioner for Health, Professor Raymond Galea, was interviewed by Sonya Young on Campus FM.

During the programme, he outlined his role in investigating complaints related to public health services, and noted that complaints were received from both healthcare professionals and patients.

He also provided examples of the types of complaints investigated and explained the procedures followed in carrying out these investigations.

### **ARE ACTS OF GOD BECOMING ACTS OF MAN? ARTICLE BY THE OMBUDSMAN March 03, 2025**



***Article by the Parliamentary Ombudsman, Judge Joseph Zammit McKeon published by the MaltaToday on 2nd March 2025***

In March 2025, the Parliamentary Ombudsman, Judge Joseph Zammit McKeon, published an article in MaltaToday addressing the growing link between climate change and State accountability.

The Ombudsman referred to scientific evidence confirming the impact of human activity on climate change and highlighted recent extreme events, including floods, droughts, wildfires, and heatwaves, which had caused significant harm and loss. He questioned whether such events could continue to be considered “acts of God” when the effects of climate change were increasingly linked to human action and insufficient State intervention.

The article emphasised the evolving legal dimension of climate change, particularly following the judgment of the European Court of Human Rights in the case of *Verein Klimaseniorinnen Schweiz and others v. Switzerland*. The Court found that States have positive obligations to protect persons from the adverse effects of climate change and identified shortcomings in Switzerland's regulatory framework.

The Ombudsman noted that this development could have far reaching implications, as it opened the possibility for individuals and organisations to seek redress against States for failure to take adequate action. He also referred to the potential consequences for other sectors, including insurance, where the distinction between natural and human caused events may increasingly be challenged.

The article stressed that climate change required decisive and coordinated action at both international and national level. It highlighted the need for States to adopt effective measures to mitigate its impact and to meet their obligations to protect fundamental rights.

The Ombudsman concluded that inaction or delay in addressing climate change could lead to serious legal and social consequences, and that greater emphasis must be placed on proactive measures to safeguard the wellbeing of present and future generations.

### **FUNDAMENTAL RIGHTS AT THE HEART OF POLICING: EXPERTS DEBATED THE REAL IMPACT OF FUNDAMENTAL RIGHTS IN TODAY'S CHALLENGING WORLD**

**March 04, 2025**

In February 2025, over 130 experts from EU Member States and non-EU countries met at Europol headquarters for the inaugural conference on "Fundamental Rights at the Heart of Policing". The event brought together representatives from law enforcement authorities, academia, and civil society to examine the role of fundamental rights in policing.

The Office of the Ombudsman was represented by Dr Brian Said, Senior Investigating Officer. The conference also included contributions from the European Union Agency for Fundamental Rights, Frontex, and the European Union Agency for Law Enforcement Training.

Discussions focused on the importance of integrating fundamental rights into law enforcement practices. Participants examined current challenges, including the risk of rights' violations, and explored ways to strengthen accountability, compliance with the rule of law, and ethical standards in policing.

Key themes included combating racism, addressing social fragmentation, and safeguarding privacy and data protection, particularly in the context of technological developments. The need for continuous training, stakeholder engagement, and improved operational processes was also highlighted.

The conference concluded with a call for continued cooperation and dialogue among stakeholders to ensure that fundamental rights remain central to policing practices across Europe.

### **STUDENTS FROM ST CLARE COLLEGE VISITED THE OFFICE OF THE OMBUDSMAN**

**March 11, 2025**

As part of the Ombudsman's school talks initiative, a group of Year 9 students and their teachers from St Clare College Sir Adrian Dingli Pembroke Secondary visited the Office of the Ombudsman for an interactive session on good governance, the Rule of Law, and the right to good administration.

During the visit, the Commissioner for Education, Chief Justice Emeritus Vincent De Gaetano, delivered a detailed presentation on the role of the Ombudsman, explained how the institution served as an independent authority that investigated complaints of maladministration. He described how the Ombudsman ensured that government decisions are not only lawful but also fair, transparent and ethical. The presentation highlighted that not everything that is legally correct is necessarily just, and that public administration must also adhere to moral and ethical benchmarks.

The Commissioner explained the four key focal points of the Rule of Law: accountability, just laws, open government and accessible and impartial justice.

Students also learned about the importance of good administration, which ensures that public officials act in the best interest of citizens and provide proper reasoning for their decisions. The session included discussions on how individuals can hold authorities to account, in line with the principle that everyone has the right to challenge unfair decisions.

The visit concluded with an engaging mock complaint exercise, where students applied their knowledge to real-world scenarios, considering what constituted maladministration and how to seek redress. The interactive nature of the session encouraged students to reflect on their role in promoting fairness, justice, and accountability in society.

## ARTIFICIAL INTELLIGENCE AND HUMAN RIGHTS

March 14, 2025



*Article by the Parliamentary Ombudsman, Judge Joseph Zammit McKeon published on the Times 14/03/25*

In March 2025, the Parliamentary Ombudsman, Judge Joseph Zammit McKeon, published an article in *The Times* addressing the relationship between artificial intelligence and human rights.

The Ombudsman noted that while artificial intelligence offered clear benefits in terms of efficiency and productivity, its development and use raised important concerns regarding data protection, privacy, and potential misuse. He emphasised that artificial intelligence systems relied on data, and that incomplete or biased data could lead to incorrect or discriminatory outcomes.

The article stressed that the use of artificial intelligence must remain subject to the rule of law and aligned with human rights standards. Particular importance was given to the protection of personal data and privacy, as recognised under the European Convention on Human Rights and the Charter of Fundamental Rights of the European Union.

Reference was made to judicial developments, including a ruling by a court in the Netherlands which found that a data driven system used to detect fraud violated the right to privacy. The case illustrated the risks associated with opaque data processing and the absence of adequate safeguards, and highlighted the responsibility of States to ensure proper regulatory frameworks.

The Ombudsman also referred to regulatory initiatives at European level, including the adoption of the Artificial Intelligence Act and the Council of Europe framework convention on artificial intelligence, which aimed to ensure that technological innovation remains consistent with human rights, democracy, and the rule of law.

He emphasised that legal frameworks alone were not sufficient and highlighted the need for public awareness, education, and transparency in the use of artificial intelligence.

The article concluded that the development and deployment of artificial intelligence must place the protection of human rights at its centre and that effective safeguards were essential to ensure that technological progress served the public interest.

## **THE OMBUDSMAN: STRENGTHENING ACCESS TO JUSTICE**

**March 18, 2025**

*Article by the Parliamentary Ombudsman, Judge Joseph Zammit McKeon, published on the Times on 18th March 2025*

In March 2025, the Parliamentary Ombudsman, Judge Joseph Zammit McKeon, published an article in The Times addressing the relationship between artificial intelligence and human rights.

The Ombudsman noted that while artificial intelligence offered clear benefits in terms of efficiency and productivity, its development and use raised important concerns regarding data protection, privacy, and potential misuse. He emphasised that artificial intelligence systems relied on data, and that incomplete or biased data could lead to incorrect or discriminatory outcomes.

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The article concluded that the development and deployment of artificial intelligence must place the protection of human rights at its centre and that effective safeguards were essential to ensure that technological progress served the public interest.

## **OMBUDSMAN MET THE MALTA COMMUNICATIONS AUTHORITY**

**March 20, 2025**



The Parliamentary Ombudsman, Judge Joseph Zammit McKeon, received a courtesy visit from a delegation of the Malta Communications Authority, led by its Chief Executive Officer, Mr Jesmond Bugeja.

During the meeting, the Ombudsman outlined the mandate of the Office and explained its approach to engaging with persons seeking assistance in resolving issues with the public administration. He highlighted that, in addition to handling complaints, the Office maintained regular contact with public entities to strengthen cooperation and promote effective resolution of issues.

The Chief Executive Officer of the Authority provided an overview of the role of the Malta Communications Authority and discussed the impact of evolving policy, technological, and market developments. He noted that communications services played a key role in both economic and social activity and that the Authority's functions continued to evolve in response to these changes.

The discussion also addressed the challenges arising from modern communication technologies. The Ombudsman acknowledged the benefits of such technologies but stressed the need for responsible and accountable use, particularly in relation to artificial intelligence. He emphasised that data collection should remain subject to appropriate safeguards and that technological developments must comply with human rights standards and avoid discriminatory outcomes.

Both parties noted their shared commitment to transparency and public engagement and expressed interest in continued cooperation.

Officials from both the Malta Communications Authority and the Office of the Ombudsman were present for the meeting.

### **AN AGEING SOCIETY: RIGHTS AND NEEDS BY JUDGE JOSEPH ZAMMIT MCKEON, PARLIAMENTARY OMBUDSMAN March 24, 2025**

In 2025, the Parliamentary Ombudsman, Judge Joseph Zammit McKeon, addressed the implications of an ageing population, with a focus on the protection of the rights of older persons.

The Ombudsman highlighted that as populations age, the risk of rights being undermined increases. He stressed that older persons must be treated with dignity and not reduced to statistics, and that policy responses must safeguard both their needs and their rights. He underlined the distinction between the two, noting that while needs are subjective, rights are legally recognised and place clear obligations on the State and society.

The article called for stronger recognition of the rights of older persons within Malta's constitutional framework, including consideration of a specific provision addressing dignity, care, and protection. Such recognition, even within non enforceable constitutional principles, would guide legislative and policy action.

The Ombudsman emphasised the importance of long-term planning to address the challenges posed by demographic change. These included pressures on healthcare, long term care, pensions, and labour markets. He noted that systems must remain sustainable and equitable to prevent increased inequality and financial insecurity among older persons.

Reference was also made to the impact of the COVID 19 pandemic, which exposed weaknesses in care systems in several countries, particularly in long term care. The Ombudsman stressed the need to strengthen these systems and ensure adequate protection for vulnerable groups.

He further highlighted emerging challenges linked to technological developments, including artificial intelligence, noting that older persons must not be excluded or disadvantaged by such changes.

The article concluded that addressing population ageing required timely and effective policy decisions. Failure to act would result in significant social and economic costs, while proactive planning would help ensure dignity, fairness, and security for present and future generations.

### **THE “DUTY OF CARE” IN MALTESE COURT JUDGEMENTS**

**March 25, 2025**



Prof. Ivan Mifsud, Dean of the Faculty of Laws at the University of Malta, presented his publication *The “Duty of Care” in Maltese Court Judgment – Adding Value or Just a Cliché?* to the Parliamentary Ombudsman, Judge Joseph Zammit McKeon.

The publication examined the growing use of the concept of duty of care in Maltese court judgments across civil, criminal, and commercial law. It analysed the legal basis of the principle and assessed whether it had been properly integrated into Maltese legal doctrine and whether it had contributed to legal interpretation.

In his foreword, Judge Professor David Joseph Attard described the work as a detailed and authoritative study, noting its comparative analysis of developments in other

legal systems and its relevance to Malta's mixed legal tradition. Particular attention was given to the distinction between duty of care and duty to care, especially in areas such as environmental law.

During the meeting, Prof. Mifsud outlined the key questions addressed in the publication, focusing on the origin, adoption, and impact of the doctrine within Maltese law.

The Ombudsman welcomed the publication as a valuable contribution to legal scholarship. He noted that changes in the structure and operation of the State, including the increased role of commercial models in public services, required closer examination of how the principle of duty of care was applied in practice.

### **THE PARLIAMENTARY OMBUDSMAN PARTICIPATED IN A HIGH-LEVEL CONFERENCE FOR OMBUDSMAN INSTITUTIONS AND NHRIS**

**March 27, 2025**



The Parliamentary Ombudsman of Malta, Judge Joseph Zammit McKeon, participated in a high-level conference for Ombudsman institutions and National Human Rights Institutions, held under the auspices of the Luxembourg Presidency of the Committee of Ministers of the Council of Europe.

The conference brought together representatives from across Europe and beyond to discuss challenges to the rule of law and the role of Ombudsman institutions and National Human Rights Institutions in addressing them. Particular attention was given to the impact of public decision making in the digital age.

Discussions on the first day focused on pressures affecting the rule of law, especially in times of crisis, and the need to safeguard human rights and democratic governance. Workshops examined the contribution of these institutions to the implementation of the European Convention on Human Rights, including mechanisms for supervision of judgments and cooperation through knowledge sharing platforms.

Speakers emphasised the importance of maintaining institutional accountability, strengthening democratic safeguards, and ensuring the effective protection of rights. The role of Ombudsman institutions as accessible mechanisms for redress and as promoters of transparency and trust was also highlighted.

The conference also addressed the need to establish and strengthen National Human Rights Institutions across member states, noting that a number of countries had yet to do so.

On the second day, the Parliamentary Ombudsman of Malta contributed to discussions on the impact of the Venice Principles on the role and functions of Ombudsman institutions.

### **THE PARLIAMENTARY OMBUDSMAN HIGHLIGHTED MALTA'S COMMITMENT TO THE VENICE PRINCIPLES AT COUNCIL OF EUROPE CONFERENCE**

**March 28, 2025**



The Parliamentary Ombudsman of Malta, Judge Joseph Zammit McKeon, addressed a high-level workshop during the second day of the Conference for Ombudsman Institutions and National Human Rights Institutions held under the auspices of the Luxembourg Presidency of the Committee of Ministers of the Council of Europe.

During the workshop on the impact of the Venice Principles, the Ombudsman outlined Malta's efforts to strengthen the institutional framework of the Office in line with these standards. He referred to the development of the institution since its establishment in 1995, including its constitutional recognition and subsequent legislative reforms that reinforced its independence and role in promoting good governance and the rule of law. He also highlighted the structure of the Office, including the role of specialised Commissioners and the requirement for parliamentary approval of appointments.

The Ombudsman addressed the influence of the Venice Commission on developments in Malta, including legislative amendments requiring parliamentary debate on key reports and reforms that strengthened oversight functions. He referred to recent reports which generated public and institutional engagement, reflecting the growing relevance of the Office.

He also highlighted Malta's role within the Association of Mediterranean Ombudsmen, noted its contribution to promoting cooperation, training, and the implementation of international standards across the region.

A central theme of the address was the need for Malta to establish a National Human Rights Institution. The Ombudsman outlined the steps taken by the Office to advance this objective, including the preparation of a legislative proposal to extend its mandate and engagement with international networks to ensure alignment with recognised standards.

He concluded by noting that recent international developments reinforced the importance of Ombudsman institutions in promoting human rights, accountability, and the rule of law, and supported Malta's efforts to strengthen its institutional framework.

## THE OMBUDSMAN TODAY - CHALLENGES AND OPPORTUNITIES FOR CITIZENS' RIGHTS

April 08, 2025



In April 2025, the Parliamentary Ombudsman, Judge Joseph Zammit McKeon, delivered a keynote address during a conference in Rome marking the 45th anniversary of the Civic Defender of the Lazio Region.

In his speech, the Ombudsman addressed the evolving role of Ombudsman institutions in a context marked by global instability and increasing pressure on fundamental rights. He stressed that Ombudsman institutions must take a clear position in defence of justice, particularly for vulnerable persons and those without a voice.

He identified key challenges affecting societies today, including climate change, migration, and ageing populations. He noted that these issues had direct implications for human rights and required active engagement by Ombudsman institutions. He emphasised that climate change had become a human rights concern, that States had clear obligations towards migrants, and that ageing populations required sustainable policies that safeguarded both needs and rights.

The Ombudsman underlined that addressing these challenges required thorough, timely, and fair investigations. He highlighted the importance of ensuring that recommendations carried sufficient moral authority to influence decision makers and lead to effective outcomes.

He also referred to the broader role of the Ombudsman in promoting good governance, transparency, accountability, and ethical conduct within public administration. He stressed that institutions must remain accessible and responsive, particularly to those who lacked alternative means of redress.

The Ombudsman highlighted the importance of independence and public trust, and noted that both had to be maintained through consistent and principled action. He emphasised that trust was built through daily engagement and effective outcomes.

The conference brought together institutional representatives, academics, and civil society to reflect on the role of Ombudsman institutions. It provided a platform for discussion on the future of civic oversight and reinforced the importance of cooperation at international level.

### **THE PARLIAMENTARY OMBUDSMAN MEETS THE CHIEF OMBUDSMAN OF TÜRKIYE**

**April 09, 2025**



The Parliamentary Ombudsman of Malta, Judge Joseph Zammit McKeon, met with the Chief Ombudsman of the Republic of Türkiye, Mr Mehmet Akarca, in a first official exchange between the two institutions.

During the meeting, both Ombudsmen reflected on their shared judicial background and discussed the role of Ombudsman institutions in facilitating access to justice. They emphasised that, while not courts of law, Ombudsman institutions played a complementary role in ensuring accountability and fairness in public administration.

The Ombudsman explained that the Office assessed not only the legality of administrative action but also whether such action was unjust, unreasonable, or contrary to principles of good administration. The Chief Ombudsman of Türkiye highlighted the role of the institution in promoting and protecting human rights and addressing violations where they arise.

The discussion also addressed regional challenges, including migration and environmental pressures, and the importance of cooperation among Ombudsman institutions. Reference was made to the role of the Association of Mediterranean Ombudsmen as a platform for dialogue and exchange of best practices.

The Ombudsman highlighted the forthcoming General Assembly of the Association to be held in Malta and its importance for the future direction of the organisation. The Chief Ombudsman of Türkiye expressed support for continued cooperation within this framework.

Both Ombudsmen agreed on the importance of strengthening institutional collaboration and promoting transparency, accountability, and public trust in administration.

## **THE OFFICE OF THE OMBUDSMAN FEATURES IN IOI BEST PRACTICE PAPER ON OUTREACH INITIATIVES**

**April 11, 2025**

The International Ombudsman Institute published a Best Practice Paper on outreach strategies, which for the first time included the Office of the Ombudsman in Malta as an example of international good practice.

The paper highlighted the importance of ensuring that persons, particularly those facing barriers, were aware of Ombudsman services and could access them effectively. It also stressed the need for institutions to understand the concerns of the communities they served and to adopt inclusive approaches to engagement. Drawing on discussions held during the 2024 World Conference in The Hague, the paper presented practical examples of outreach initiatives implemented by Ombudsman institutions. It aimed to support the exchange of experience and promoted the development of effective engagement strategies.

Malta's inclusion reflected the Office's sustained efforts to strengthen its presence within the community. These included participation in tertiary education events, outreach activities in schools, and continued engagement with civil society and the public. The use of digital platforms and data driven approaches to guide communication strategies was also highlighted.

These efforts contributed to a significant increase in public engagement, reflected in higher levels of assistance provided and an increase in complaints received. The recognition confirmed the Office's approach in improving accessibility and strengthening its connection with the public.

## **COUNCIL OF EUROPE HIGHLIGHTED ROLE OF OMBUDSMAN AND NHRIS IN DEFENDING DEMOCRACY AND HUMAN RIGHTS**

**April 24, 2025**

The Luxembourg Presidency of the Committee of Ministers of the Council of Europe has issued a declaration reaffirming the essential role of Ombudsman institutions and National Human Rights Institutions (NHRIs) in defending democracy, the rule of law, and fundamental rights across Europe. The declaration followed a high-level conference co-organised by the Presidency and the Council of Europe's Human Rights Directorate.

Held in Strasbourg, between the 27 and 28 of March, the conference brought together representatives from Ombudsman institutions, NHRIs, and their respective networks. It recognised the growing challenges faced by these institutions, including pressure and threats, and called for reinforced cooperation and structural support.

The declaration noted that Ombudsman institutions and NHRIs were key partners for the Council of Europe in implementing the European Convention on Human Rights and promoting democratic resilience. These institutions played a crucial role by raising public awareness, proposing legislative and policy changes, defending citizens' rights, and supporting civil society.

The Presidency also acknowledged the Council of Europe's standard-setting framework, including the Venice Principles and Committee of Ministers' Recommendations (CM/Rec(2019)6 and CM/Rec(2021)1), as essential tools to support the development and independence of these institutions.

Among the key proposals outlined in the declaration are:

- Strengthening the cooperation between the Council of Europe and Ombudsman/NHRI networks.
- Continuing the review of implementation of the key recommendations.
- Encouraging future ministerial discussions to reaffirm the importance of these institutions.
- Institutionalising regular high-level conferences.
- Exploring new cooperation initiatives, including training programmes in areas such as artificial intelligence and the implementation of European Court of Human Rights judgments.

Malta took up the Presidency of the Committee of Ministers of the Council of Europe for the next six months, and the Office of the Ombudsman welcomed the strong emphasis placed by the Luxembourg Presidency on the role of Ombudsman institutions. Malta was committed to further strengthening democratic institutions and promoting fundamental rights in line with these shared European values.

The Parliamentary Ombudsman of Malta, Judge Joseph Zammit McKeon, also participated in the Strasbourg conference and delivered a presentation during a workshop dedicated to the Venice Principles and their application in the European context.

The declaration stood as a strong reaffirmation of the importance of Ombudsman and NHRI institutions in upholding human rights, particularly during times of increasing democratic fragility.

### **HOUSE BUSINESS COMMITTEE APPROVED THE OMBUDSPLAN 2025**

**May 07, 2025**

The House Business Committee, presided over by the Speaker of the House, Dr Anglu Farrugia, convened in a special session to discuss the Ombudsplan 2025, which set out the Office's priorities and requested parliamentary approval of its financial allocation.

In his opening remarks, the Parliamentary Ombudsman, Judge Joseph Zammit McKeon, outlined the main themes of the Ombudsplan. He emphasised the role of the Office as an oversight body, noting that while investigations remained central, much of its impact resulted from sustained engagement and constructive relations with the public administration.

The Ombudsman presented key initiatives planned for 2025, including the commemoration of the 30th anniversary of the institution. This included a thematic lecture in Parliament and an international conference bringing together Ombudsman institutions and international partners. A research publication on case notes since 1995 was also planned.

He reiterated the proposal to establish a Select Committee of the House to review Ombudsman reports and strengthen parliamentary scrutiny of public administration. He also referred to the need to recognise the right to good administration within Maltese law and to incorporate Protocol No. 12 of the European Convention on Human Rights into the domestic legal framework.

The Ombudsman further highlighted the proposal to establish a National Human Rights Institution by extending the mandate of the Office, in line with the Paris Principles. He also referred to the recommendation to suspend the limitation period for judicial review while a complaint was under investigation.

Members of the Committee acknowledged the work of the Office. The session concluded with a unanimous recommendation to approve the financial allocation for the Office of the Ombudsman.

### **THE PARLIAMENTARY OMBUDSMAN ADDRESSES THE AMBASSADORS' CIRCLE May 07, 2025**



The Parliamentary Ombudsman, Judge Joseph Zammit McKeon, delivered a presentation to the Ambassadors' Circle, an event hosted by the Ambassador of France, H.E. Sandrine Lelong-Motta, and organised by Fondation de Malte.

During the session, the ambassadors present had the opportunity to ask questions to the Ombudsman and discussed a variety of topics.

**THE PARLIAMENTARY OMBUDSMAN PARTICIPATED IN MEETINGS IN PREPARATION TO THE IOI WORLD BOARD MEETING IN RABAT, MOROCCO**  
**May 12, 2025**



The Parliamentary Ombudsman of Malta, Judge Joseph Zammit McKeon, participated in the 2025 International Ombudsman Institute World Board meeting held in Rabat, Morocco. The meeting brought together Ombudsman representatives from all regions to discuss the strategic direction and governance of the Institute.

The World Board, composed of elected members from six regions, oversaw the work of the Institute and addressed key organisational and policy matters.

Ahead of the main sessions, the Ombudsman took part in preparatory meetings, including the European Regional Board, the Code of Ethics Working Group, and the Standing By Laws Committee.

During the European Regional Board meeting, members reviewed the agenda of the World Board and coordinated positions on matters of regional importance.

Within the Code of Ethics Working Group, discussions focused on the development of common ethical guidelines for Ombudsman institutions. The group emphasised that clear standards of professional conduct strengthened public trust and supported the effective functioning of these institutions.

The Standing By Laws Committee continued its work on updating the Institute's internal rules, including proposals related to governance structures and election procedures.

The Ombudsman's participation reflected the Office's continued engagement at international level and its contribution to the development of standards and cooperation among Ombudsman institutions.

## PARLIAMENTARY OMBUDSMAN PARTICIPATED IN THE IOI BOARD MEETING IN RABAT, MOROCCO

May 13-15, 2025



The Parliamentary Ombudsman of Malta, Judge Joseph Zammit McKeon, participated in the International Ombudsman Institute World Board meeting held in Rabat, Morocco, in his capacity as an elected Director of the Board. The meeting brought together Ombudsman representatives from across the six global regions to discuss governance, strategy, and cooperation.

During the opening session, the Mediator of the Kingdom of Morocco welcomed participants and highlighted the role of Ombudsman institutions in giving a voice to vulnerable persons. The President of the Institute reaffirmed the organisation's commitment to promoting human rights and good governance. The session also marked the first meeting attended by the newly appointed Secretary General, who outlined priorities for strengthening the work of the Institute.

The World Board, as the principal governing body of the organisation, reviewed membership applications, financial matters, and regional activities, and confirmed key appointments. Discussions also focused on strengthening cooperation and ensuring effective management of the Institute's work between General Assemblies.

On the second day, the Board approved the Strategic Plan 2024 to 2028, setting out priorities to promote the Ombudsman institution, strengthen offices globally, enhance cooperation, and ensure effective governance. Members also endorsed new training initiatives focused on areas such as citizen engagement, implementation of recommendations, detention conditions, and media relations.

The Board approved a series of Best Practice Papers, including one on outreach strategies, which featured the Office of the Ombudsman in Malta as an example of good practice. It also agreed to update existing guidance on institutional development, complaint handling, and peer review.

Regional reports were presented and endorsed, highlighting challenges faced by Ombudsman institutions and reaffirming support for those operating under pressure. The Board also confirmed that the next meeting would be held in Curaçao in 2026.

The Ombudsman's participation reflected the Office's continued engagement at international level and its contribution to the development of standards and cooperation among Ombudsman institutions.

## **THE PARLIAMENTARY OMBUDSMAN MET THE COMMISSIONER FOR HUMAN RIGHTS OF THE COUNCIL OF EUROPE**

**May 21, 2025**



The Parliamentary Ombudsman, Judge Joseph Zammit McKeon, met with the Commissioner for Human Rights of the Council of Europe, Mr Michael O'Flaherty, to discuss issues of common interest, particularly in the field of human rights.

## **OMBUDSMAN CONCLUDED ROUND TABLE CONFERENCE ON THE IMPACT OF AI IN THE LABOUR MARKET**

**May 22, 2025**



The Parliamentary Ombudsman, Judge Joseph Zammit McKeon, delivered the concluding remarks at the round table conference “The Ripple Effect of AI in the Labour Market” held in Valletta. The event was organised by the Malta Chamber, the General Workers’ Union, and the Malta Business Bureau as part of the TransFormWork II project.

In his address, the Ombudsman stressed that artificial intelligence must operate within the framework of the rule of law and comply with human rights standards. He underlined that AI systems must not enable discrimination or take decisions that negatively affected persons, particularly vulnerable groups.

He referred to key legal safeguards, including the right to privacy under the European Convention on Human Rights and the Charter of Fundamental Rights of the European Union. He also cited a court judgment in the Netherlands which found that a data driven system used to detect fraud breached privacy rights, highlighting the risks of opaque and unregulated systems.

The Ombudsman pointed to developments at European level, including the Council of Europe framework on artificial intelligence and the European Union Artificial Intelligence Act, which introduced a risk-based approach to regulation. He emphasised the importance of accountability, transparency, and effective oversight in the use of such technologies.

He also highlighted the role of national authorities in ensuring compliance and safeguarding rights, particularly where artificial intelligence intersected with areas such as employment and public services.

The Ombudsman concluded by stressing the need for a human centred approach to artificial intelligence and called for continued public discussion on its ethical and legal implications.

The conference brought together representatives from public institutions, social partners, academia, and international organisations to examine the impact of artificial intelligence on the labour market and the need for effective regulation.

### **PARLIAMENTARY OMBUDSMAN ADDRESSED STUDENTS AT DE LA SALLE COLLEGE GRADUATION CEREMONY**

**May 29, 2025**



The Parliamentary Ombudsman, Judge Joseph Zammit McKeon, delivered the keynote address at the graduation ceremony for Form 5 students at De La Salle College and presented certificates to the graduating class. The event marked the completion of secondary education for the students and was attended by parents, educators, and members of the College leadership.

During the ceremony, school representatives addressed the students and recognised their achievements, encouraging them to approach the next stage of their education with commitment and integrity.

In his address, the Ombudsman congratulated the students and acknowledged the contribution of educators, support staff, and families in supporting their development. He highlighted the importance of values such as critical thinking, responsibility, and integrity as essential foundations for future progress.

The Ombudsman also reflected on wider social challenges, including global conflicts and the impact on vulnerable communities. He emphasised the need for compassion, ethical leadership, and a sense of responsibility towards others. He encouraged the students to act with honesty and accountability, to remain engaged in society, and to support those who required a voice. He also urged them to embrace innovation and leadership while contributing positively to the common good.

The address concluded with a message encouraging students to approach the future with confidence, guided by strong values and a commitment to fairness and inclusion.

### **PARLIAMENTARY OMBUDSMAN PARTICIPATED IN GLOBAL HUMAN RIGHTS PLANNING CONFERENCE AT UNIVERSITY OF LIVERPOOL**

**June 04, 2025**



The Parliamentary Ombudsman, Judge Joseph Zammit McKeon, participated in a three-day international workshop on National Human Rights Action Plans held at the University of Liverpool. The event brought together experts from governments, international organisations, national human rights institutions, academia, and civil society to reflect on thirty years of human rights action planning and to strengthen global cooperation in this field.

The workshop examined how National Human Rights Action Plans have been used to translate international commitments into national practice. More than 155 plans have been adopted across over 80 countries, highlighting their growing role in promoting effective human rights systems.

The second day focused on regional experiences and implementation challenges. Discussions covered developments in Africa, Asia-Pacific, and the Americas, with speakers outlining both progress and structural obstacles in designing and sustaining national plans. Emphasis was placed on the importance of broad stakeholder participation, strong legal and institutional frameworks, and effective

monitoring mechanisms. Particular attention was also given to the impact of digital transformation, including artificial intelligence and data governance, and the need to ensure that technological developments respect human rights and do not deepen inequality.

On the final day, the Ombudsman delivered a presentation entitled “Having a National Human Rights Institution: The Malta Experience.” He outlined Malta’s current position as one of the few European Union Member States without a recognised National Human Rights Institution. He explained the Office’s ongoing efforts to promote a model whereby the Ombudsman would assume this role, in line with the United Nations Paris Principles.

The Ombudsman detailed the work carried out in consultation with the European Network of National Human Rights Institutions, including the drafting of a new Ombudsman Bill aimed at expanding the Office’s mandate to include the promotion and protection of human rights. He highlighted that the proposed model builds on an already established and trusted institution, offering a practical and efficient approach to strengthening human rights protection in Malta.

The workshop concluded with discussions on future cooperation, with participants agreeing to build a sustained global network to support national human rights planning, share best practices, and enhance coordination across regions.

## **THE PARLIAMENTARY OMBUDSMAN VISITED THE MALTA COMMUNICATIONS AUTHORITY**

**June 18, 2025**



The Parliamentary Ombudsman, Joseph Zammit McKeon, paid an official visit to the Malta Communications Authority following an invitation received from of the Authority. During the visit, he delivered a presentation and engaged in a dialogue with management and employees on the role and function of the Ombudsman within Malta's democratic system.

The visit began with a meeting between the Ombudsman and the MCA Management Committee, led by Chief Executive Officer Mr Jesmond Bugeja. During the meeting, Mr Bugeja outlined the Authority's mission and regulatory functions, explaining that its objective was to promote and safeguard a communications environment that supported investment, innovation, economic growth, and social well being.

The management also presented the Authority's strategic objectives, including ensuring quality in electronic and postal communications, supervising digital services, managing radio spectrum, and contributing to policy development in the sector.

The Ombudsman then met with staff members and delivered a presentation titled "The Ombudsman Remedy in Malta." He explained the constitutional and legal foundations of the Office, its powers, jurisdiction, and investigative processes. He underlined that, while the Ombudsman did not issue executive decisions, the institution's recommendations often led to redress and improvements in public administration.

He also emphasised the importance of transparency, accountability, and fairness in promoting good governance within public institutions. He reaffirmed the Office's commitment to strengthening the protection of human rights and enhancing trust between persons and the public administration.

The session concluded with a discussion, during which employees engaged with the Ombudsman on the role of the institution in upholding administrative justice.

The Ombudsman was accompanied by Dr Brian Said, Head of Investigations, and Mr Jurgen Cassar, Head of Communications and Research.

## PARLIAMENTARY OMBUDSMAN PRESENTED HIS ANNUAL REPORT 2024 TO THE SPEAKER OF THE HOUSE

June 19, 2025



The Parliamentary Ombudsman, Joseph Zammit McKeon, presented the statutory Annual Report for 2024 of the Office of the Ombudsman to the Speaker of the House of Representatives, Anglu Farrugia. The report provided a comprehensive overview of the work of the Office during the year, detailing its performance, its role in protecting persons from maladministration, and its engagement with the public.

In his foreword, the Ombudsman noted that 2024 had been a year of continued growth for the Office and its Commissioners. The Office not only investigated complaints and issued recommendations but also took a proactive role in proposing improvements in public service delivery. He emphasised the importance of fairness, accountability, and respect for persons, and the need to address failures in public services promptly through constructive engagement with public authorities.

The Ombudsman observed a growing recognition within the public service that the Office contributed to higher standards of governance. He stressed that public authorities had to uphold not only the rule of law but also ensure that justice was effectively delivered. In light of increasing public distrust in institutions, he called for greater empathy and responsiveness towards persons who felt excluded or unheard.

During 2024, the Office recorded increased public engagement, reflecting rising confidence in the institution. Complaints increased by 7% over 2023, while the number of persons seeking assistance or advice rose by 137%. This growth was attributed to sustained outreach efforts, public information initiatives, participation in conferences, and educational activities across institutions.

The report also highlighted the Office's expanding international engagement. The Ombudsman participated in meetings of the International Ombudsman Institute at both European and global levels, and the Office was accepted as an Associate Member of the European Network of National Human Rights Institutions. He reiterated the need for Malta to establish a National Human Rights Institution, proposing that the Office's mandate be extended in line with the Paris Principles.

Engagement with Parliament remained a key aspect of the Office's work. The report included final opinions that had not been implemented by public authorities and which were tabled in Parliament. It also reinforced the proposal made in the Ombudsplan 2025 for the establishment of a standing parliamentary committee to examine such reports, with the aim of strengthening oversight and ensuring follow up.

The Annual Report also incorporated the reports of the specialised Commissioners for Environment and Planning, Education, and Health.

The Ombudsman concluded that the Office would continue to act as a bridge between persons and the public administration, ensuring fair treatment and addressing instances of maladministration.

The Annual Report 2024 was tabled in Parliament on 18 June 2025.

### **THE PARLIAMENTARY OMBUDSMAN INTERVIEWED ON RTK103 AND NEWSBOOK.COM.MT**

**June 23, 2025**



The Parliamentary Ombudsman, Joseph Zammit McKeon, was interviewed by Professor Andrew Azzopardi on RTK103 and Newsbook.com.mt, where he spoke about the role and functions of the Office of the Ombudsman, as well as ongoing challenges within Malta's public administration.

During the interview, the Ombudsman underlined the Office's commitment to improving public administration through the investigation of complaints and the use of own initiative investigations where required in the public interest. He noted that these efforts aimed not only to address individual grievances but also to bring about systemic improvements.

He explained that, while public authorities generally cooperated with the Office, challenges persisted in the implementation of recommendations. He stated that around 80% of recommendations were implemented, while those not acted upon were referred to the Prime Minister and, if no progress was registered, subsequently tabled in Parliament in accordance with the Ombudsman Act. He observed that such reports were not discussed in Parliament and reiterated his call for the establishment of a Standing Committee of the House of Representatives to examine them.

The Ombudsman also addressed his proposal for Malta to establish a National Human Rights Institution in line with the Paris Principles. He confirmed that a draft bill had been submitted to Government to extend the Office's mandate to include the promotion and protection of human rights, noted that no feedback had been received and that the Office would continue to advocate for this reform.

He concluded by stating that efforts to strengthen outreach had led to increased public trust. He referred to a 137% increase in persons assisted and a 7% rise in formal complaints, indicating the growing relevance and accessibility of the Office.

## OMBUDSMAN PARTICIPATED IN INTERNATIONAL CONFERENCE ON HUMAN RIGHTS STRUCTURES IN ALBANIA

June 23, 2025



The Parliamentary Ombudsman of Malta, Joseph Zammit McKeon, participated in the international conference “National and International Structures to Protect Human Rights: Good Practices and Lessons Learned” held in Tirana, Albania. The event marked the 25th anniversary of the establishment of the Albanian Ombudsman and brought together national and international institutions, experts, and representatives of regional and global organisations.

The conference was opened by Erinda Ballanca, who reflected on the institution’s role in promoting human rights and strengthening democratic accountability. Other contributions were made by Ulsi Manja and representatives of organisations including the European Union, UN Women, Organization for Security and Co-operation in Europe, the Council of Europe, European Network of National Human Rights Institutions, and the European Union Agency for Fundamental Rights.

In a recorded message, Teresa Anjinho highlighted the importance of giving practical effect to the EU Charter of Fundamental Rights, while Sirpa Rautio and Beate Rudolf stressed the role of institutions in ensuring effective protection of human rights, particularly for vulnerable groups.

Judge Zammit McKeon addressed the opening session in his capacity as Parliamentary Ombudsman and as a representative of the IOI European Regional Board, as well as Secretary General and Treasurer of the Association of Mediterranean Ombudsmen. In his intervention, he expressed support for the development of

the Albanian Ombudsman institution and highlighted Malta's position as one of the few European Union Member States without a National Human Rights Institution compliant with the Paris Principles. He outlined the Office's proposal to extend its mandate to assume this role and referred to the draft Ombudsman Bill submitted to Government.

He emphasised that good governance, transparency, and independent oversight were essential for the effective protection of human rights, and stressed that rights must be implemented in practice rather than remain aspirational.

The conference also included discussions on institutional experience, regional cooperation, and international networks, with contributions from former Albanian Ombudspersons and representatives of global organisations. The event reaffirmed the role of Ombudsman institutions in promoting accountability, protecting rights, and strengthening democratic systems.

### **PARLIAMENTARY OMBUDSMAN OF MALTA PARTICIPATED IN 25TH ANNIVERSARY COMMEMORATIONS OF THE ALBANIAN OMBUDSMAN INSTITUTION**

**June 25, 2025**





***The Parliamentary Ombudsman together with the Speaker of Parliament of Albania, H.E. Elisa Spiropali***

The Parliamentary Ombudsman, Judge Joseph Zammit McKeon, participated in the official celebrations marking the 25th anniversary of the establishment of the People's Advocate (Ombudsman) of Albania. The events were hosted in Tirana by the Ombudsman of Albania, Ms Erinda Ballanca, and included a high-level international conference under the theme *“National and International Structures to Protect Human Rights: Good Practices and Lessons Learned.”*

The Ombudsman participated in his capacity as a Director on the European Regional Board of the International Ombudsman Institute (IOI), representing the Board. He also took part as Secretary General and Treasurer of the Association of Mediterranean Ombudsmen (AOM). During the international conference, Judge Zammit McKeon delivered a speech in the opening session, reflecting on the role of Ombudsman institutions in promoting good governance, the rule of law, and human rights.

The celebrations began with a commemorative ceremony at the Palace of the Brigades, the official Presidential Palace of Albania. The event was addressed by the Speaker of the Albanian Parliament, H.E. Elisa Spiropali, and by the People's Advocate of Albania, Ms Erinda Ballanca. The ceremony served both as a moment of national reflection and as a reaffirmation of the Ombudsman's institutional importance in defending democratic values.

Established in 2000 following constitutional reforms in 1998, the People's Advocate has become a central pillar in Albania's human rights framework. Over the past 25 years, the institution has played a crucial role in defending the rights and freedoms of persons, particularly in cases of unlawful or unjust actions by public administration. The Ombudsman of Albania acts both on the basis of individual complaints and on its own initiative, with the consent of the person concerned, in cases of systemic concern or media-reported incidents.

The anniversary programme included an international conference that brought together representatives of constitutional and governmental institutions, ombudsman offices across Europe and the Mediterranean, human rights organisations, and international bodies. The event provided a forum for peer exchange, institutional reflection, and the identification of shared challenges and best practices across jurisdictions.

### **TIMES OF MALTA EDITORIAL UNDERScoreD OMBUDSMAN'S ROLE IN STRENGTHENING GOOD GOVERNANCE**

**July 03, 2025**

The Times of Malta featured an editorial highlighting the constructive role played by the Office of the Ombudsman in supporting better governance and public administration. Referencing the Annual Report for 2024, the editorial described the Ombudsman's observations as "*wise advice*" and emphasised the importance of collaboration between public service providers and independent institutions.

Quoting Parliamentary Ombudsman Judge Joseph Zammit McKeon, the editorial opened with a powerful reminder: "*It is a stark reality that when complaints are ignored or treated with a low priority, confidence is undermined and people can become disillusioned with public services.*" The piece urged public authorities to take these concerns seriously and underlined the need for empathy, responsiveness, and human dignity in the delivery of services.

The editorial also acknowledged the Ombudsman's efforts to promote constructive scrutiny, noting that his office is increasingly being recognised by civil servants as a partner rather than a hindrance. In this context, it recalled the Ombudsman's reflections on the Sofia inquiry, which he chaired, and the continued relevance of its unimplemented recommendations.

Ultimately, the editorial called for "*a partnership for good governance,*" where the Ombudsman and the civil service work hand in hand, guided by shared values of transparency, accountability, and service to the public.

## **ENNHRI REPORT HIGHLIGHTED RULE OF LAW CHALLENGES AND THE ABSENCE OF A NATIONAL HUMAN RIGHTS INSTITUTION IN MALTA**

**July 04, 2025**

The European Network of National Human Rights Institutions (ENNHRI) published its 2025 Rule of Law Report, presenting an assessment of the state of the rule of law across Europe. The report provided an overview of key developments and challenges affecting democratic institutions and human rights mechanisms across the continent, including a dedicated chapter on Malta.

The report raised serious concerns regarding Malta's ongoing lack of a National Human Rights Institution (NHRI) in line with the United Nations Paris Principles. As ENNHRI noted, Malta remained one of the few European Union Member States without an NHRI, highlighting that the absence of such an institution limited the country's capacity to effectively monitor, promote and protect fundamental rights in a systematic and independent manner.

ENNHRI acknowledged the efforts of the Office of the Ombudsman of Malta in this regard. The Parliamentary Ombudsman, Judge Joseph Zammit McKeon, has taken a proactive approach by proposing that the Ombudsman institution itself be designated as Malta's NHRI. This proposal included extending the Office's remit through legislative reform to encompass the functions of a national human rights institution, thereby building on the institution's constitutional guarantees and operational independence.

In 2024, the Office of the Ombudsman submitted a comprehensive draft bill to the Prime Minister which would legally establish the Ombudsman as Malta's NHRI. The draft bill ensures compliance with the Paris Principles by embedding provisions for independence, pluralism, and a clear human rights mandate, while also safeguarding the dual role of Ombudsman and NHRI within a unified statutory structure. However, as noted by the Ombudsman, no formal response has yet been received from the Government.

The ENNHRI report supported the need for structural reforms to improve Malta's human rights architecture, stating that "*the absence of an NHRI poses risks to public accountability.*" The report also reiterated the importance of ensuring the effective implementation of recommendations by oversight institutions, such as the Ombudsman, especially in contexts involving systemic maladministration or infringements of fundamental rights.

## **PARLIAMENTARY OMBUDSMAN APPOINTED VICE PRESIDENT OF IOI EUROPEAN REGION BOARD**

**July 15, 2025**



The Parliamentary Ombudsman of Malta, Judge Joseph Zammit McKeon, had been appointed Vice Regional President of the European Regional Board of the International Ombudsman Institute (IOI). His appointment followed a decision by the European Regional Board meeting.

The IOI's European Regional Board is composed of seven Directors representing Ombudsman institutions across Europe. Of these, five were also elected to serve on the IOI's global Board of Directors. Judge Zammit McKeon was elected to the European Board and the Global IOI Board in December 2023, following an election involving over 90 Ombudsman institutions and human rights bodies from across Europe.

Judge Zammit McKeon succeeded Mr Marc Bertrand, Ombudsman of Wallonia and of the Wallonia-Brussels Federation, Belgium, whose term as Ombudsman expired earlier this year. In accepting the appointment, Judge Zammit McKeon expressed his sincere gratitude to his fellow Board members for their trust and reaffirmed his commitment to supporting the objectives of the IOI and promoting good governance and the protection of rights throughout Europe.

Established in 1978, the International Ombudsman Institute is the leading global organisation for independent Ombudsman institutions. With over 200 members from more than 100 countries, the IOI provided a platform for collaboration,

capacity-building, and the promotion of best practices through training, research, and project support. Its six regional chapters ensure that regional priorities are addressed within the broader framework of international cooperation.

### **PARLIAMENTARY OMBUDSMAN DELIVERED A LECTURE ON ETHICAL LEADERSHIP AND GOOD GOVERNANCE TO ASCENCIA BUSINESS SCHOOL STUDENTS**

**July 24, 2025**



The Parliamentary Ombudsman, Judge Joseph Zammit McKeon, delivered an engaging lecture to students attending undergraduate and postgraduate programmes at Ascencia Business School Malta. The lecture formed part of the modules Fundamental Principles of Human Resource Management (Bachelor's), Leader as a Coach (Master's), and Employee and Labour Relations (Master's).

The session explored the role of the Office of the Ombudsman in Malta and how its functions although they deal with matters related to the public service and public administration can find application also in the business community. Judge Zammit McKeon explained the constitutional basis and statutory powers of the Office, and how it operated to safeguard fairness, transparency, and accountability in the public administration. He also outlined Malta's participation in international ombudsman fora and networks such as the International Ombudsman Institute (IOI) and the Association of Mediterranean Ombudsmen (AOM).

Throughout the lecture, Judge Zammit McKeon emphasised that the ethos underpinning good public administration could be extended to the business world. He spoke in detail about maladministration and shared real case examples from his Office's investigative work to illustrate the importance of institutional accountability and responsiveness. The Ombudsman also highlighted six key principles of good administration - transparency, accountability, integrity, responsiveness, efficiency and effectiveness, and inclusiveness - he stressed that these values were not exclusive to public institutions but were equally critical for ethical leadership in private enterprise.

The session was structured around five thematic topics that ranged from the role and societal impact of the Ombudsman to the importance of courage and integrity in leadership, and the relevance of humility in public service and corporate management. Judge Zammit McKeon reflected on his own professional journey and offered advice to the students as they pursue their studies in Malta and prepare for future leadership roles across the globe.

The interactive discussion allowed students to engage directly with the Ombudsman, posing questions about real-world issues related to governance, law, and ethical conduct in the workplace. The lecture resonated strongly with Ascencia's academic focus on ethical leadership, institutional accountability, and the impact of policy and regulation on employee rights and workplace fairness.

Ascencia Malta is the local campus of Ascencia Business School, a member of the Collège de Paris network, offering internationally recognised business and leadership programmes. The campus provided a global learning environment for both local and international students, preparing them for professional roles in business, technology, and governance.

The Office of the Ombudsman thanked Ascencia Business School Malta for the invitation and the opportunity to engage with students committed to making a positive impact in their future careers.

## **COMMISSIONER FOR EDUCATION PARTICIPATED IN TRAINING SESSIONS FOR LAWYERS FROM THE OFFICE OF THE STATE ADVOCATE**

**August 01, 2025**



The Commissioner for Education, Chief Justice Emeritus Vincent De Gaetano, delivered two presentations as part of a specialised training programme aimed at enhancing the trial advocacy and litigation skills of lawyers within the Office of the State Advocate (OSA).

The training, held on the 28<sup>th</sup> and 29<sup>th</sup> July 2025 and organised with the support of experts from the Council of Europe, focused on strengthening the professional capacity of OSA lawyers, following a training needs assessment that identified advocacy skills as a key priority. The programme included talks by Chief Justice Emeritus Vincent De Gaetano and a senior judge from the United Kingdom. The sessions covered the hallmarks of good advocacy, the preparation and delivery of opening statements, effective cross-examination of witnesses, and the presentation of final oral submissions.

Participants also took part in two role-playing exercises, which provided the opportunity to put theory into practice under the guidance of the trainers. The interactive nature of the training allowed for direct feedback and valuable skill-building in a practical context.

This initiative forms part of the EU–Council of Europe Joint Project “Attorney General and State Advocate in Malta – Implementation of Action Plan of Offices Re-organisation”, co-funded by the European Union through the Technical Support Instrument and implemented by the Council of Europe in cooperation with the European Commission.

The project aimed to contribute to Malta’s justice reform efforts by supporting the operational independence of the Offices of the Attorney General and the State Advocate, strengthening their capacity and effectiveness, and enhancing transparency and accountability. It also sought to improve public trust through the establishment of sound operational processes, continuous training, ICT integration, and effective communication strategies.

## PARLIAMENTARY OMBUDSMAN VISITED MALTA FOOD AGENCY

August 05, 2025



The Parliamentary Ombudsman, Judge Joseph Zammit McKeon, paid an official visit to the Malta Food Agency (MFA), where he was welcomed by Chief Executive Officer, Mr Brian Vella and Chief Business Development Officer, Mr Justin John Camilleri.

In his introduction, Mr Vella outlined the vision of the Agency, that of leading quality and valuable local food products to different markets. He explained that the MFA works to add value to local food production by supporting and strengthening the entire value chain — from production, trading, and processing to sales, marketing, and food manufacturing. He emphasised that the Agency places workers, consumers, and producers at the centre of its operations, with a strong focus on governance and transparency.

Judge Zammit McKeon thanked the Agency for the invitation, noted the importance of learning about the crucial behind-the-scenes work of public entities, much of which often goes unnoticed.

The MFA team presented the Ombudsman with the Agency's strategic initiatives, including empowering producers to respond effectively to market dynamics, strengthen the supply chain, enhance consumer engagement, drive digital innovation, and promote entrepreneurship. The meeting also showcased the Agency's ongoing projects and its commitment to modernisation and efficiency.

Established in 2021 the agency was created to regulate, strengthen, and support the marketing of food derived from farming and fisheries, while enhancing the competitiveness and sustainability of these sectors. The Agency also administers the operations of the Pitkalija and Pixkerija, ensuring transparency, fairness, and traceability. The MFA also plays a strategic role in conducting market-based

research, supporting infrastructure and advisory services, and improving the reputation and market access of Maltese produce.

The Ombudsman commended the MFA's work in boosting the importance of local produce and assisting farmers and fishermen to modernise and become more efficient. He also observed that since the establishment of the agency in 2021, the Office of the Ombudsman has not received any complaints against the Agency, a positive sign of its effectiveness.

The meeting was also attended by Chief Projects Officer, Mr Josef Vella, Chief Market Regulation Officer, Ms Josephine Schembri, Chief Corporate Services Officer, Mr Silvan Camilleri, as well as Dr Brian Said, Head of Investigations, and Mr Jurgen Cassar, Head of Communications and Research from the Office of the Ombudsman.

### **PARLIAMENTARY OMBUDSMAN PRESENTED CASE NOTES 2024 TO THE SPEAKER OF THE HOUSE**

**August 20, 2025**

The Parliamentary Ombudsman, Judge Joseph Zammit McKeon, has presented the 44th edition of the Case Notes 2024 to the Speaker of the House of Representatives, the Hon. Anglu Farrugia.

This bilingual publication brings together a selection of 36 investigations concluded during 2024 by the Ombudsman and the three specialised Commissioners – for Health, Education, and Environment and Planning. This publication provides readers with clear summaries of complaints, the issues that emerged, and the outcomes reached, explained in language that is accessible to the wider public while offering lessons of value to public authorities.

The 2024 edition included cases ranging from disputes about vehicle towing procedures and ferry fare policies, to questions of fairness in recruitment within the education sector, to challenges arising in planning regularisations and environmental management. Other cases highlighted the Ombudsman's role in safeguarding access to healthcare, including equitable treatment for patients requiring specialised medication or procedures abroad.

In his foreword to the publication, the Ombudsman emphasised that investigations carried out by his Office should not be seen as hostile encounters but as part of the accountability loop. Through the Case Notes, the Ombudsman and his Commissioners sought to encourage public authorities to strengthen their internal quality control systems, including effective complaint-handling mechanisms, in order to improve standards of governance and service to the public.

The Case Notes 2024 is intended for a broad readership and provides insight into the importance of accountability and transparency in public administration.

## THE COMMISSIONER FOR ENVIRONMENT AND PLANNING SUBMITTED RECOMMENDATIONS ON PLANNING REFORM

August 25, 2025



The Commissioner for Environment and Planning within the Office of the Ombudsman, Perit Alan Saliba, has submitted a comprehensive set of recommendations as part of the Government's public consultation on a holistic planning reform.

The Commissioner welcomed the initiative but emphasised that reform must lead to a planning system that is transparent, accountable, enforceable, and fair to residents and third parties alike.

In his recommendations, the Commissioner highlighted a number of areas where changes are necessary:

- **Appeals and permits** – Development permits should be suspended while appeals are pending to avoid irreversible impacts. Appeal procedures must be fair, consistent, and accessible, with clear safeguards against unequal deadlines and unrealistic timeframes.
- **Policy hierarchy** – Planning decisions must follow Local Plans and Spatial Strategies, ensuring that public consultation and technical assessments carry proper weight. Departures from established plans should not be allowed arbitrarily.
- **Enforcement and regularisation** – Enforcement must be strengthened, particularly in Outside Development Zones. Regularisation against the payment of fines should not replace proper enforcement. Fines should be increased to reflect the seriousness of infringements, with revenue channelled into specific public projects.

- **Validity of permits** – The Building and Construction Authority should take over responsibility for construction timeframes and the validity of permits, reducing prolonged nuisance from stalled or extended projects. Different types of development should carry different validity periods.
- **Public access and transparency** – Greater access to information, clearer consultation procedures, and fairer appeal mechanisms are needed to ensure trust and accountability in the system.

Perit Saliba noted that reform should not only update procedures but also restore public trust by curbing the normalisation of irregular development, ensuring that planning decisions respect both the environment and community well-being.

### **PARLIAMENTARY OMBUDSMAN PARTICIPATED IN AOM EXECUTIVE COMMITTEE MEETING**

**August 26, 2025**

The Parliamentary Ombudsman, Judge Joseph Zammit McKeon, in his capacity as Secretary General and Treasurer of the Association of Mediterranean Ombudsmen (AOM), participated in a meeting of the Association's Governing Board Executive Committee.

The AOM provides an institutional framework linking Ombudsman and mediator institutions, as well as national human rights bodies in the Mediterranean region. Its mission is to promote and protect fundamental rights, to encourage cooperation among members, and to foster stronger ties with European and international partners. The Association also serves as a platform for sharing experiences, exchanging good practices, and strengthening the visibility and role of Ombudsman institutions across the Mediterranean basin.

The meeting marked the first committee session chaired by Ms Erinda Ballanca, Ombudsman of Albania, in her capacity as newly elected President of the Association. In her opening remarks, Ms Ballanca expressed her gratitude for being entrusted with the role for a second time, underlining that the values of the AOM should guide its members: promoting awareness of the Ombudsman's role, exchanging experiences, sharing research and knowledge, and cooperating with other institutions and organisations with similar objectives.

The agenda of the Executive Committee focused on administrative matters of the Association, including the programme of activities for 2026, as well as preparations for the upcoming General Assembly of the AOM.

Judge Zammit McKeon, in his role as Secretary General, delivered a presentation on the composition of the new Governing Board, outlined the proposals for AOM initiatives in 2026, and provided an update on the preparations for the International Ombudsman Conference and the AOM General Assembly to be held in Malta.

The meeting was attended by President Erinda Ballanca, People's Advocate of Albania; First Vice-President, Ms Maria Stylianou-Lottides, Commissioner for Administration and the Protection of Human Rights (Ombudsman) of Cyprus; and Second Vice-President, Dr Tamar Gvaramadze, First Deputy Public Defender of Georgia.

## **OMBUDSMAN PRESENTED OMBUDSPLAN 2026 TO PARLIAMENT**

**September 04, 2025**



The Parliamentary Ombudsman, Judge Joseph Zammit McKeon, presented the Ombudsplan 2026 to the Speaker of the House of Representatives, Hon. Anglu Farrugia. The document was tabled in Parliament on the 15<sup>th</sup> September and later discussed during a special sitting of the House Business Committee.

The Ombudsplan is the annual policy and financial framework of the Office of the Ombudsman. It sets out the Office's objectives for the coming year, highlights systemic challenges within the public administration, and includes the request for funding required to support the institution's work.

Ombudsplan 2026 noted that complaints lodged with the Office increased by 4% and assistance given to the public also rose by 4%, clear results of stronger outreach efforts and growing trust in the institution.

It stressed the duty of public bodies to act fairly, transparently, and with accountability, and underlined the importance of compliance with Article 22(1) of the Ombudsman Act. The document reiterated the need for reforms that ensure recommendations are properly considered, including the establishment of a Parliamentary Select Committee on Public Administration to give structured follow-up to the Ombudsman's reports.

The Ombudsman also renewed his call for the transposition of the right to good administration, as recognised in Article 41 of the EU Charter of Fundamental Rights, into Maltese law. The plan highlighted the need to incorporate Protocol No. 12 of the European Convention on Human Rights into national legislation to strengthen protection against discrimination and proposed reforms to suspend prescription periods while complaints are under investigation. It further advocated for the recognition of the Office of the Ombudsman as Malta's National Human Rights Institution, in line with international standards.

Judge Zammit McKeon emphasised that the Ombudsplan is not simply a request for financial resources but a roadmap to improve governance in Malta. He noted that the Ombudsman serves as a bridge between persons and the state, and that Ombudsplan 2026 outlined how this constitutional Office intended to uphold fairness, improve standards of public administration, and strengthen the protection of people's rights.

The Ombudsplan also reaffirmed the international role of the Office of the Ombudsman, which actively contributes to the work of the Association of Mediterranean Ombudsmen, the European Ombudsman Network, and the International Ombudsman Institute.

The Office expressed confidence that the proposals contained in Ombudsplan 2026 would be given the serious consideration they merit, consolidating the Ombudsman's constitutional mandate and ensuring the resources required to fulfil it in the year ahead.

## **PARLIAMENTARY OMBUDSMAN VISITED THE CORRECTIONAL SERVICES AGENCY**

**September 10, 2025**



The Parliamentary Ombudsman, Judge Joseph Zammit McKeon, visited the Correctional Services Agency and its facilities in Paola, following an invitation from the Agency's CEO, Mr Christopher Siegersma. The visit formed part of the Ombudsman's follow-up on the recommendations made in his own-initiative investigation report, published on 31 January 2025.

During the visit, the Ombudsman was shown a number of ongoing improvements within the facility. These included upgrades to the Education Hub, the Female B Section, the kitchen, and the newly inaugurated Second Learning Hub. The new hub features modern classrooms and will offer educational and training opportunities for inmates in subjects such as English, Maltese, Mathematics, ICT, and digital skills.

Mr Siegersma also presented future projects and improvements planned for the facility, while acknowledging the challenges posed by high occupancy levels. He updated the Ombudsman on the gradual implementation of standard operating procedures, one of the key recommendations from the Ombudsman's report, which are being rolled out across the Agency.

He explained that the Agency is embracing a person-centered approach, ensuring that all services and activities are designed around the needs, development, and well-being of the individual in prison. This approach placed the person at the heart of every initiative, with the prison environment functioning as a hub of care, rehabilitation, and opportunity.

The Ombudsman thanked Mr Siegersma and the management team for the invitation and for their updates on the implementation of recommendations. He acknowledged the ongoing work to improve infrastructure and inmate conditions, and reiterated that inmates must be treated with dignity. He emphasised that meaningful reform requires not only infrastructural improvements but also a cultural shift in approaches to rehabilitation, which should be embedded throughout the system.

Mr Siegersma concluded by affirming the Agency's commitment to continue improving facilities and fostering the cultural change necessary to support inmate rehabilitation.

## **THE OMBUDSMAN'S OFFICE PARTICIPATED IN THE INSTITUTE FOR EDUCATION FRESHERS' DAY**

**September 11, 2025**

The Office of the Ombudsman took part in the Institute for Education (IfE) Freshers' Day, an event marking the start of the academic year and welcoming new students embarking on their Bachelor's and Master's programmes.

The Commissioner for Education, Chief Justice Emeritus Vincent De Gaetano, addressed two groups of students – those beginning Master's studies and those pursuing a Bachelor's degree. In his remarks, he congratulated the Institute for its strong performance over the past decade in providing specialised training for teachers and educators.

Chief Justice De Gaetano noted that the CEO of the Institute, Ms Joanne Grima, had rightly reminded students that teaching is not just another profession but a vocation that demands full and passionate commitment. Echoing this sentiment, he recalled the words of the sixteenth-century Jesuit educator and playwright Juan de Bonifacio: *Puerilis institutio est mundi renovatio* – the education of youth is the renewal of the world.

The Commissioner also observed that the Institute for Education stands out within the education sector as the entity that gives rise to the least complaints reaching the Ombudsman's Office. Any issues that do arise are typically resolved in-house, without the need for formal reports or opinions. This, he said, reflects well on the Institute's administration, which has consistently acted with flexibility and responsiveness in the best interests of its students.

Freshers' Day is a significant milestone for IfE students, many of whom pursue their studies online. It provides a first opportunity to meet peers in person, build connections, and engage in team-building activities, laying the foundation for a strong sense of community as they begin their studies.

## OMBUDSMAN VISITED MDIA AND ADDRESSED NATIONAL AI ROUNDTABLE FOR FUNDAMENTAL RIGHTS AUTHORITIES

September 17, 2025



The Parliamentary Ombudsman, Judge Joseph Zammit McKeon, visited the Malta Digital Innovation Authority (MDIA) where he was welcomed by the Chief Executive Officer, Mr Kenneth Brincat, and members of the Authority's senior management team.

In his welcome address, Mr Brincat emphasised the MDIA's mission to lead as Malta's principal authority for facilitating the secure and responsible use of digital innovation, particularly in areas such as blockchain, artificial intelligence, and other frontier technologies. He underlined the Authority's vision of establishing itself as a trusted and forward-looking regulator that cultivates confidence in innovative technologies, both locally and internationally.

The MDIA is Malta's national authority for the governance and promotion of digital innovation. It plays a central role in ensuring that emerging technologies are adopted securely, responsibly, and in line with ethical standards. Its work supports the implementation of Malta's National AI Strategy, first launched in 2019 under the title Strategy and Vision for Artificial Intelligence in Malta 2030, which positioned Malta as a testbed for AI-driven innovation. Presentations were delivered by Mr Gavril Flores, Chief Strategy, Policy and Governance Officer, and Dr Jean Marie Mifsud, Chief Innovative Technology Officer, who outlined the Authority's work on AI policy, as well as national initiatives such as the Coordinated Vulnerability Disclosure Policy to enhance cyber resilience.

During the visit, the Ombudsman said that the purpose of engaging with authorities such as the MDIA is not only to better understand their work but also to explain the role of the Ombudsman as a promoter of good governance. He noted that while digital innovation offers great opportunities, the rapid growth of AI raises concerns regarding its potential impact on human rights. He stressed that decisions made by AI systems must not undermine fundamental freedoms, especially for vulnerable individuals. “*AI is no exception to the rule of law,*” he remarked, underlining that it must never be used for discriminatory practices nor take on roles that negatively affect people’s lives.

Following the meeting, Judge Zammit McKeon addressed the National AI Roundtable for Fundamental Rights Authorities and Bodies, of which the Office of the Ombudsman is a participating member. Coordinated by the MDIA, the Roundtable provided a structured platform for dialogue between fundamental rights authorities to discuss the human rights implications of artificial intelligence. In his intervention, the Ombudsman referred to European Court of Human Rights case law to illustrate how AI could affect rights in practice and stressed the need for strong legal safeguards to ensure that efficiency is not pursued at the expense of rights and freedoms.

The Ombudsman also toured the MDIA’s facilities, including the DiHubMT – Malta’s European Digital Innovation Hub (EDIH). The Hub provides a comprehensive range of services to SMEs, mid-sized businesses, and public sector organisations to support digital transformation on an open and transparent basis.

The Ombudsman was accompanied by Dr Brian Said, Head of Investigations, Dr Danielle Mallia, Senior Investigating Officer and the Office’s representative on the National AI Roundtable, and Mr Jurgen Cassar, Head of Communications and Research.

## **OMBUDSMAN MET UKRAINIAN DELEGATION UNDER TIPS4UA PROJECT**

**September 18, 2025**



The Parliamentary Ombudsman, Judge Joseph Zammit McKeon, today met with a delegation of Ukrainian municipal leaders visiting Malta as part of the *TIPS4UA* initiative, coordinated locally by the Local Councils' Association.

The delegation, composed of Mr Oleksii Ostroverkhov (Mariupol City Council), Mr Heorhii Drohobetskyi (Polyana Village Council) and Ms Lesia Soliak (Truskavets City Council), were accompanied by Mr Mario Fava from the Local Councils' Association.

TIPS4UA is an international cooperation programme launched by the European Committee of the Regions in partnership with *U-LEAD with Europe*. The project was developed in response to calls made at the Ukrainian Recovery Conferences following the Russian aggression in 2022. It is designed to build resilience and enhance the administrative capacity of Ukrainian municipalities, equipping them to manage reconstruction and modernisation efforts. The programme provides targeted training in project preparation and cycle management, internship placements with European local authorities, and knowledge-sharing platforms to foster long-term cooperation.

During the meeting, the Ombudsman explained the constitutional role and function of his Office, its independence, how the Ombudsman is appointed, and its close accountability to Parliament. He emphasised how the Ombudsman serves as a promoter of good governance, transparency, and fairness in public administration, ensuring that citizens' rights are respected and upheld.

Judge Zammit McKeon also spoke about the strong cooperation between his Office and the Office of the Commissioner for Human Rights of Ukraine, noting that Mr Dmytro Lubinets, Ukraine's Human Rights Commissioner, works closely with him within the International Ombudsman Institute (IOI) European Regional Board, where they both serve as Directors, as well as within the Association of Mediterranean Ombudsman.

He underlined that Mr Lubinets would be in Malta in October to address the international Ombudsman conference marking the 30th Anniversary of the Maltese Office.

The meeting provided an opportunity for the Ukrainian delegation to gain insights into Malta's governance structures and accountability mechanisms, while also opening the door for future peer-to-peer cooperation

## **OMBUDSMAN ADDRESSED EUROPEAN ROUNDTABLE ON AI AND HUMAN RIGHTS**

**September 30, 2025**



The Parliamentary Ombudsman, Judge Joseph Zammit McKeon, was invited by the Malta Chamber, the Malta Business Bureau and the General Workers Union to speak at the European Roundtable Discussion held on 30 September 2025 at the Malta Chamber in Valletta.

The event formed part of the EU-funded TransFormWork 2 project, which explores the impact of Artificial Intelligence (AI) in the workplace and promotes a fair and human-centred transition towards digitalisation. The project brought together European social partners to develop common guidelines on the responsible use of AI while safeguarding fundamental rights.

### **Panel on regulatory and ethical dimensions of AI**

Judge Zammit McKeon was a panellist in the session Regulatory and Ethical Dimensions of AI, alongside Kenneth Brincat (CEO, Malta Digital Innovation Authority), Dr Patrick Massa (WH Partners), and Prof Alexiei Dingli (University of Malta).

In his intervention, the Ombudsman stressed that AI must always remain subject to human rights principles. He highlighted that while AI offers opportunities, it also raises significant risks related to privacy, data protection, bias, and discrimination. He pointed to Article 8 of the European Convention on Human Rights, which guarantees the right to respect for private life, and explained how AI systems that collect or process personal data must comply with these standards.

Drawing on European Court of Human Rights case law, he gave examples of how mass surveillance, automated profiling, and facial recognition have already been found to breach fundamental rights. He underlined that laws must provide clear safeguards against arbitrary interference, and that AI technologies must not undermine individual dignity, equality, or freedom of expression.

### **The Ombudsman's role in accountability**

Judge Zammit McKeon emphasised that oversight institutions like Ombudsman offices play an essential role in ensuring accountability and fairness when public authorities use AI systems. He stressed that algorithmic transparency and human oversight are not optional, but vital, to protect vulnerable groups and ensure decisions do not unjustly affect people's lives.

The Ombudsman concluded that while innovation is to be welcomed, human rights and the rule of law must remain the guiding framework for AI regulation and use. He called for closer collaboration between governments, social partners, technology developers, and civil society to promote transparency, accountability, and education about AI's impact on everyday life.

### **Broader context**

The roundtable gathered social partners and experts from across Europe, including representatives from Italy, Bulgaria, Romania, Cyprus, Ireland, Poland, and Malta, as well as the European Trade Union Confederation.

## **THE OMBUDSMAN AND COMMISSIONER FOR EDUCATION VISITED THE KSU FRESHERS' WEEK AT THE UNIVERSITY OF MALTA**

**October 02, 2025**



The Parliamentary Ombudsman, Judge Joseph Zammit McKeon, together with the Commissioner for Education, Chief Justice Emeritus Vincent De Gaetano, visited the Kunsill Studenti Universitarji (KSU) Freshers' Week at the University of Malta. They were welcomed and guided around the event by KSU President Gerard Zammit Young.

During the visit, the Ombudsman toured a number of stands and engaged with student organisations, public service representatives, and academics.

The Ombudsman also visited the stand of the Office of the Ombudsman, which had been set up to promote awareness among students about the institution's role in safeguarding good governance and addressing complaints against public administration.

The Office's participation in Freshers' Week formed part of its wider outreach strategy aimed at strengthening connections with younger generations and ensuring that students were aware of their rights and the support the Ombudsman could provide.

### **THE PARLIAMENTARY OMBUDSMAN MET CHIEF EXECUTIVE OF THE AUSTRALIAN HUMAN RIGHTS COMMISSION**

**October 04, 2025**



The Parliamentary Ombudsman of Malta, Judge Joseph Zammit McKeon, met Ms Leanne Smith, Chief Executive of the Australian Human Rights Commission, at the Office of the Ombudsman in Valletta.

During the meeting, the Ombudsman gave an overview of the institution's functions and explained the Office's ongoing efforts to advocate for Malta to establish a National Human Rights Institution (NHRI). He outlined the process through which the Office of the Ombudsman had drafted and submitted a new Ombudsman Bill to Government in November 2024. The proposed legislation sought to widen the institution's remit to include the promotion and protection of human rights in line with the Paris Principles.

Judge Zammit McKeon also spoke about the international conference organised by the Office of the Ombudsman in October 2025 to commemorate its 30th anniversary. One of the key panels at the conference, "Protecting the Vulnerable – The Role of the Ombudsman in Upholding Human Rights," featured several prominent speakers from the international Ombudsman and human rights community.

Ms Smith provided an overview of the work of the Australian Human Rights Commission, which serves as the country's NHRI. She explained that the Commission investigates and conciliates human rights and discrimination complaints, advises government and parliament on human rights law and policy, raises awareness through national education and outreach campaigns, and conducts research and inquiries into systemic issues. The Commission also works with courts as *amicus curiae* in discrimination cases, provides guidance to employers on diversity and inclusion, and delivers international training programmes across the Asia-Pacific region. Additionally, the Commission monitors Australia's compliance with its international human rights obligations and reports independently to the United Nations.

The meeting concluded with a shared commitment to cooperation and exchange between institutions. The Ombudsman remarked that *"the observance of human rights comes from a caring society. If we stop caring, then there is a real risk."*

## PARLIAMENT, OMBUDSMAN AND AUDITOR GENERAL JOINED FORCES AT MCAST FRESHERS' WEEK

October 06, 2025



For the first time, Parliament, the Office of the Ombudsman, and the National Audit Office participated together in a joint stand at MCAST Freshers' Week. This initiative, led by the Office of the Ombudsman, highlighted the shared role of the three institutions in strengthening democracy, accountability, and good governance as officers of Parliament.

The aim of the stand was to reach out to students, academics, and staff to raise awareness about the role of Parliament, the functions of the Parliamentary Ombudsman, and the oversight responsibilities of the Auditor General. This joint participation reflected a commitment to collaborate more closely in promoting institutional accountability and public engagement, particularly among younger generations.

The Speaker of the House of Representatives, the Hon. Anglu Farrugia, the Parliamentary Ombudsman, Judge Joseph Zammit McKeon, and the Auditor General, Mr Charles Deguara, visited the Freshers' Week and toured the campus. They began by visiting the joint stand of the three institutions and then proceeded to the NGO section, where they met several organisations presenting their work and encouraging student involvement in community initiatives.

The tour was guided by Deputy Principal Corporate Services, Mr Ronald Curmi, and Deputy Principal Vocational and Professional Education and Training, Dr Mario Cardona, together with Dr Caroline Demarco, Director from the Office of the Principal.

This joint participation marked a significant milestone in outreach efforts by Parliament and its officers, reinforcing the importance of transparency, accountability, and civic engagement in public life.

### **THE PARLIAMENTARY OMBUDSMAN ADDRESSED NATIONAL CONFERENCE ON FOOD GOVERNANCE AND SUSTAINABILITY**

**October 10, 2025**



The Parliamentary Ombudsman, Judge Joseph Zammit McKeon, addressed a national conference organised by the Malta Food Agency to mark World Food Day. The event, held in Parliament, brought together key stakeholders and policymakers. It was also addressed by the Speaker of the House of Representatives, Hon. Anglu Farrugia, who warned that hunger remains one of the greatest contradictions of the modern era, noting that despite global scientific and technological progress, millions of people still go hungry while millions of tonnes of food are wasted every year.

The conference was further addressed by the Minister for Agriculture, Fisheries and Animal Rights, Hon. Anton Refalo, the Parliamentary Secretary for Fisheries, Aquaculture and Animal Rights, Hon. Alicia Bugeja Said, and the Shadow Minister for Agriculture and Fisheries, Hon. Toni Bezzina.

In his address, Judge Zammit McKeon reflected on good governance, fairness, and accountability in Malta's food systems, emphasising that food should not be regarded merely as a commodity but as a foundation of human well-being. He underlined the responsibility of public authorities to ensure that agricultural production, fisheries, and food supply chains are managed sustainably, transparently, and in the public interest.

The Ombudsman noted that the Malta Food Agency, established in 2021, had been fulfilling its functions responsibly and that no complaints had been lodged against it before his Office. He referred to his official visit to the Agency, which had provided an opportunity for a constructive exchange of views with officials and staff. He also spoke about the work of Agricultural Resources Malta, which had been entrusted with implementing Legal Notice 150 of 2025 on the registration of agricultural land, stressing that such a sensitive task had to be carried out with care and respect for the rights of all stakeholders.

In addition, he highlighted the creation of the Food Safety and Security Authority under Act XV of 2025, which consolidated oversight of the entire food supply chain under one regulator. This, he remarked, was a positive development since fragmented responsibilities among different entities only led to legal uncertainty.

Judge Zammit McKeon also referred to the National Strategy for Resilient Food Systems 2025–2034, aimed at enhancing food security and sustainability in line with the European Union's Farm to Fork vision. He welcomed the strategy as the right way forward, while stressing the need for concrete and achievable implementation programmes in the national interest.

On the broader challenges, the Ombudsman called for urgent action to tackle food waste, warning against a culture that tolerates the unnecessary disposal of food while others face hunger. He emphasised that responsible leadership must ensure food security, uphold consumer rights to safe and quality food, and guarantee fairness and transparency in food markets and distribution.

The Ombudsman concluded by reiterating his Office's commitment to promoting justice, transparency, and accountability across all areas of public administration, including Malta's food systems, emphasising that poor governance cannot be tolerated as it undermines public trust and the common good.

## **THE EUROPEAN OMBUDSWOMAN MET THE OMBUDSMAN IN MALTA**

**October 14, 2025**

The Parliamentary Ombudsman, Judge Joseph Zammit McKeon, met with the European Ombudswoman, Ms Teresa Anjinho, during her visit to Malta to address the International Ombudsman Conference commemorating the 30th Anniversary of the Office of the Ombudsman.

The European Ombudswoman was one of the keynote speakers at the conference, which was held under the theme “Upholding Good Governance in Challenging Times: The Role of the Ombudsman.”

In her address, Ms Anjinho explored the challenges of ensuring good governance in the current climate and the importance of strengthening citizens’ trust in public administration. Speaking from a European Union perspective, she reflected on the impact of recent geopolitical developments and crises on EU institutions, while underlining the importance of meaningful citizen participation in decision-making.

Drawing on examples from her Office’s inquiries, Ms Anjinho highlighted the need to maintain accountability and transparency standards even when there is pressure to simplify legislation or act swiftly. She emphasised that citizen-centred administrations must communicate clearly and openly, showing a willingness to explain decisions, anticipate concerns, and be proactively transparent.

During the meeting, Judge Zammit McKeon and Ms Anjinho discussed ways to strengthen the European Network of Ombudsmen (ENO) and enhance cooperation among national Ombudsman institutions. The ENO had developed into a platform for collaboration and knowledge-sharing among more than 95 offices in 36 European countries. It included national and regional Ombudsmen and similar bodies across EU Member States, candidate and EEA countries, as well as the European Ombudsman and the Committee on Petitions of the European Parliament.

The network promoted cooperation on case handling, sharing of best practices, and the organisation of seminars, meetings, and visits. The next ENO meeting was scheduled to take place in Brussels on 20 November 2025.

The two Ombudsmen also exchanged views on the use of artificial intelligence (AI) in public administration, acknowledging both its potential and the challenges it presents to fairness, transparency, and accountability.

Judge Zammit McKeon thanked Ms Anjinho for visiting Malta and for her contribution to the 30th Anniversary Conference, which brought together Ombudsman institutions and human rights defenders from across Europe, the Mediterranean, and beyond.

## **PARTICIPATION OF THE COMMISSIONER FOR ENVIRONMENT AND PLANNING AT URBAN MOBILITY DAYS 2025 IN VILNIUS**

**October 20, 2025**



The Commissioner for Environment and Planning within the Office of the Ombudsman participated in the Urban Mobility Days 2025 conference held in Vilnius, Lithuania. The event brought together policymakers, urban planners, academics, and mobility experts from across Europe to discuss the future of sustainable urban transport.

Vilnius, which held the title of European Green Capital 2025, served as host for the event. The city had made significant strides in adopting micromobility solutions, particularly through investments in bicycle infrastructure. Recognising the need for sustainable urban transport, Vilnius expanded its network of dedicated cycling lanes, integrated bike-sharing services, and improved connectivity between residential areas and key destinations. EU funding and green transport initiatives supported these developments, while public awareness campaigns encouraged cycling as a viable daily commuting option. The municipality also introduced safer road designs and traffic-calming measures, fostering a more bike-friendly environment. These efforts reflected Vilnius's commitment to reducing car dependency and lowering emissions.

One of the presentations focused on the city of Leuven, Belgium, which had successfully reimagined its urban mobility approach through inclusive planning and strategic investments in active transport infrastructure. This proved particularly relevant in discussions on the role of urban nodes in the Trans-European Transport Network (TEN-T). As highlighted during the conference, being designated as an urban node not only brought access to EU funding and technical support but also entailed clear obligations, particularly in reducing transport-related emissions and improving connectivity for both people and goods.

The European Commission also presented updates on its evolving Urban Mobility Framework and Urban Agenda, aimed at providing a more coherent and sustainable vision for transport within cities. In this context, Malta's warm climate and compact geography were identified as particularly well-suited for the adoption of micromobility solutions such as e-scooters and bicycles. However, the success of micromobility depended heavily on the prior implementation of traffic-calming measures and the development of safe, dedicated infrastructure.

The Urban Mobility Days 2025 conference provided a valuable platform for Malta to engage with forward-looking mobility strategies and explore how these could be adapted to the island's specific context to improve both sustainability and quality of life

### **THE OMBUDSMAN AND COMMISSIONER FOR HEALTH MET ELDERLY RESIDENTS IN TARXIEN**

**October 31, 2025**



The Parliamentary Ombudsman, Judge Joseph Zammit McKeon, and the Commissioner for Health, Prof. Raymond Galea, addressed a group of elderly residents during an information session organised by the Tarxien Local Council as part of its Anzjanità Attiva (Active Ageing) initiative.

During the session, the Ombudsman outlined the role and functions of the Office of the Ombudsman, explaining how its services could assist elderly persons when they faced issues with public administration. He stressed the importance of such outreach initiatives in raising awareness of persons' rights and ensuring that the public knew how to seek redress in cases of maladministration.

Prof. Galea focused on health-related concerns affecting older persons, describing how his Office investigates complaints about the public healthcare system and advocates for improvements where shortcomings are identified. He discussed common difficulties elderly persons may experience when accessing medical care and explained how the Commissioner for Health could help resolve such matters.

The session was interactive, with attendees sharing their experiences and questions directly with the Ombudsman and the Commissioner. This exchange highlighted the Office's commitment to accessibility, transparency, and direct dialogue with the public.

Concluding the meeting, Judge Zammit McKeon thanked the Tarxien Local Council for its collaboration and for once again inviting the Office to participate in the initiative. He expressed his appreciation for opportunities that allowed persons to engage directly with the Office, and noted that "*such meetings give people the space to ask, learn and be heard.*"

## **THE OMBUDSMAN DISCUSSED THE IMPACT OF HIS OFFICE ON XTRA**

**November 03, 2025**



The Parliamentary Ombudsman, Judge Joseph Zammit McKeon, was interviewed by Saviour Balzan on Xtra, broadcast on TVM, Malta's national television station.

During the discussion, the Ombudsman explained the procedures followed once a complaint is received and how investigations are carried out within his Office. He noted that many issues were resolved during the course of investigations, particularly in straightforward cases such as delays or lack of communication from public authorities. When a matter warranted a full investigation, this was conducted meticulously, and recommendations were issued where injustice or maladministration was identified.

The Ombudsman remarked that, in the majority of cases, his recommendations were implemented by the public administration, reflecting a generally constructive relationship between the Office and government entities. However, there remained instances where recommendations were not implemented.

He explained that when this occurred, the Ombudsman was empowered to refer such cases to Parliament for consideration. By the end of September 2025, a total of 15 reports had been tabled in Parliament under this procedure.

The Ombudsman also referred to his proposal for the establishment of an ad hoc Parliamentary Committee dedicated to discussing the Ombudsman's reports and non-implemented recommendations, as a means to strengthen institutional accountability and oversight.

He further underlined that the Office of the Ombudsman served as an alternative means of access to justice, capable of assessing not only the legality of administrative actions but also their fairness and proportionality, ensuring that complainants received redress where decisions, though lawful, still resulted in injustice.

## **THE OMBUDSMAN DELIVERED A LECTURE ON THE RULE OF LAW TO MA STUDENTS AT THE UNIVERSITY OF MALTA**

**November 11, 2025**



The Parliamentary Ombudsman, Judge Joseph Zammit McKeon, delivered a lecture on the Rule of Law to students following the study unit Good Governance and Leadership as part of the MA in Ombudsman Law and Governance at the University of Malta.

The session was held on the invitation of Prof. Anne Marie Thake, Associate Professor at the Department of Policy, Politics and Governance within the Faculty of Economics, Management and Accountancy.

The MA in Ombudsman Law and Governance was a joint initiative between the Office of the Ombudsman, the Department of Policy, Politics and Governance within the Faculty of Economics, Management and Accountancy (FEMA), and the Faculty of Laws. Students from the M.Sc. in Public Policy and Strategic Management and the M.A. in Public Policy Leadership also attended, together with academics Prof. Mario Thomas Vassallo and Dr George Vital Zammit.

In his lecture, the Ombudsman explored the concept of the rule of law as the cornerstone of a fair and democratic society. He described it as the principle that ensures all persons and authorities are bound by and benefit from laws that are public, clear, and applied without discrimination. Drawing on the writings of Lord Tom Bingham, he emphasised that the rule of law is not a slogan but a living principle that safeguards justice, equality, and good governance.

Judge Zammit McKeon highlighted the core principles underpinning the rule of law, including legal clarity, equality before the law, proper use of power, accountability, access to justice, and the protection of fundamental rights and freedoms. He stressed that the rule of law requires laws to be applied fairly and consistently, and that the exercise of public power must always be grounded in law rather than discretion.

He also reflected on the importance of the separation of powers, the role of oversight bodies, and the contribution of the Ombudsman in ensuring that public administration remains transparent, accountable, and respectful of citizens' rights.

The lecture concluded with an open discussion, during which students engaged with the Ombudsman on questions related to governance, fairness, and the challenges of maintaining the rule of law in public administration.

## **HOUSE BUSINESS COMMITTEE RECOMMENDED APPROVAL OF OMBUDSPLAN 2026**

**November 11, 2025**

The House Business Committee, presided over by the Speaker of the House, the Hon. Anglu Farrugia, met in a dedicated session to discuss the Ombudsplan 2026.

The Parliamentary Ombudsman, Judge Joseph Zammit McKeon, opened the meeting with an overview of the Office's performance. He reported that up to 31 October 2025, the Office had received 533 complaints and assisted 694 persons.

A total of 472 investigations were concluded, and in 160 cases (34%) the Ombudsman found that the complainant had suffered an injustice. Of these, 142 cases (89%) were resolved through the implementation of recommendations, informal action, or during the investigation itself. The Ombudsman stated that these figures underlined that the Office remained an effective and accessible avenue for justice.

The Ombudsman highlighted the need for consistent outreach. He stressed that the Office had to continue engaging directly with people to understand their concerns and provide practical solutions. He also emphasised the importance of maintaining close dialogue with public bodies to identify weaknesses, failures, and poor practices requiring corrective action. He recalled that the Ombudsman's function, as established by the Ombudsman Act, allows the Office to assess not only legality but also fairness and reasonableness in administrative decisions.

He referred to non-implemented recommendations as missed opportunities for the public administration to improve its services. The Ombudsman reiterated that where necessary, he and the Commissioners would continue to drive change in policy and practice whenever justified in the public interest.

The Ombudsman also outlined several measures that remained unfulfilled, including the proposal for an ad hoc parliamentary committee to examine and give direction on Final Opinions that were not implemented and submitted to Parliament. Up to 31 October 2025, the Office of the Ombudsman had sent 17 Final Opinions containing non-implemented recommendations to Parliament.

He reiterated the need to strengthen the right to good administration, including rights related to fair treatment, timely decisions, access to files, and the duty of public bodies to provide reasons for their decisions.

He also drew attention to the fact that although Malta had ratified Protocol No. 12 of the European Convention on Human Rights, it had not yet been incorporated into domestic law. In addition, he encouraged consideration of suspending prescription periods for actions against the public service and public administration while Ombudsman investigations were ongoing, in order to facilitate better access to justice.

Judge Zammit McKeon reiterated his call for the establishment of a National Human Rights Institution within the framework of the Office of the Ombudsman, referring to the experience of several European countries. He also referred to the United Nations General Assembly Resolution of 17 December 2024 recognising the important role of Ombudsman institutions in promoting human rights, good governance, and the rule of law.

He concluded by stating that a credible democracy should reinforce the Ombudsman's mandate and operational capacity through adequate funding, and that the Ombudsplan 2026 warranted the approval of the House.

During the discussion, the Deputy Prime Minister and Minister for Foreign Affairs and Tourism, the Hon. Ian Borg, thanked the Ombudsman, Commissioners, and staff, noting the Office's visibility and its value in helping the public understand their avenues for redress. The Opposition Whip, the Hon. Robert Cutajar, also expressed the Opposition's appreciation for the work carried out by the institution.

At the conclusion of the sitting, the House Business Committee recommended the approval of the budget allocation for the Office of the Ombudsman by the Plenary Session.

### **OMBUDSMAN ATTENDED PDGN GLOBAL CHAMPION AWARD CEREMONY IN MALTA**

**November 17, 2025**



The Parliamentary Ombudsman, Judge Joseph Zammit McKeon, attended the Parliamentary Diabetes Global Network (PDGN) Global Champion Award Ceremony held in Malta on the occasion of the PDGN Global Parliamentary Forum. The event was held on Saturday 15 November 2025 at the Malta Chamber in Valletta.

The 2025 PDGN Global Champion Award was presented to the Rt Hon. Baroness Theresa May of Maidenhead, former Prime Minister of the United Kingdom, in recognition of her longstanding commitment to raising awareness and advancing policies on diabetes care and prevention. The award was conferred by H.E. Dr Helena Dalli, Acting President of Malta.

The event was organised in collaboration with the Malta Diabetes Association and the Ministry for Health and Active Ageing. It formed part of the Global Parliamentary Advocacy Forum, one of the leading international platforms bringing together parliamentarians, policymakers, healthcare leaders, and experts to strengthen legislative frameworks for better diabetes prevention, diagnosis, and treatment worldwide.

PDGN is the world's first global network of parliamentarians dedicated to promoting diabetes prevention, early diagnosis, and equitable access to care. Through its initiatives, the network seeks to empower legislators to become advocates for improved diabetes outcomes and stronger public health policies across all nations.

### **THE OMBUDSMAN PARTICIPATED IN ENNHRI GENERAL ASSEMBLY IN BRUSSELS**

**November 19, 2025**



The Parliamentary Ombudsman, Judge Joseph Zammit McKeon, participated in the 2025 General Assembly of the European Network of National Human Rights Institutions (ENNHRI) held in Brussels. The Assembly brought together members from across Europe to approve the ENNHRI Strategic Plan 2026–2030 and adopt the accompanying Operational Plan and Budget for 2026. It also served as a platform to assess progress made since the previous meeting in March 2025 and to coordinate efforts aimed at advancing human rights, democracy, and the rule of law across Europe.

ENNHRI's Strategic Plan for 2026–2030 was built around three interconnected outcomes. These recognised that strong and resilient National Human Rights Institutions (NHRIs) are best placed to promote and protect human rights, democracy, and the rule of law. The more effectively NHRIs fulfil their mandates, the greater the legitimacy and public trust they generate, contributing in turn to

a stronger network. A cohesive and well-resourced ENNHRI network reinforces individual members through solidarity, tools, and a shared voice.

The first outcome focused on supporting the establishment and development of NHRIs compliant with the UN Paris Principles. This included providing accreditation support, strengthening resilience in the face of future challenges, and delivering tailored assistance to NHRIs facing political or institutional pressure.

The second outcome aimed to increase awareness and implementation of human rights. ENNHRI committed itself to strengthening the ability of members to address key human rights challenges, support participation in regional and international mechanisms, and promote enabling environments for civil society and human rights defenders.

The third outcome focused on ENNHRI's own development. It set out objectives to strengthen cooperation within and beyond the network, reinforce internal governance structures, and ensure financial and operational sustainability.

The General Assembly also reviewed ENNHRI's 2025 Progress Report, which highlighted several developments and achievements. These included the accession of Monaco and Iceland as associate members, as well as targeted support provided to institutions in Finland, Sweden, Ukraine, and Bulgaria. The report also noted ENNHRI's continued support for NHRIs operating under pressure, particularly in Moldova, Montenegro, and Scotland. During the year, ENNHRI actively contributed to European policy discussions, including the European Union's Civil Society Strategy and the European Commission's Rule of Law reporting process.

Through its working groups, ENNHRI addressed emerging thematic challenges including artificial intelligence, business and human rights, migration and asylum, climate change, and the rights of older persons and persons with disabilities. Members were encouraged to participate actively in these working groups and engage in shared learning across jurisdictions.

To strengthen internal governance and transparency, ENNHRI introduced a procedure allowing the Board to periodically review the progress of non-voting and associate members toward full compliance with the Paris Principles. Member institutions would be required to submit regular updates on actions taken, national developments, challenges encountered, and areas where support may be required. The Office of the Ombudsman in Malta, which became an Associate Member of ENNHRI in January 2024, was among the institutions working toward full compliance. In November 2024, the Office formally presented a draft bill to Government proposing an expanded mandate to include the promotion and protection of fundamental rights. This initiative formed part of the Office's proactive efforts to align its mandate with the Paris Principles and facilitate a future application for A-status accreditation.

## THE OMBUDSMAN PARTICIPATED IN ENNHRI PARTNERSHIP EVENT ON STRATEGIC RESPONSES TO HUMAN RIGHTS CHALLENGES

November 20, 2025



The Parliamentary Ombudsman, Judge Joseph Zammit McKeon, participated in a high-level partnership event organised by the European Network of National Human Rights Institutions (ENNHRI) as part of its 2025 General Assembly in Brussels. The event, titled Strategic Partnerships for ENNHRI's New Strategic Chapter, brought together National Human Rights Institutions (NHRIs), European institutions, and civil society actors to examine shared priorities and strengthen cooperation in response to the growing challenges facing human rights, democracy, and the rule of law.

The event took place against a backdrop of increasing global instability. Rising inequality, social polarisation, and authoritarian tendencies have contributed to the erosion of trust in democratic institutions. Restrictions on civil society and human rights defenders had become more pronounced, with states introducing measures that weaken democratic safeguards. These developments have been further intensified by the climate crisis, the war in Ukraine, and the rapid evolution of emerging technologies.

In response to these challenges, ENNHRI used 2025 as a period of reflection and strategic planning, engaging its members in shaping the organisation's Strategic Plan 2026–2030. The partnership event formed part of this process and aimed to reinforce ENNHRI's role within the European human rights framework.

The event had a dual purpose. It provided a platform to exchange views on strategic priorities for the protection of human rights and explored how partnerships between institutions could be strengthened to respond more effectively to current

and future challenges. Discussions focused on cooperation between NHRIs, the European Union, and other regional actors in safeguarding human rights frameworks across Europe.

A keynote address was delivered by the Council of Europe Commissioner for Human Rights, Mr Michael O’Flaherty. In his intervention, he stressed that strong human rights protections continued to enjoy broad support across European societies. At the same time, he warned that growing perceptions of exclusion and disadvantage were increasingly being exploited through disinformation and divisive political narratives, developments that required constructive and coordinated responses.

The event reaffirmed ENNHRI’s commitment to strengthening cooperation between NHRIs and regional institutions. It also highlighted the importance of practical engagement, mutual support, and shared responsibility in safeguarding fundamental rights during a period marked by increasing institutional and democratic pressures.

### **THE PARLIAMENTARY OMBUDSMAN PARTICIPATED IN THE EUROPEAN NETWORK OF OMBUDSMEN MEETING IN BRUSSELS**

**November 24, 2025**



The Parliamentary Ombudsman, Judge Joseph Zammit McKeon, participated in the 2025 meeting of the European Network of Ombudsmen (ENO) held in Brussels under the theme “Upholding a Rights-Based Europe.” The conference brought together national and regional ombudsmen, representatives of EU institutions, and subject experts to discuss current challenges affecting citizens’ rights and the evolving role of oversight institutions across Europe.

In her keynote address, the European Ombudswoman, Ms Teresa Anjinho, reflected on the scale of challenges facing Europe, including geopolitical instability, social inequalities, climate impacts, and growing pressures on democratic institutions. She underlined that ombudsman institutions are often at the centre of these issues because they addressed complaints connected to housing, healthcare, education, discrimination, and administrative fairness. She stressed that ENO remained an essential platform for cooperation and for ensuring that citizens' rights under EU law are effectively protected across all Member States.

Ms Anjinho also emphasised the need for ENO to continue evolving in order to remain effective. She explained that, after almost three decades, the network was considering a renewed strategic direction focused on strengthening cooperation, improving the use of joint tools such as parallel inquiries, and reinforcing the community of practice among ombudsman institutions. She encouraged members to continue safeguarding independence, accountability, and fairness in public administration.

The conference programme focused on the protection of EU citizens' rights, the enforcement of EU law, and the responsibilities of oversight institutions in a rapidly changing environment. Discussions were held across eight specialised workshops addressing different aspects of rights protection and administrative oversight.

Judge Zammit McKeon moderated the workshop dedicated to environmental complaints and also participated in the workshop examining how to prevent fragmentation in the protection of citizens' rights across the European Union.

The workshop on environmental complaints brought together ombudsman institutions and experts from the European Commission to examine how oversight bodies can respond more effectively to environmental grievances across Europe. Dr Dijana Možina Zupanc, Deputy Ombudsman of Slovenia, served as rapporteur, while technical contributions were provided by Mr Stephanos Ampatzis from DG Environment and Ms Lucile Le Breton from DG Justice.

Participants discussed how environmental complaints remain central to the enforcement of EU environmental obligations, particularly in light of the Union's climate and biodiversity targets. Experiences shared during the workshop included cases involving environmental impact assessments, unauthorised development in protected areas, limited access to environmental information, air and noise pollution, and failures to properly implement EU environmental directives.

The discussion highlighted several recurring challenges across jurisdictions, including inadequate access to information, environmental assessments lacking depth, outdated industrial facilities failing to meet modern standards, delays in inspections, and weak coordination between authorities. Participants also noted

that environmental problems frequently extend beyond national borders, making cross-border cooperation between ombudsman institutions increasingly important.

Particular attention was given to the relationship between environmental protection and human rights. Participants recognised that a clean and healthy environment is increasingly understood as essential for health, dignity, and safety. Reference was made to recent international court judgments confirming that insufficient state action on environmental matters may amount to breaches of human rights obligations. This development further reinforced the role of ombudsman institutions in safeguarding both environmental rights and good governance.

The workshop also addressed concerns regarding greenwashing and misleading environmental claims by companies, as well as inconsistencies in enforcement practices. The European Commission's *Vademecum on Environmental Complaints*, developed with the contribution of ENO, was identified as a valuable resource for oversight bodies dealing with environmental matters.

Discussions throughout the workshop stressed the importance of stronger cooperation between ombudsman institutions. Participants agreed that coordinated or parallel inquiries can help identify systemic issues, strengthen the visibility of findings, and increase the impact of recommendations. It was also recognised that environmental recommendations often require long-term follow-up and sustained monitoring.

The conclusions of the workshop were presented during the closing session of the ENO conference by Dr Dijana Možina Zupanc and were scheduled for further follow-up during the next ENO meeting to be held in Malaga in January 2026.

Other workshops during the conference addressed practical barriers to intra-EU mobility, oversight of EU law compliance, institutional independence, the supervision of semi-public entities, migration and asylum complaints, regulatory simplification, and the prevention of fragmentation in the protection of citizens' rights.

Established in 1996, the European Network of Ombudsmen links the European Ombudsman with national and regional ombudsman institutions and the European Parliament's Committee on Petitions. It continued to serve as an important platform for coordinated action aimed at protecting citizens' rights under European Union law.

Judge Zammit McKeon attended the meeting accompanied by Mr Paul Borg, Director General, and Mr Jurgen Cassar, Head of Communications and Research.

## **THE PARLIAMENTARY OMBUDSMAN PARTICIPATED IN ELSA PANEL ON JUSTICE IN THE AGE OF CLIMATE CHANGE CRISIS**

**November 27, 2025**

The Parliamentary Ombudsman, Judge Joseph Zammit McKeon, participated as a panellist in a public event organised by the European Law Students' Association Malta to mark ELSA Day. The discussion, titled Justice in the Age of a Climate Crisis, was held on 26 November at the National Library of Malta.

The event focused on the relationship between climate justice and human rights, examining how legal systems and institutions respond to the growing challenges posed by the climate crisis. Speakers discussed whether existing international frameworks adequately reflected principles of fairness and responsibility, particularly in the context of geopolitical shifts and the uneven global impact of climate change.

The panel brought together Judge Joseph Zammit McKeon, the Hon. Dr Darren Carabott, Shadow Minister for Home Affairs and Security, Dr Jose Herrera, former Minister, and Prof. Michael Briguglio, Associate Professor within the Department of Sociology at the University of Malta. The discussion addressed the role of human rights in shaping climate responses, the impact of overdevelopment on Malta's environmental vulnerability, and the importance of local governance and community-led action in advancing meaningful climate solutions.

During the question-and-answer session with law students in attendance, the Ombudsman put forward several key arguments.

He proposed that Chapter II of the Constitution of Malta, namely the Declaration of Principles, should be amended to include a specific provision expressly protecting the environment and addressing the risks posed by climate change. He argued that introducing a direct reference to climate protection within Article 9(2) would represent a clear constitutional commitment to environmental responsibility.

The Ombudsman also referred to Article 21 of the Constitution, which states that although the provisions of the Declaration of Principles are not enforceable before the courts, they remain fundamental to the governance of the country and must guide the State when enacting legislation.

On a broader international level, he stressed that climate change cannot be regarded solely as an environmental issue. He described it as fundamentally a matter of justice and universal human rights, including the rights to life, health, water, adequate housing, and food.

He further observed that, unlike many forms of environmental harm, climate change is borderless in nature and affects all communities irrespective of geography.

Judge Zammit McKeon also referred to existing international legal frameworks addressing climate change, particularly within the European Union. He noted that regulations and directives already provided Member States with mechanisms aimed at promoting clean, healthy, and sustainable development, together with systems intended to ensure effective implementation at national level.

In this context, he referred to the three landmark climate judgments delivered by the Grand Chamber of the European Court of Human Rights in *KlimaSeniorinnen v Switzerland*, *Carême v France*, and *Duarte Agostinho and Others v Portugal and Others*.

The Ombudsman also highlighted the Advisory Opinion issued on 23 July 2025 by the International Court of Justice concerning the legal obligations of states in relation to climate change. He noted that the Court acknowledged, on the basis of scientific evidence and factual findings, that climate change constitutes an urgent and existential threat to humanity.

The event also included addresses by Ms Sereena Azzopardi Muscat, Vice President for Academic Activities, while organisational contributions were coordinated by Ms Megan Ekezie, Director for Academic Activities, Ms Andrea De Marco, Vice President for Seminars and Conferences, and Mr Gianni Farrugia, Director for Seminars and Conferences.

ELSA Malta forms part of the wider ELSA International network, which brings together more than 50,000 law students across Europe. Recognised by the Senate of the University of Malta, ELSA Malta represents law students at the University and organises academic, professional, and public engagement initiatives aimed at promoting legal education and encouraging debate on contemporary legal issues.

### **THE PARLIAMENTARY OMBUDSMAN DELIVERED KEYNOTE ADDRESS AT WORLD SERVICES GROUP EUROPEAN MEETING IN MALTA**

**November 28, 2025**



The Parliamentary Ombudsman, Judge Joseph Zammit McKeon, delivered a keynote address during a European meeting of the World Services Group organised by MAMO TCV. The meeting formed part of a closed professional forum bringing together senior legal practitioners to discuss current legal, regulatory, and governance developments affecting Europe.

The theme of the Ombudsman's keynote address was "The Ombudsman: Another Access to Justice." During his intervention, Judge Zammit McKeon underlined that the Constitution remains the primary democratic benchmark safeguarding the rule of law and fundamental rights. He stressed that access to justice must be as broad and effective as possible, noting that meaningful justice forms an essential component of good governance.

Drawing on his experience as a former judge of the Superior Courts and as a litigation lawyer, the Ombudsman explained that access to justice should not be understood solely as recourse to courts or tribunals. He referred to the Ombudsman Act 1995 as establishing an important investigative mechanism capable of resolving grievances arising from acts or omissions of the public administration without necessarily resorting to litigation.

The Ombudsman described the Office as offering free and accessible redress, enabling persons to hold public authorities accountable without the financial cost and procedural delays often associated with court proceedings.

Judge Zammit McKeon also stressed that the Ombudsman does not compete with the judiciary. He explained that the Office operates within a distinct framework, assessing not only legality but also fairness, reasonableness, and justice. He referred to the broad margin of appreciation granted under the law, which enables the Ombudsman to intervene in situations where decisions, although technically lawful, may still be wrong or unjust in their effect.

The Ombudsman further explained that the Office issues recommendations grounded in strong moral authority rather than executive enforcement powers. This approach allows the institution to identify structural weaknesses within public administration and promote reforms in the public interest. He also noted the explanatory role of the Office in clarifying to complainants the reasoning adopted by public authorities, thereby contributing to transparency and public understanding.

Concluding his address, Judge Zammit McKeon referred to the Ombudsman's role in defending persons whose complaints are upheld and, where necessary, drawing the attention of the Prime Minister and Parliament to persistent failures by public authorities. He also referred to the relevance of European Union law, noting that serious breaches may be brought to the attention of the European Commission, thereby reinforcing accountability at both national and European levels.

The event was held at the offices of MAMO TCV in Valletta as part of the World Services Group's ongoing cycle of European meetings.

World Services Group is an international network of independent professional service firms founded in 2002. It connects more than 120 firms across over 150 jurisdictions, bringing together legal, accounting, and investment banking professionals to facilitate cross-border cooperation, knowledge sharing, and collaboration on complex international matters.

### **STUDENTS FROM STELLA MARIS COLLEGE SENIOR SCHOOL VISITED THE OFFICE OF THE OMBUDSMAN**

**November 28, 2025**



As part of the Ombudsman's school talks initiative launched in 2024, students forming part of the Student Council and Student Committee of Stella Maris College Senior School, accompanied by their teachers, visited the Office of the Ombudsman for an interactive educational session.

During the visit, the Commissioner for Education, Chief Justice Emeritus Vincent De Gaetano, delivered a presentation focusing on good governance, the rule of law, and the right to good administration. He explained the work of the Ombudsman and how complaints of maladministration were investigated. Particular emphasis was placed on the principle that legality alone is not sufficient, since administrative decisions must also meet standards of fairness, transparency, and ethical conduct.

The Commissioner outlined the core elements of the rule of law, including accountability, the existence of just and clear laws, openness in government, and access to impartial justice. He also discussed the concept of good administration and the obligation of public authorities to give reasons for their decisions and act in the best interests of citizens.

Students were encouraged to ask questions and participate in discussions on how persons may challenge unfair administrative action. The visit concluded with a mock complaint exercise, allowing students to apply what they had learned to practical scenarios and identify instances of maladministration and possible remedies.

The school talks initiative formed part of the Office of the Ombudsman's ongoing outreach programme involving both state and church secondary schools, aimed at raising awareness among young people about their rights and the importance of accountability and good governance.

### **THE PARLIAMENTARY OMBUDSMAN ADDRESSED A HIGH-LEVEL CONFERENCE COMMEMORATING THE 25TH ANNIVERSARY OF THE OMBUDSMAN INSTITUTION OF THE REPUBLIC OF KOSOVO**

**December 02, 2025**



The Parliamentary Ombudsman, Judge Joseph Zammit McKeon, participated in the commemoration of the 25th anniversary of the establishment of the Ombudsman Institution of the Republic of Kosovo. He attended both in his national capacity and as Vice President of the International Ombudsman Institute European Region Board.

The anniversary was marked by a high-level international conference entitled “The future of human rights amid global transformation. National challenges and international obligations”. The conference brought together ombudsman institutions, national human rights institutions and international networks to reflect on emerging global pressures and the need to safeguard fundamental rights within rapidly changing political, social and technological contexts.

Opening the conference, the Ombudsman of Kosovo, Naim Qelaj, recalled the difficult path Kosovo had travelled and underlined the importance of continued international solidarity among ombudsman institutions. He stressed that human rights protection remained a constant challenge and that the role of independent oversight institutions must be taken seriously. Human rights, he said, should not only be defended but placed at the centre of policy making.

The Speaker of the Assembly of the Republic of Kosovo, Glauk Konjufca, described ombudsman institutions as an essential barrier against human rights violations, particularly at times of rapid change. He emphasised that democracy must be understood as an institutional architecture designed to protect minorities and fundamental freedoms.

The President of the Constitutional Court of Kosovo, Nexhmi Rexhepi, warned that human rights are not self-sustaining and remain alive only through institutions mandated to defend them. He underlined that respect for human rights is a prerequisite for democracy and that institutional independence is not a privilege but a responsibility towards citizens.

In a video address, the Director of European Union Agency for Fundamental Rights, Sirpa Rautio, stressed that democracy is built on respect for the rule of law and human rights. She highlighted the importance of strong, independent and properly resourced national human rights institutions and recalled that international networks ensure that no institution stands alone.

Judge Joseph Zammit McKeon addressed the conference during the first plenary session entitled “Shifting priorities. Human rights in a changing world. Perspectives from human rights networks”. In his intervention, he noted that the post-war human rights framework was being increasingly challenged through force, political expediency and indifference. He emphasised that international networks of ombudsman and human rights institutions played a critical role in defending those rendered vulnerable by conflict, displacement and injustice.

He highlighted that ombudsman and human rights institutions must combine complaint handling with a wider responsibility to scrutinise government conduct and promote systemic administrative change. Oversight institutions, he said, share a common commitment to the rule of law and good governance and must take up challenges wherever fundamental freedoms are placed at risk.

Turning to specific pressures, the Ombudsman referred to forced migration as a defining human rights challenge, stressed that safeguarding the dignity of migrants and refugees must prevail over purely managerial approaches to borders. He underlined the importance of close scrutiny of the new EU Pact on Migration and Asylum, particularly as implementation and compliance became the key focus.

He also addressed the human rights implications of armed conflict and humanitarian crises, stating that respect for humanitarian law and civilian protection were non-negotiable. Ombudsman institutions, while unable to stop wars, must contribute to the international call for accountability, peace and human dignity.

On climate change, Judge Zammit McKeon noted that environmental action risks being sidelined by geopolitical and economic priorities, despite clear evidence of its impact on human rights. He referred to the three judgments of the European Court of Human Rights delivered on 9 April 2024 regarding the impact of climate change and the rights protected by Article 8 of the European Convention. He also referred to the 2025 Advisory Opinion of the International Court of Justice, which affirmed that states have obligations to protect the environment and recognised the right to a clean, healthy and sustainable environment as essential to the enjoyment of other human rights.

He also highlighted the growing importance of digital rights, including privacy, data protection and algorithmic fairness. Ombudsman institutions, he said, must adapt traditional human rights principles to the digital sphere and ensured that technological innovation enhanced, rather than eroded, due process and equality.

In concluding, Judge Zammit McKeon recalled the principles of the Pristina Declaration adopted in 2023 by the Association of Mediterranean Ombudsmen, which remained highly relevant. These principles called for strong legal foundations, institutional independence, adequate funding, merit-based appointments and full adherence to the Paris and Venice Principles, alongside enhanced regional and international cooperation.

The plenary session was moderated by Majlinda Lulaj and also addressed by the People's Advocate of Albania and President of the Association of Mediterranean Ombudsmen, Erinda Ballanca, Simona Drenik Bavdek, Board Member of European Network of National Human Rights Institutions and Deputy Ombudsman of Slovenia, and Patrick Charlier, Chair of the European Network of Equality Bodies.

The conference continued with a second plenary session on national responses to global challenges, focussed on best practices in translating international human rights obligations into concrete policies and institutional action. This session was moderated by Anita Çavdarbasha Korenica.

The anniversary conference highlighted the continued relevance of the Ombudsman Institution of Kosovo over the past twenty-five years and reaffirmed the shared responsibility of oversight institutions to protect human rights, strengthen democracy and uphold the rule of law in times of global transformation.

### **THE OFFICE OF THE OMBUDSMAN PARTICIPATED IN AN OSCE OFFICE FOR DEMOCRATIC INSTITUTIONS AND HUMAN RIGHTS CONFERENCE ON THE PROTECTION OF HUMAN RIGHTS DEFENDERS IN MALTA**

**December 16, 2025**

The Office of the Ombudsman participated in a high-level conference organised by the OSCE Office for Democratic Institutions and Human Rights to discuss the situation of human rights defenders in Malta. The event, held on 11 December 2025, formed part of ODIHR's follow-up process to its June 2025 assessment report on Malta and brought together representatives of public authorities, independent institutions, civil society organisations and international experts.

ODIHR's assessment highlighted both progress and persistent challenges in the protection of human rights defenders, journalists and civil society actors. The purpose of the conference was to deepen dialogue, examine the implications of the report's findings, and discuss how recommendations could be implemented in an inclusive, gender-sensitive and sustainable manner. Participants also explored opportunities for further cooperation between Maltese institutions and OSCE bodies.

The Office of the Ombudsman was represented by Dr Brian Said, Head of Investigations, who addressed the opening session. He noted that Malta remained one of the few EU Member States without a National Human Rights Institution (NHRI) in line with the UN Paris Principles, describing this as a structural gap that weakens national human rights protection. He underlined that ODIHR's 2025 report identified ongoing concerns, including political pressure, legal intimidation, and insufficient safeguards for those who work to defend rights. These concerns, he said, required timely institutional reforms and genuine engagement with civil society.

Dr Said referred to the Ombudsman's proposal for a new Ombudsman Act published in November 2024, which set out a roadmap for the establishment of the Ombudsman as Malta's NHRI. He explained that this model reflected three principal strengths. The Ombudsman already enjoyed constitutional independence and high public trust, the Office's investigative functions provided an efficient mechanism to address human rights issues without duplicating structures, and its accessibility ensured that human rights protection was available to all. Strengthening the Ombudsman's mandate, he noted, would directly address several gaps identified by ODIHR and contribute to a safer environment for human rights defenders.

He also highlighted that although Malta ratified Protocol No. 12 of the European Convention on Human Rights in 2015, it had not yet been incorporated into domestic law. As a result, courts could not apply its provisions on non-discrimination. Dr Said noted that an NHRI with a strengthened mandate would be well placed to support legislative reform and ensured that equality forms an integral part of national human rights protection.

The conference featured exchanges between representatives of public bodies, independent institutions and civil society. Discussions addressed the pressures faced by human rights defenders, the need for clearer institutional safeguards, and the importance of promoting an enabling environment for civic participation. Participants also considered opportunities for further collaboration with ODIHR and other OSCE structures on implementing the report's recommendations.

ODIHR emphasised that effective protection of human rights defenders required strong independent institutions supported by adequate resources, transparent processes and constructive engagement between all stakeholders. The organisation reaffirmed its commitment to supporting Malta in strengthening national frameworks in line with international standards.

## **THE PARLIAMENTARY OMBUDSMAN VISITED IDENTITÀ**

**December 17, 2025**





The Parliamentary Ombudsman, Judge Joseph Zammit McKeon, visited Identità following an invitation from the Agency's Chief Executive Officer, Edric Zahra. The visit focused on observing the agency's daily operations and gaining a closer understanding of how its services were delivered to the public.

Identità is Malta's national agency for identity management and migration processes. Established in 2013 under Subsidiary Legislation 595.07 and operating under the Public Administration Act, it provided essential services related to identity documentation and civil status through secure and efficient systems.

The visit opened with a presentation by the CEO, who outlined the main services provided by the agency. These included the issuance of e-ID cards, passports, residence permits and visas, as well as the registration and issuing of acts of civil status. The agency also managed the Public Registry and the Searches Unit, which handle the registration, preservation, and retrieval of public deeds and Acts of Civil Status, forming an important part of Malta's administrative and legal records.

The Ombudsman was briefed on the operational units responsible for delivering these services. These included the Identity Cards Unit, Passport Office, Public Registry, Searches Unit, Central Visa Unit and Expatriates Unit, each with a distinct role within the identity and migration system.

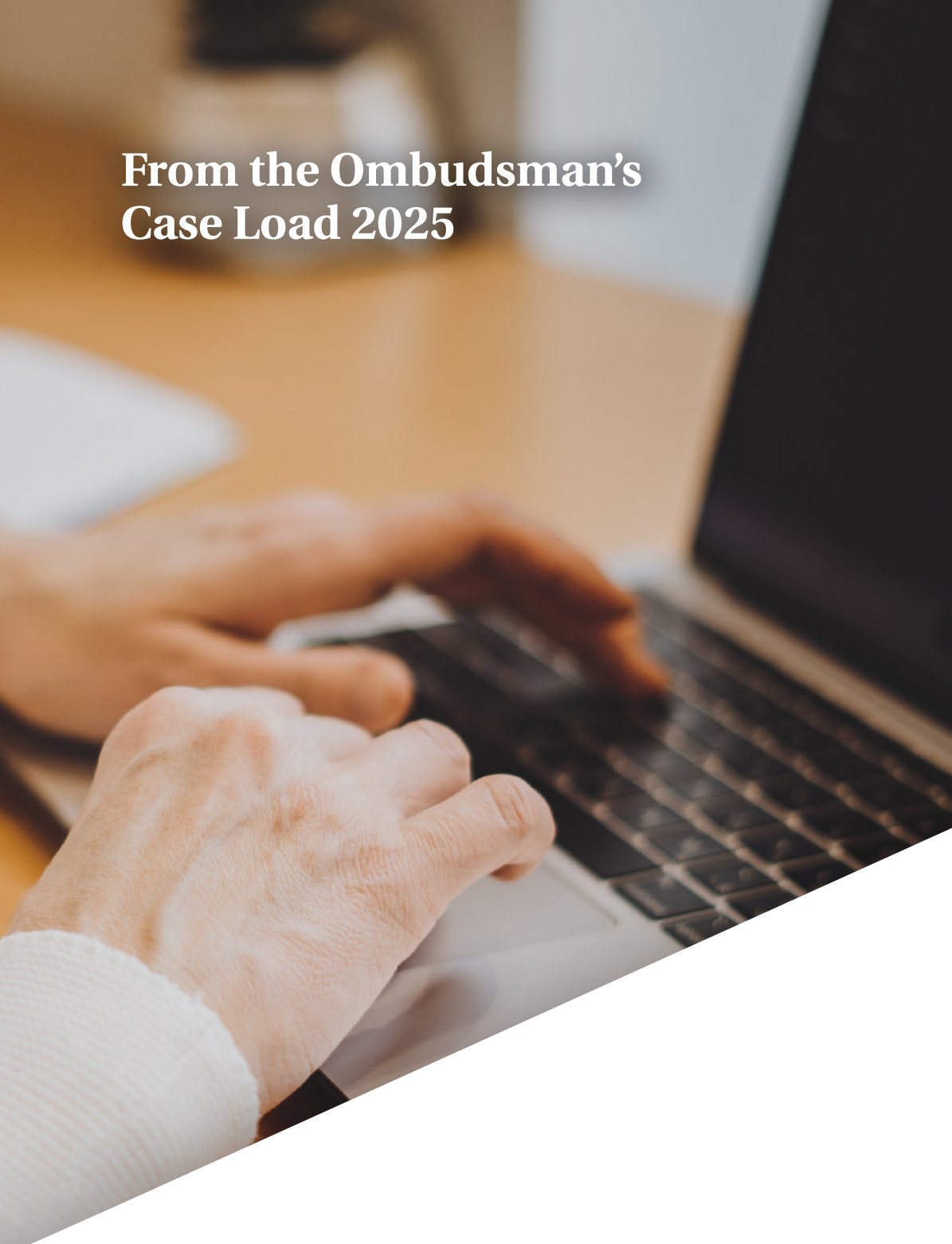
Judge Zammit McKeon thanked the CEO for the initiative. He noted that observing the daily workflow and the interaction between staff and the public provided important context for understanding how services operate in practice. He explained that the Office of the Ombudsman not only investigates complaints but also guides

persons who are unsure where to seek assistance. In many cases, this informal help resolved matters early, avoiding the need for a formal complaint. He reaffirmed that the purpose of the Ombudsman's work is to help public administration identify solutions that improve processes and ensure fair service to the public.

Following the meeting, the Ombudsman toured several sections at the agency's head office. He met employees during their normal workday and observed first-hand the procedures, volume of work and systems used across the agency.

The Office of the Ombudsman welcomed regular engagement with public entities to support a more transparent, effective and service-oriented public administration.

# From the Ombudsman's Case Load 2025



The Ombudsman Act, Chapter 385 of the Laws of Malta, grants the Ombudsman and the Commissioners extensive powers to investigate complaints of maladministration and to make recommendations for redress or administrative improvement. While these recommendations are not legally binding, they carry the authority of an independent constitutional institution and are expected to receive serious consideration from public authorities.

Where a public body fails to implement a recommendation, Section 22(4) of the Act empowers the Ombudsman to refer the matter to Parliament. This procedure is intended to bring unresolved cases to the attention of the House of Representatives and to strengthen accountability in the public administration. Experience has shown, however, that the mere tabling of final reports in Parliament has not always been sufficient to resolve the impasse created by non-implementation. The reports sent to Parliament in 2025 are set out in this chapter.

### **RECOMMENDATION NOT IMPLEMENTED: INVESTIGATION INTO THE NUMBER OF STABLES APPROVED BY THE PLANNING AUTHORITY**

**January 28, 2025**

#### **The complaint**

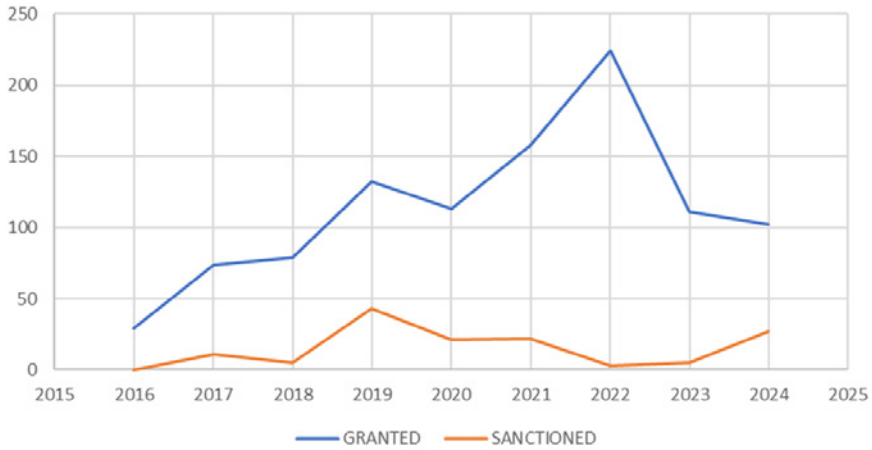
The Commissioner for Environment and Planning investigated the number of stables approved by the Planning Authority (PA) since its inception in 2016 after various articles appeared in the media alleging multiple stables for the same horse or even for horses that are deceased, including allegations about unofficial equine ownership transfers.

#### **The investigation**

The Commissioner perused all applications and permits issued until the end of August 2024 (the Final Opinion was issued on 23 September 2024) and found that in the eight years between 2016 and 2024, the PA approved a total of 1022 stables in 298 separate permits (average 3.4 stables per permit). 39 of these permits sanctioned 137 stables that were already constructed. There are a further 88 applications for 328 stables (including 16 applications to sanction 61 stables) awaiting a decision by the Planning Authority and 10 applications for 50 stables (including 1 application to sanction 5 stables) awaiting a decision by the Environment and Planning Review Tribunal (EPRT).

Almost all these permits approved the construction of new stables in the Outside Development Zone (ODZ). No permits for the change of use from stables to dwellings were traced.

With about 5200 equines registered with the Veterinary Regulation Directorate (VRD) since 2016, one would expect to receive such a high number of requests for the development of stables in the ODZ, particularly when the Rural Policy Design

**Figure 1: No. of granted (incl. sanctioned) stables**

Guidance 2014 (RPDG) establishes that new stables should be located away from the development zone.

Although the RPDG does not require the applicant to be a registered owner of equines, the PA has established a procedure whereby the applicant submits a list of equines that are registered in the applicant's name, with the number of equines generally corresponding to the number of stables being proposed. This procedure is in line with the Strategic Plan for Environment and Development (SPED), particularly Thematic Objective 1 that limits the take up of land within the rural area, Thematic Objective 1.10 that requires rural areas not to be exploited by uses which are not legitimate or necessary and Rural Objective 3 that guides development which is justified to be located in the rural area.

Initially the PA did not request the applicant to be a registered equine holder, and in actual fact there are about 60 permits that were issued in the early years without any reference to a list of equines and without any conditions related to the same list. In this respect, eventually the PA introduced the list of registered equines as a supporting document in each relevant permit and also introduced conditions in each permit that refer to the same list. These conditions are:

1. Proof from the VRD that equines listed or their replacement are still registered with VRD on site. If in the interim any of the registered equines are no longer registered on the site approved in this development permission, their replacement is to be communicated to the PA within one calendar year. If no such information is submitted, the approved stables or part thereof is to be dismantled, and the land made good at the applicant's expense.
2. Proof from the VRD that equines listed are still registered with VRD on the name of applicant.

3. Certification from a qualified veterinary surgeon reporting that the equines registered with VRD are still present on site.

These conditions were never challenged nor contested and have generally been accepted, so much so that some applicants even submit the list of equines at the initial stages of the application.

These conditions show that each stable permit is temporary in nature since the stables are only allowed to be retained subject to conditions relating to the life and ownership of the relative equine. However, these conditions were generally never followed neither by the applicants nor by the PA and no certification in line with these conditions has ever been submitted or eventually requested. Furthermore, once a permit expires one cannot even enforce such a condition that has thus also expired. Therefore, in line with the first condition, the relative development is no longer permitted since the same condition states that failure to provide the certification, the approved stables should be dismantled. Only in a handful of applications a declaration stating that the equines are in good health has been submitted by the applicant and in only one case did the PA ask the applicant to change this declaration in line with the conditions.

Although another condition states that following the issuing of the Final Compliance Certificate (also certifying compliance with the conditions imposed), the applicant shall annually submit certification confirming that the equines are still registered with VRD on site and that failure to submit this information the approved stables have to be dismantled, the relative Compliance Certificate is nowhere to be found in each PA file. Hence, the Compliance Certificate must be uploaded by the PA in the relative file in order to be able to verify compliance with the permit conditions.

In order to confirm dismantling in line with conditions, one cannot solely rely on enforcement and similar permits that are temporary in nature and one should either introduce a bank guarantee to ascertain removal or else, similar permits should be issued for a temporary period of time, requiring renewal on each expiration. The latter is a more practical option when considering the regular certification required from the VRD. A validity period of three years should be adequate considering the nature of the development and development application submission requirements. The minor amendment procedure can then be utilised to change the list of registered equines - which should be included as an approved document rather than as a supporting document - during the validity period of the permit.

On another note, the Commissioner also noted certain inconsistencies in the relative equine list declarations:

1. Permits did not include a common method of certification. Some by included certificates issued by private veterinary surgeons, some by the Marsa Racing Club, some by the VRD and others issued by foreign agencies or private architects. In some cases, the PA also accepted only photos of the equines.
2. The declarations included distinct information such as the name, the microchip number and transponder code, the unique life number and freemark or the passport number.
3. Two or more declarations on the same equine may refer to different applicants due to the same equine being co-owned.

The PA does not check whether the equine was already registered under a previous permit, so much so that 36 stables were permitted for equines that already had a permit in their name. In two instances, three permits were issued for the same equine and other permits referred to equine details that are illegible. Whether this equine list checking should be done by the Agricultural Advisory Committee or the PA is irrelevant since the PA is bound to verify all the information it receives in line with SPED, as otherwise, what's the purpose of asking for the equine list in the first place.

The number of stables approved since 2016 comprise the construction of structures with a total area of around 25,000 square metres for stables alone in ODZ since the RPDG allows a total area of 25 square metres per stable. This coverage of 25 square metres per stable (irrespective of the number of stables being approved) should be modified. Firstly, 20 square metres for a similar ODZ development should cover the necessities of equines considering that the actual stall only requires half this area and considering also that the RPDG only allows a 15 square metre store for agricultural implements serving 10 Tumoli of agricultural land. This 20 square metres limit should only apply for the first three stables (figure based on the average number of stables in each development application as mentioned earlier). For additional stables, this area should be further reduced to 15 square metres per stable. This will lead to a reduction of the total site coverage allocated for stables in ODZ by about 20-25%. As an example, the resultant 135 square metres ( $3 \times 20 + 5 \times 15 = 135$ ) total coverage for 8 stables in ODZ makes more sense than the extensive area of 200 square metres allowed under the current policy.

### **Conclusions and recommendations**

The number of stables in ODZ that have been approved by the PA since 2016 is found to be excessive, against the spirit of SPED and definitely unsustainable. Furthermore, the PA failed to control compliance with the conditions the PA itself imposed in the same permits.

Various amendments to the permitting procedures and policy are being recommended:

1. The PA should ascertain that no application for stables is validated unless it includes the number of stables being proposed and a list of equines (name and standard number such as microchip number) registered under the applicant issued by the VRD (number of stables in the application should always be equal or less than the number of equines in the list).
2. This VRD registration list should be included as an approved document (not as a supporting document) in the relative permit.
3. Permits should be issued for a definite period of three years on condition that the structures should be dismantled unless permit is renewed.
4. The PA should keep a list of the details of all equines in order to ascertain that only one permit is issued for each equine. This list should be updated following the approval of minor amendments to the equine registration list.
5. The RPDG should be modified so that:
  - a. these recommendations are confirmed and endorsed; and
  - b. an area of 20 square metres per stable for the first three stables and an area of 15 square metres per each additional stable applies to all new applications.
6. The PA should ascertain that all permit conditions are complied with and when a condition imposes the submission of certain information within a specified period, the PA system should bring up the relative PA file for examination accordingly.
7. The Final Compliance Certificate should be uploaded in the relative PA file.

### **Outcome**

After the PA was given an additional extension of one month to reply, the Final Opinion was referred to the Prime Minister in early December 2024.

Following this, the PA replied that it does not have any issues with recommendations 6 and 7 and it will implement them within the least possible time. The PA raised certain issues in relation to the other points, namely that for certain recommendations to be applied, there needs to be a change in the RPDG or support/collaboration with the VRD. The PA added that abstracts from certain points and points 3 and 5, will be put forward for consideration in the review of the RPDG and if taken onboard, will be adopted in the revision of the policy. Following the Final Opinion, the PA and the Ministry for Agriculture have engaged in discussions involving cooperation in the management, control and

collating data and sharing for better control measures from the VRD side and in conditions of permits issued. The PA concluded that it is committed to introduce a more meticulous regime in the issuing and monitoring of these permits.

The Commissioner welcomed the acceptance of recommendations 6 and 7, and in this regard, the PA was asked to provide information within a month about which permits have followed the relative condition so that this information may be taken into consideration if this case is then referred to the House of Representatives. Regarding the other recommendations, the Commissioner conveyed that it is not acceptable that the first four rather simple recommendations are not implemented with immediate effect and that in relation to the fifth recommendation, although it is acknowledged that this would require changes in the RPDG, the PA is bound to move the relative changes as soon as possible as the statistics found are not sustainable.

Following no reply from the PA to the latter request indicating no changes for effective enforcement of the relative permits conditions and following the publication of further permits not respecting findings and recommendations in the Final Opinion, the case was referred to the House of Representatives in line with the Ombudsman Act.

## **RECOMMENDATION NOT IMPLEMENTED: DISCLOSURE OF THE IDENTITY OF OFFICERS**

**January 27, 2025**

### **The complaint**

The Commissioner for Environment and Planning investigated a complaint against the lack of disclosure by the Planning Authority of the identity of Officers processing summary development applications both at recommendation and decision phase. The complaint adds that one cannot question whether the Case Officer is related or has ties with the applicant or has a conflict of interest.

### **The investigation**

The investigation found that this issue arises at both recommendation and decision phase whenever a Summary Procedure Application without representations is submitted whereas it only arises at recommendation stage when representations are received since decisions on these applications are taken publicly by the Planning Board or its delegate.

According to the Development Planning Act, meetings of the Planning Board when making decisions on development applications, must be open to the public. Therefore, it is reasonable to conclude that decisions made by delegates of the Planning Board should also be conducted in a public forum. This necessitates that not only the identity of the individual making the decision be disclosed, but that the decision itself is made publicly.

Regarding the identity of the individual preparing the recommendation, it is noted that the Planning Authority previously used to publish the names of Planning Officers (Case Officer and Endorsement Officer), but this practice has since been discontinued, resulting in a lack of transparency. The Development Planning Act mandates the disclosure of interests by Planning Officers and outlines the procedure for addressing potential conflicts of interest. By withholding the identities of the Officers from public knowledge, the Planning Authority retains exclusive control over this information, which ideally should be accessible to third parties, including the general public. Furthermore, it is essential to recognise that Planning Officers are classified as Public Officers under the Development Planning Act, hence calling for the identities of the Planning Officers responsible for preparing and endorsing recommendations to be made public. For effective and timely scrutiny, this information should be disclosed concurrently with the recommendation and endorsement, as well as at the time the relevant decision is made.

### **Conclusions and recommendations**

The concerns raised regarding the Planning Authority's failure to disclose the identities of the Officers involved in processing Summary Development Applications during both the recommendation and decision phases are deemed valid.

The Commissioner recommended that:

1. The identity of the individual responsible for making a decision on an application be publicly disclosed at the time the decision is rendered.
2. The decision-making process should be conducted in a public forum.
3. The identities of the Officers involved in preparing the recommendation, specifically the Case Officer and the Endorsing Officer, should also be made publicly available without delay.

### **Outcome**

The Planning Authority did not accept any of these recommendations and the case was referred to the Prime Minister and to the House of Representatives in line with the Ombudsman Act.

## **RENEWAL OF Y-PLATE OPERATOR'S LICENCES**

### **The complaints**

The Commissioner for Environment and Planning investigated a complaint highlighting significant legal anomalies and administrative irregularities surrounding the issuance and renewal of LPTS (Y-Plate) Operator's Licences. Essentially the complaint focuses on the introduction of stricter requirements for the submission of an Architect's report on an annual basis, which requirement led to the complainant's licence not being renewed.

## The investigation

In 2020, the Light Passenger Transport Services and Vehicle Hire Services Regulations were introduced. These regulations stipulate that an operator's licence shall remain valid unless it is revoked, suspended or surrendered, provided that the operator submits to Transport Malta, within one month preceding the first year from the issue of the said licence, and every subsequent year, an application for renewal which shall include, amongst others, a report signed by a warranted Architect in relation to each garaging facility. The regulations provide that a development permit has to be provided in the case of an operator's licence for the registration of five or more vehicles.

- The regulations define a 'garaging facility' as any off-street premises where the parking or garaging of motor vehicles is permitted by the relevant development permit. Hence, the provisions outlined in the regulations present several ambiguities that warrant clarification:
- The regulations stipulate the requirement of a development permit for the registration of more than five vehicles, whereas the same requirement is not imposed for fewer vehicles against the Development Planning Act that does not differentiate between these scenarios.
- There is a potential inconsistency in the role of the Architect since it is unclear how an Architect can provide a report for each garaging facility listed in the operator's licence for new applications where the applicants do not hold an operator's licence.

Similarly, the ability of an Architect to certify that the designated parking spaces are adequate for all LPTS vehicles registered under the operator's licence is also questionable for new applications.

These points highlight the need for further clarification to ensure that the regulations are applied consistently and effectively.

Back in August 2024, the complainant was notified that the licence was set to expire and was instructed to submit "*a report issued and signed by a warranted Architect, confirming that the applicant has enough private garage parking space and, or private off-street parking space for his exclusive use where to park his vehicles while these are not in use.*" This is not what the regulations stipulate. The regulations state that the report, in relation to each garaging facility, should "*certify that these spaces are sufficient to park all light passenger transport vehicles that are registered under the operator's licence.*" Once an operator's licence was issued and this was neither revoked, nor suspended nor surrendered, Transport Malta should have informed the complainant accordingly. Additionally, in the event of a failure to submit the Architect's report, Transport Malta should have proceeded with the renewal of the operator's licence according to the transitory provision which allows licensed operators a twelve-month period (until October 2024) to comply.

The Commissioner believes that Transport Malta should grant an additional twelve-month extension to existing licence holders from the date of this Final Opinion to comply with this regulation. This recommendation arises from the fact that the difficulties related with the requirement for the Architect's report were only brought to light following the issuance of the relevant circular by the Chamber of Architects in June 2024 informing Architects about the requirement of a Development Permit regardless of the number of cars accommodated in a garaging facility.

### **Conclusions and recommendations**

The complaint against Transport Malta regarding the non-renewal of a light passenger operator's licence due to the absence of an Architect's report is deemed valid.

The Commissioner for Environment and Planning recommended that:

- Transport Malta should proceed with the renewal of the licence in question.
- Transport Malta should also consider renewing all other operator licences that qualify under the transitory provisions of the regulations, as it is clear that additional operators are facing similar challenges and deadlocks.
- Transport Malta is advised to recommend to the Minister an extension of the transition period by an additional twelve months, in light of the current impasse related to the Periti Act, which has arisen due to inconsistencies between the relevant regulations and the Development Planning Act.
- Transport Malta should convene discussions with the Planning Authority, the Chamber of Architects, and the Operators to facilitate the necessary amendments to the regulations as outlined in this Final Opinion.

### **Sequel**

After Transport Malta did not react, this Final Opinion was referred to the Prime Minister. Following this, Transport Malta replied and a meeting was held, but however Transport Malta insisted for a new declaration from the complainant that was introduced after the Final Opinion.

The case was then referred to the House of Representatives, although subsequent information from the media indicates that Transport Malta extended the transition period by six months until April 2025.

**RECOMMENDATION NOT IMPLEMENTED: UNDISCLOSED  
ALLOWANCE FOR ICT LECTURERS AT MCAST INVESTIGATED BY THE  
COMMISSIONER FOR EDUCATION  
May 09, 2025**

In accordance with Article 22(4) of the Ombudsman Act, the Ombudsman and the Commissioner for Education have forwarded to the House of Representatives

the Final Opinion on a complaint alleging improper discrimination and lack of transparency in connection with a secret top-up allowance.

### **The complaint**

On 20 June 2024, a teaching member of staff at the Malta College of Arts, Science and Technology (MCAST) lodged a complaint with the Office of the Ombudsman. The complainant alleged improper discrimination and lack of transparency in connection with a secret top-up allowance of €8,160 per year, reportedly awarded to a select group of ICT lecturers at MCAST. According to the complainant, access to this allowance was limited to staff who were personally approached to complete a short course, leaving other qualified lecturers unaware or excluded from the scheme.

### **Facts and findings**

The investigation revealed that the top-up allowance was originally introduced in 2006, when Smart City Malta was in its early stages. A Cabinet Memorandum had expressed concerns that MCAST's ICT Institute was struggling to attract and retain qualified lecturers due to competition from the private sector. The allowance was intended as an incentive to align MCAST's academic salaries with industry standards and attract ICT graduates into teaching roles.

Although the allowance had official approval, it was never incorporated into any collective agreement and was subsequently absorbed into the administrative practices of the ICT Institute. MCAST itself confirmed that the allowance and eligibility criteria were known only within the ICT Institute and not among staff in other departments who taught similar ICT-related subjects. Crucially, the allowance was not included in publicly advertised vacancies, raising serious concerns about transparency.

The College maintained that ICT lecturers were informed of the allowance by internal email and during recruitment but acknowledged that others were not made aware. The Commissioner noted that the secrecy surrounding the allowance whether deliberate or due to negligence had created an unfair and improperly discriminatory situation, depriving other lecturers of the opportunity to advocate for equal pay or make informed career decisions.

A 2023 decision of the Industrial Tribunal similarly criticised MCAST for continuing to award this allowance despite the original rationale for its introduction no longer applying, and apparently without renewed authorisation.

### **Conclusions and recommendations**

The Commissioner for Education concluded that the complaint was justified and that the allegations were substantially proven. The practice of limiting knowledge of and access to the top-up allowance to a select group of lecturers amounted to maladministration under Article 22(1)(b) and (d) of the Ombudsman Act. The lack of transparency was deemed both improperly discriminatory and wrong in principle.

The Commissioner strongly recommended that MCAST immediately publish the details and eligibility criteria for this allowance on its website. Furthermore, in the interest of transparency and accountability, MCAST should disclose the number of lecturers who have received the allowance since its inception (without naming individuals) and the total amount disbursed over the years.

### **Outcome**

Since MCAST did not implement the recommendations made by the Commissioner for Education, on 14 April 2025 the Parliamentary Ombudsman and the Commissioner sent the report to the Prime Minister. As no action was taken, the report was subsequently forwarded to the Speaker of the House of Representatives to be laid on the Table of the House.

## **RECOMMENDATIONS NOT IMPLEMENTED: COMMISSIONER FOR EDUCATION UPHOLDS COMPLAINTS ON EDUCATORS' FREEDOM OF EXPRESSION**

**June 20, 2025**

The Commissioner for Education investigated two separate, but similar, complaints related to Directive DG DES 28/2024, which imposed restrictions on educators' participation in media. One complaint was filed by the Executive Head of the Union of Professional Educators (UPE), and the other by a Member of Parliament and a teacher in the public service. Both complainants raised concerns about the directive's impact on freedom of expression within the education sector.

### **The Complaints**

The Executive Head of the UPE filed the complaint both in his personal capacity and on behalf of the UPE, arguing that the directive would deter educators from engaging in public discourse aimed at improving the education system. The Member of Parliament similarly contended that the directive effectively silenced educators from expressing their views on the State education system and forced them to align themselves with official policy.

Both complaints were formally communicated to the Permanent Secretary of the Ministry for Education, Sport, Youth, Research and Innovation (MEYR) in November 2024.

### **Facts and findings**

Directive DG DES 28/2024 required educators to seek prior approval for media participation and stipulated that any public statements must reflect the Ministry's policies and objectives. While the directive claimed to encourage public debate, it simultaneously imposed conditions that restricted personal opinion and discouraged critical engagement.

The Commissioner noted that this constituted a form of “doublespeak” — outwardly promoting healthy dialogue while demanding total conformity. Such a stance contradicted the provisions of Directive 5 issued by the then Principal Permanent Secretary on 24 February 2011, which allows public officers in certain grades to express personal opinions, as long as these are clearly personal and do not represent official positions.

Furthermore, the requirement for prior approval from line managers and the Director General added another layer of administrative control, which could have a chilling effect on educators’ willingness to speak publicly.

### **Conclusions and recommendations**

The Commissioner concluded that the directive was not a mere restatement of existing rules, as argued by MEYR, but introduced new constraints inconsistent with the principles of freedom of expression in a democratic society. In any case, even Directive 5 fell short of human rights standards in so far as it forbade all public officers, irrespective of grade “*from commenting on matters that pertain to their ministry and in particular their area of work, even if in a personal capacity.*”

Both complaints were upheld in terms of Article 22(1)(a), (b), and (d) of the Ombudsman Act (Cap. 385). The Commissioner recommended that MEYR issue revised guidelines ensuring that teachers and educators, particularly those not holding managerial roles, are free to express personal views on their work and the educational system without fear of disciplinary action.

### **Outcome**

In response to the Union head complaint, MEYR disputed UPE’s standing, stating that only the recognised majority union may address collective issues. Nevertheless, the Ministry reaffirmed its adherence to the Public Service Management Code (PSMC) in guiding its policies.

In reply to the Member of Parliament’s complaint, MEYR also cited the PSMC as its guiding document but did not address the substance of the Commissioner’s findings.

### **Sequel**

Since the MEYR did not implement the recommendations, the Ombudsman and the Commissioner for Education referred both Final Opinions to the Prime Minister. As no action was taken, both reports were subsequently sent to Parliament, tabled, and therefore made public.

## **RECOMMENDATION NOT IMPLEMENTED: PLANNING FINES ADJUSTMENTS**

### **July 08, 2025**

#### **The complaint**

A complaint was received alleging the improper capping of the daily fine applied to a substantial irregular development. In response, the Commissioner for Environment and Planning launched an investigation into the adequacy of the existing regulations governing daily penalties and administrative fines.

#### **The investigation**

The investigation revealed that the current fines were established in 2012 and that the capped amount of €50,000 neither reflects present-day realities nor serves as an effective deterrent against large-scale or persistent irregular developments.

It was also found that the regulations inadequately address mobile irregular structures - such as kiosks, canopies, tables, and chairs - since their mobile nature allows for easy removal and reinstatement, limiting enforcement to mere warnings with limited practical effect.

#### **Conclusions and recommendations**

The Commissioner recommended that:

- The capped fine amount be increased from €50,000 to €100,000 to better reflect current conditions and strengthen deterrence.
- The regulations be amended to allow for the confiscation of mobile irregular structures, aligning enforcement with existing provisions under the Traffic Regulation Ordinance concerning the removal of encumbering objects.

#### **Outcome**

The recommendations were not implemented. Consequently, the case was referred to the Prime Minister and the House of Representatives in accordance with the provisions of the Ombudsman Act.

## **RECOMMENDATION NOT IMPLEMENTED: SUPPLY TEACHER PAID LESS THAN PEERS DESPITE EQUIVALENT DUTIES**

### **December 04, 2025**

#### **The complaint**

A graduate with a Bachelors (Hons.) degree in Business Management lodged a complaint with the Office of the Ombudsman on 26 August 2024. Having joined the public education sector in 2013 as a supply teacher, she was granted indefinite status in 2017. Over the past 12 years, she has been entrusted with teaching Accounts, Business Studies, and VET Retail in secondary schools. Throughout this time, her students consistently achieved high grades in their MATSEC examinations, a clear indication of her competence and commitment.

However, the complainant pointed out that despite carrying out the same duties and having the same responsibilities as regular teachers, she had been consistently paid less due to her designation as a “*supply teacher*”. Her complaint centred on the principle of equal pay for work of equal value.

### **Facts and findings**

The Commissioner for Education, after a thorough investigation, established that the complainant had the same responsibilities, workload, and commitments as all regular teachers. There was no evidence to suggest that her performance was in any way inferior to that of regular teachers. In fact, her continued employment and the consistent academic performance of her students were a testament to that.

Historically, supply teachers were engaged temporarily to address specific shortfalls in teaching staff. However, systemic changes over decades and a persistent shortage of teachers led to supply teachers being employed on a long-term basis, often indefinitely, without the corresponding salary and benefits of regular teachers.

The investigation found that despite performing identical duties, supply teachers such as the complainant were excluded from certain allowances.. The Ministry itself confirmed that her work and obligations were equivalent to those of regular teachers. The Commissioner referred to Article 27 of the Employment and Industrial Relations Act (Cap. 452), which affirms that employees in the same class of employment are entitled to the same rate of remuneration for work of equal value.

The Ministry did not offer a credible justification for the discrepancy in pay, and the creation of separate classifications or categories for supply teachers appeared to be a mechanism that circumvented the principles of fairness and equality embedded in the Ombudsman Act. Laws and collective agreements, the Commissioner emphasised, must be interpreted and applied in good faith, and the current system amounted to systemic discrimination and exploitation of supply teachers.

### **Conclusions and recommendations**

The Commissioner for Education, in his Final Opinion of 30 May 2025, concluded that the complaint was justified. The continued payment of a lower salary to the complainant was unjust, improperly discriminatory, and wrong in principle in breach of Article 22(1)(b) and (d) of the Ombudsman Act. It was recommended that the complainant be paid the same class allowance and work resources as a teacher in Salary Scale 9 as per the current sectoral agreement. This adjustment should be backdated to 2 September 2024, the date on which the complaint was formally notified to the Ministry.

### **Outcome**

On 10 July 2025, the Commissioner for Education informed the Prime Minister that the Ministry responsible for Education, through its Permanent Secretary, had formally indicated its refusal to implement the recommendations. As no action

was taken in response, and in line with Article 22(4) of the Ombudsman Act, the report was laid before Parliament for its attention. This publication was also made in accordance with Article 29(2) of the Ombudsman Act in the public interest, to draw attention to a systemic issue affecting supply teachers and to uphold the fundamental principles of fairness, equality, and good governance within the public education system.

Following the laying of the report before the House of Representatives on the 22nd July 2025, the Principal Permanent Secretary within the Office of the Prime Minister wrote on 19 November 2025 reiterating the position of the public administration. The response maintained that regular teachers and supply teachers constitute two distinct categories under the applicable sectoral agreement and that this distinction does not, in their view, breach the principle of equal pay for work of equal value.

It argued that the allowances in question are linked to the possession of a formal teaching qualification and stated that supply teachers have opportunities to obtain such a qualification. The letter also indicated that the Ministry for Education would offer supply teachers the possibility to follow a teaching qualification course free of charge, with related fees absorbed by the Ministry.

In a reply dated 25 November 2025, the Commissioner for Education expressed regret that the position conveyed did not address the substance of the injustice identified in the Final Opinion. He stated that the response introduced no new elements that could alter the conclusions already reached and, instead, reinforced the concerns previously raised regarding the systemic nature of the disparity affecting the complainant and others in a similar position.

## **RECOMMENDATION NOT IMPLEMENTED REGARDING DAMAGE CAUSED TO A VEHICLE AS A RESULT OF A POTHOLE**

### **The complaint**

On 11 February 2023, complainant's vehicle tyre was damaged after hitting a deep pothole in Sliema Road, Kappara. Complainant claimed compensation from San Gwann Local Council, which rejected the claim, attributing the pothole to severe weather conditions beyond its control and stating it does not entertain such claims. Complainant argued the damage resulted from poor road maintenance, rather than bad weather.

### **San Gwann Local Council's position**

The Council acknowledged responsibility for the road but argued the pothole resulted from exceptional weather conditions following Storm Helios and severe flooding, denying negligence. It stated repairs were carried out promptly once conditions allowed and maintained it had fulfilled its obligations.

## Considerations

After an investigation into a separate case involving the same Local Council, the Local Government Division issued a Circular on 2 April 2024 establishing a standardised procedure for all Local Councils to handle claims for redress in a consistent manner. The procedure requires the complainant submits relevant documentation, including a police report and, where applicable, a medical report from a health centre, after which the Council reviews the evidence and makes a decision. Although this Circular was not yet in force when the case under examination occurred, earlier guidance had already been issued by the Local Governance Board for all Local Councils through a directive dated 25 February 2015. This provided guidelines on how claims for damages caused by the condition of the roads should be handled.

However, in the case at hand, San Gwann Local Council failed to provide Minutes showing that complainant's claim was properly discussed before rejection, later admitting it may have been handled informally. In fact, the claim was unilaterally refused by the Executive Secretary.

Regarding the driver's obligation to exercise due care when driving, this Office found no evidence of negligence or speeding on complainant's part. Complainant's claim was substantiated with photographs, a police report, a receipt, and a roadside assistance report, and she stated she was driving slowly and could not see or safely avoid the pothole due to low visibility.

Photographs indicated the pothole posed a safety risk and showed prior patching, suggesting inadequate maintenance or defective repairs. Even if rainfall contributed to the formation of the pothole, this could have been the result of substandard repairs, and responsibility remained with the Council. The Council's statement that it does "*not adhere to such requests for compensation*" suggested a blanket refusal policy, contrary to principles of good administration.

## Conclusion and recommendations

The conclusion by this Office on this case was based on what it deemed to be fair and just. In the opinion of this Office, the incident was not caused by complainant's negligence, and the Council failed to properly assess the claim, unfairly attributing damage solely to weather conditions without examining all factors. The presence of the pothole was undisputed, and citizens have a legitimate and reasonable expectation that public roads are safely maintained. It is the responsibility of the Local Council to ensure that roads under its jurisdiction are safe and well-maintained. This responsibility is given primary importance in the Local Government Act. The Council cannot evade its responsibilities by asserting arguments in its own favour without properly considering the merits of the case, particularly given its legal duties and the trust placed in it by the local electorate.

The complaint was upheld, and this Office recommended that the San Gwann Local Council should:

- (i) assess damage claims on their own merits in line with established procedures and properly consider them with good judgement;
- (ii) adopt a more proactive approach by conducting regular inspections of roads, pavements, and passageways under its jurisdiction to ensure these are kept in a good state of repair, coupled with the timely repair of identified defects to prevent deterioration or risk to the public; and
- (iii) reimburse complainant for the cost of the replacement tyre.

### **Outcome**

On 4 June 2025, San Gwann Local Council informed this Office that it did not agree with its recommendations. The Ombudsman brought the matter to the attention of the Prime Minister on 13 June 2025. In view that no reaction was received by this Office, on 5 August 2025, the Ombudsman sent his Final Opinion to the Speaker of the House for the attention of the House of Representatives.

## **RECOMMENDATION NOT IMPLEMENTED: LONGSTANDING IRREGULAR FIXED CANOPIES AT IS-SUQ TAL-BELT**

**October 02, 2025**

### **The complaint**

The Commissioner for Environment and Planning initiated an investigation into the longstanding, irregular, and extensive fixed canopies installed at is-Suq tal-Belt, Merchants Street, Valletta. These structures have been subject to an Enforcement Notice issued by the Planning Authority in 2019.

### **The investigation**

The Commissioner found that the contravenor has paid approximately €7,000 out of the €46,000 daily fine imposed. The Planning Authority's decision to suspend direct action on the grounds of a pending application was deemed unjustified, as the application does not seek to sanction the canopies but rather proposes their replacement with umbrellas.

Furthermore, the Commissioner determined that an appeal against the enforcement notice should not delay its implementation - particularly considering the longstanding nature, high visibility, and scale of the illegal development. It was concluded that the canopies have been unlawfully and unjustifiably allowed to remain in place for over six years, in clear violation of the Development Planning Act and in disregard of Valletta's obligations as a UNESCO World Heritage Site.

## Conclusions and recommendations

The Commissioner recommended that the Planning Authority proceed with immediate direct action to remove the illegal canopies at the contravenor's expense, irrespective of any pending appeals or other applications.

## Outcome

The Planning Authority failed to respond to the Commissioner's recommendations. As a result, the case was referred to the Prime Minister and the House of Representatives in accordance with the provisions of the Ombudsman Act.

## RECOMMENDATIONS NOT IMPLEMENTED: EXCLUSION OF THE MALTA CHAMBER OF GEOLOGISTS FROM MEMBERSHIP IN THE BUILDING AND CONSTRUCTION CONSULTATIVE COUNCIL

October 28, 2025

### The complaint

The Commissioner for Environment and Planning investigated a complaint regarding the exclusion of the Malta Chamber of Geologists (MCG) from full membership in the Building and Construction Consultative Council (BCCC), a body established under the Building and Construction Authority Act (Chapter 623) to serve as a national advisory platform for the building and construction industry.

The complainant argued that the exclusion of the MCG, a registered professional organisation representing geologists in Malta, was unjust and discriminatory. The complainant maintained that geologists play a crucial role in the construction sector, a fact clearly recognised in the Jean Paul Sofia Public Inquiry Report (2024), which recommended that geological expertise be made mandatory during building and excavation processes.

The BCCC and the Ministry for Justice and Reform of the Construction Sector (MJRC) informed the Chamber that it could only attend meetings as a “*guest member*” when relevant topics were discussed. The MCG refused this status, insisting that the BCCC Regulations do not provide for guest members and that its role in safeguarding public safety warranted permanent representation.

### Facts and findings

During the investigation, the Commissioner also heard submissions from the Chairman of the BCCC, and the Permanent Secretary at the MJRC. The Ministry stated that an internal review of the Council's composition and responsibilities was underway, suggesting that changes could be introduced at a later stage. The Commissioner, however, noted that the Ombudsman Act does not allow investigations to be suspended pending internal reviews.

Examination of the BCCC Regulations (Subsidiary Legislation 623.10) confirmed that while the Council may seek expert advice on specific matters, this does not equate to the creation of “*guest members*.” The Commissioner also referred to the findings of the Jean Paul Sofia Inquiry Report, which underlined the essential contribution of geologists to public safety, particularly during excavation and demolition works. The Inquiry explicitly recommended that geological assessments form part of all method statements for development projects.

The Commissioner observed that the Regulations empower the Minister responsible to add other entities to the BCCC to broaden representation “*in the interest of enhancing participation of stakeholders*.” The Minister, therefore, retains discretion to appoint the MCG as a full member, irrespective of the BCCC’s opinion.

### **Conclusions and recommendations**

The Commissioner concluded that the complaint was justified. The exclusion of the MCG from full membership of the BCCC was found to be unreasonable and contrary to the objectives of the Building and Construction Authority Act, which aims to ensure comprehensive stakeholder representation within the construction industry.

It was therefore recommended that the Minister include the MCG as a full member of the BCCC without delay. Such inclusion, the Commissioner stated, would strengthen the Council’s expertise and better align it with the public safety recommendations of the Jean Paul Sofia Inquiry.

### **Outcome**

On 13 August 2025, the Ministry for Justice and Reform of the Construction Sector informed the Commissioner that while it appreciated the reasoning behind the recommendation, it would not implement it at this stage. The Ministry cited the ongoing internal review of the BCCC’s structure and maintained that acting on the recommendation before its conclusion would be premature.

Given this response, on 21 August 2025, the Commissioner referred the matter to the Prime Minister in accordance with Articles 17C(1) and 22(4) of the Ombudsman Act.

On 19 September 2025, the Principal Permanent Secretary confirmed that the Ministry would not proceed with the inclusion of the Malta Chamber of Geologists at this stage, reiterating that the review process within the Ministry and the newly established Construction and Occupational Health & Safety Affairs Department was still ongoing.

As the recommendations were not implemented, the Ombudsman and the Commissioner for Environment and Planning forwarded the Final Opinion to the Speaker of the House of Representatives on 26 September 2025, in accordance with Article 22(4) of the Ombudsman Act, for the House’s further consideration.

## **RECOMMENDATION NOT IMPLEMENTED: IRREGULAR COMPOSITION OF SELECTION BOARD**

**November 26, 2025**

### **The complaint**

The Commissioner for Health investigated a complaint regarding the selection and appointment of a high ranking official within the Ministry for Health and Active Ageing.

The complainant alleged that the Selection Board was not properly constituted according to the requirements as described in the Manual on Industrial Relations and the Selection and Appointment Process. Furthermore the marking system for qualifications and experience was allegedly inconsistent and unfair.

### **Facts and findings**

The investigation confirmed that one member of the Selection Board was serving in an acting capacity even though another person confirmed at the same grade was available. Another member, who was required to be a senior public officer external to the Ministry for Health and Active Ageing, was instead a senior public officer employed within the same Ministry.

The Commissioner held that these irregularities breached the composition requirements of the Manual on Industrial Relations and the Selection and Appointment Process.

Regarding the assessment process, the Commissioner noted that the marking structure did not sufficiently distinguish between an academic qualification (a PhD) and publications in medical journals. Master's degrees are treated inconsistently, and short training certificates are being overvalued compared to higher-MQF level qualifications.

### **Conclusions and recommendations**

The Commissioner concluded that

- the Selection Board was not properly constituted, rendering the process invalid.
- he recommended that the selection framework be reviewed to ensure academic fairness, consistency, and adherence to the established rules for future appointments.

### **Outcome**

The Public Service Commission (PSC) disagreed with the Commissioner's findings, maintaining that the Board was properly formed and that the criteria were applied consistently. The PSC later amended the official regulations governing the composition rules of the Selection Board, but these changes were made after the contested selection process.

The PSC agreed to refer the matter regarding the marking structure to the People and Standards Division and the Ministry for Health and Active Ageing for their consideration.

As no action was taken on the Commissioner's first recommendation regarding the irregular constitution of the Selection Board, the case was referred to the Prime Minister on 14 July 2025, and subsequently tabled before Parliament on 7 October 2025 in terms of Article 22(4) of the Ombudsman Act.

### **RECOMMENDATIONS NOT IMPLEMENTED: OMBUDSMAN RULES EXCLUSION OF *IL-LEHEN* FROM MEDIA GRANT UNJUST AND DISCRIMINATORY**

**October 30, 2025**

#### **The complaint**

Azzjoni Kattolika Maltija (AKM) lodged a complaint with the Ombudsman against the Ministry for National Heritage, the Arts and Local Government, claiming that it was unfairly excluded from a government grant scheme intended to assist newspaper publishers with rising printing costs.

The organisation noted that, while several private media houses received substantial grants under this scheme, its newspaper *Il-Lehen*, Malta's oldest still-published newspaper, was denied any support. AKM maintained that this decision amounted to unjust and discriminatory treatment.

#### **The investigation**

The Ombudsman sought clarification and documentation from the Ministry regarding the basis for excluding *Il-Lehen* from the scheme.

Officials confirmed that six media houses benefited from the €500,000 grant. The allocation was based on a formal agreement signed on 1 October 2023, which described the initiative as a measure "*in the interest of freedom of expression and the press.*"

When asked why AKM had been excluded, the Ministry replied that *Il-Lehen* did not publish "*current news*" and was therefore not considered a "*newspaper*" for the purpose of the scheme. It also claimed that "*lifestyle and opinion articles are not defined as journalism,*" citing the fact that *Il-Lehen* is a Sunday publication.

However, the Ombudsman found this reasoning inadequate and flawed. Journalism, he observed, encompasses far more than daily news reporting, it includes commentary, cultural, educational, and religious content that contributes to public discourse and civic awareness. The exclusion of *Il-Lehen* on this basis was not supported by any objective criteria.

The investigation further highlighted that *Il-Lehen*, formerly *Lehen is-Sewwa*, is officially registered with the Department of Information as a recognised newspaper and has been in continuous publication since 1928. Its Christian orientation does not alter its status as a media outlet nor diminish its contribution to Maltese public life.

Once the Government decided to grant financial aid to the press sector, it was obliged to treat all legitimate media entities equally and without bias based on content or editorial focus.

### **Conclusions and recommendations**

The Ombudsman concluded that the Ministry's decision to exclude AKM from the media support scheme was unjust, discriminatory, and lacking in objectivity.

He recommended that the Ministry provide financial assistance to AKM on the same proportional basis applied to the other six media houses under the October 2023 agreement, and to ensure that future schemes adhere to transparent and non-discriminatory criteria.

### **Outcome**

The Final Opinion was sent to the Ministry on 27 May 2025, allowing one month for a reply on implementation.

On 27 June, the Ministry requested an extension of another month, which later lapsed without further communication.

Following reminders sent on 20 August, the Ministry stated only that the case was being discussed internally and with other stakeholders.

With no concrete feedback forthcoming, the Ombudsman referred the case to the Prime Minister on 3 September 2025, and, after no action was taken, forwarded it to the House of Representatives on 9 October 2025 in accordance with Article 22(4) of the Ombudsman Act.

## **RECOMMENDATIONS NOT IMPLEMENTED: LACK OF ENGAGEMENT BETWEEN EDUCATION AUTHORITIES AND UPE LEAVES STATEMENTED CHILD WITHOUT LSE SUPPORT**

**October 22, 2025**

### **The complaint**

A mother of a seven-year-old student with a statement of needs lodged a complaint with the Office of the Ombudsman after her son, who was assigned a one-to-one Learning Support Educator (LSE) at Sliema Primary School, had to remain at home for a not insubstantial period of time. This occurred after the assigned LSE went on long-term sick leave, and the Education Authorities were unable to find a replacement due to directives issued by the Union of Professional Educators (UPE).

While the complainant expressed her appreciation for the school and staff, she maintained that her son was deprived of his right to education and continuity of learning because of administrative inaction in resolving the ongoing dispute between the Education Authorities and the UPE.

### **The investigation**

The Commissioner for Education noted that this was not an isolated complaint. Similar cases had reached the Ombudsman's Office, and there was also an ongoing own-initiative investigation concerning LSE waiting lists and the statementing process. The investigation focused on whether the Education Authorities were doing everything possible to resolve the industrial dispute that prevented the temporary replacement of absent LSEs.

It was established that the UPE had issued several directives beginning January 2024, restricting the reassignment of LSEs to cover colleagues on sick leave. The Education Authorities argued that the directives were unreasonable and disproportionate, and claimed that they had made efforts to address the issue. However, correspondence between the parties revealed entrenched positions, limited dialogue, and little progress toward resolution.

The Commissioner observed that while the UPE's actions were beyond his investigative remit, the Education Authorities had an overriding duty to protect the interests of students. The investigation also found that, despite ongoing communication, there had been no direct face-to-face meeting between the Ministry for Education and the UPE since May 2024, reflecting a lack of genuine engagement to resolve the matter.

### **Conclusion and recommendations**

The Commissioner concluded that the Education Authorities' failure to take all reasonable measures to ensure that affected students received the necessary support constituted an omission that was "*wrong in principle*" under Article 22(1) (d) of the Ombudsman Act and a censurable omission under Article 22(2).

The Commissioner for Education recommended that the Education Authorities invite the UPE to engage in direct discussions without preconditions to address the ongoing industrial directives affecting students with special educational needs. The Office of the Ombudsman also offered to facilitate such meetings.

### **Outcome**

Since the Final Opinion was sent to the Ministry for Education on 17 September 2025, no reply or feedback was received on the implementation of the recommendations. Consequently, on 2 October 2025, the Ombudsman and the Commissioner for Education referred the case to the Prime Minister, in accordance with Articles 17C(1) and 22(4) of the Ombudsman Act.

As no action appears to have been taken, the Ombudsman and the Commissioner subsequently forwarded the report to the Speaker of the House of Representatives on 17 October 2025 under Article 22(4) for consideration by the House.

## **RECOMMENDATIONS NOT IMPLEMENTED: SHIPYARD CONCESSIONS - OMBUDSMAN INVESTIGATION FINDS LACK OF OVERSIGHT AND TRANSPARENCY**

**November 07, 2025**

### **The complaint**

A consortium of NGOs and private individuals submitted a complaint to the Ombudsman concerning two long-term shipyard concessions granted by Government in 2010 and 2011 to a private group of companies, as Emphyteuta. The complainants expressed concern about the lack of clarity and transparency surrounding Government's monitoring of the concession terms.

### **The investigation**

The Ombudsman sought to establish which public authority carried responsibility for conducting the annual compliance certification required under the concession agreements, whether a compliance review had been completed, whether its findings were intended for publication. To determine these points, the Ombudsman engaged extensively with MIMCOL, the Ministry responsible for Economy, the Lands Authority, the Environment and Resources Authority (ERA) and the Office of the Prime Minister. The concession documents were also examined in detail.

### **Facts and findings**

The investigation found that while the concession agreements clearly oblige Government, or an entity delegated by Government, to annually certify that the Emphyteuta is complying with its contractual and regulatory obligations, no ministry or public entity was, formally designated to carry out this duty. Moreover, in terms of the agreements Government retained the right to request a condition report every two years. No evidence was found as to whether this right has been exercised consistently over the years.

MIMCOL confirmed that it had been assigned an *ad hoc* review by the Ministry responsible for Economy, which it completed in August 2020. It clarified that this was a one-time assignment and that it bore no ongoing responsibility for the required annual certification. MIMCOL also stated that it did not have the authority to publish the results of the review because these belonged to Government.

The Lands Authority, which by law administers all Government land, did not initially confirm whether it had responsibility for the concessions. When it eventually provided feedback, it stated that it lacked the specialised expertise to undertake comprehensive compliance assessments and could only act when formally notified by the specialised regulators of breaches within their respective

areas of competence. The Authority also confirmed that, up to mid-2023, no formal communication channels existed between it and other regulators, although discussions were underway to improve this situation.

The investigation further revealed that regulatory monitoring was fragmented, with ERA, Transport Malta, the Regulator for Energy and Water Services and other specialised bodies operating independently. There was no coordinated mechanism to consolidate their findings into the annual compliance certification envisaged in the concession agreements. This fragmentation contributed to significant uncertainty as to whether the Emphyteuta's overall obligations were being monitored effectively.

The Ombudsman noted that reliance on Freedom of Information requests as the primary means for the public to access information placed a significant burden on complainants and members of the public in general as the lack of clarity regarding which authority held which documentation compounds the difficulty in obtaining information and consequently hindered the requests' effectiveness. In this context, this raised broader concerns about transparency and accountability in the management of these public assets.

### **Conclusions and recommendations**

The Ombudsman concluded that oversight of the shipyard concessions had significant weaknesses. Responsibility for the concessions was unclear, coordination among regulators was limited, and there was no structured system ensuring that the required annual certifications and condition reports were being carried out. This lack of clarity hindered accountability and made it difficult for the public to obtain information about how valuable public land was being managed.

The Ombudsman recommended that Government clearly identify and publicly announce which ministry, or entity holds overall responsibility for the concessions, and that it also designates the entity responsible for the annual compliance certification. He also recommended that if responsibility for the concessions is reassigned in the future, this should be communicated publicly and without delay.

The Ombudsman further recommended that, information on whether

- a) the annual certification was carried out,
- b) a condition report was requested and submitted, and
- c) any other action taken by Government under the concessions for the purposes of carrying proper oversight over the Emphyteuta should be published every year without the need for Freedom of Information requests.

These measures aim to ensure appropriate and effective supervision and transparent management of the shipyard concessions by Government, and the strengthening of public trust in the said management.

## Outcome

Following the Ombudsman's Interim Report (May 2024) and Final Opinion (September 2024), the government accepted that the Lands Authority holds overall responsibility for the shipyard concessions. Moreover, ERA, Transport Malta, and the Department for Industrial and Employment Relations were formally delegated to assist the Lands Authority with compliance obligations as set out in the concessions. However, the Ombudsman's transparency recommendations were not implemented, namely, the routine publication of information on whether:

- i. the annual certification was carried out;
- ii. any condition report was requested and delivered; and
- iii. any other oversight action was taken.

The public administration insisted instead that such information should only be available via Freedom of Information requests.

In line with Article 22(4) of the Ombudsman Act, the Ombudsman escalated the matter to the Prime Minister on 2 October 2025. As no remedial action followed, the Ombudsman sent the case to the Speaker of the House for tabling in Parliament on 3 November 2025.

## RECOMMENDATIONS NOT IMPLEMENTED: PARENTS AT SAN MIGUEL RESOURCE CENTRE DENIED REPRESENTATION AT MEETING WITH EDUCATION AUTHORITIES

**December 18, 2025**

### The complaint

A group of six parents whose children attend the San Miguel Resource Centre lodged a complaint with the Office of the Ombudsman after encountering difficulties with the education authorities.

When these parents requested a meeting with the Director General for Educational Services, originally scheduled for 25 November 2025, they asked to be accompanied by two representatives of their choice, A.B. and C.B. These two individuals – husband and wife – had previously supported parents in similar matters and possessed extensive experience related to the education of children with special needs, having previously had a child attending a resource centre. The Director General refused the participation of couple A.B. and C.B., and when the parents insisted, the meeting was cancelled.

This complaint (together with a secondary complaint about the unavailability of a basic school time-table) was formally communicated to the Permanent Secretary at the Ministry responsible for Education in terms of Article 18(1) of the Ombudsman Act on 31 October 2025. No comments from the Office of the Permanent Secretary were received by the requested deadline.

**Facts and findings**

The Commissioner for Education found that education, especially concerning minors of compulsory school age, requires cooperation and open communication between parents and the education authorities. The Education Act (Cap. 605) establishes the right of parents to be fully informed about their child's education and to express their views effectively. This includes the right to appoint persons of their choice to represent them in discussions with the authorities.

Restricting parents from being represented, particularly by individuals with relevant experience, was both unreasonable and administratively oppressive. The Commissioner also noted that representation is an important adjunct to freedom of association and freedom of expression. Parents cannot be compelled to rely solely on bodies such as the CRPD or the MFOPD for representation.

On the secondary issue of the time-table, the Commissioner examined the Head of School's justifications for withholding the timetable. While acknowledging the complexities of running a specialised school where flexibility is sometimes required, the Commissioner found no acceptable reason why a basic timetable could not be provided for full-time students.

The Commissioner stressed that denying a timetable undermines the parents' ability to understand and support their child's educational programme. Administrative inconvenience cannot be used as a blanket justification for withholding essential information.

**Conclusions and recommendations**

The Commissioner concluded that both elements of the complaint were justified.

The refusal to allow the parents' chosen representatives to attend the meeting with the Director General was deemed unreasonable, unjust, in breach of the law, and wrong in principle under Article 22(1) of the Ombudsman Act. The refusal to provide a basic timetable was likewise unreasonable.

The Commissioner recommended that:

1. The representatives A.B. and C.B. be allowed to attend and advocate for the parents at the rescheduled meeting on 2 December 2025.
2. The parents be provided, without further delay, with a basic timetable setting out their children's activities at the resource centre.

**Outcome**

On 13 November 2025, the Ministry for Education, through the Internal Audit and Compliance Office, informed the Commissioner that it did not intend to accept the recommendation related to parental representation. The Ministry presented

several arguments concerning school operations and raised concerns about the individuals whom the parents had chosen as representatives.

On 25 November 2025, the Commissioner and the Ombudsman formally notified the Prime Minister of the Ministry's refusal, invoking Articles 17C(1) and 22(4) of the Ombudsman Act. The Commissioner expressed hope for a resolution without the need for further escalation.

Since no action was taken, on 5 December 2025, the Commissioner and the Ombudsman forwarded the report to the Speaker of the House of Representatives for tabling, in line with the Ombudsman Act.

**UPDATED: RECOMMENDATION NOT IMPLEMENTED: EXCLUSION FROM  
SECTORAL AGREEMENT FOLLOWING ADMINISTRATIVE ASSIMILATION  
December 2025**

**The complaint**

A complaint was lodged by the person heading a lifelong learning centre within the public education system. The complainant had occupied a senior administrative role for several years and had long held an indefinite appointment. While her core duties remained substantially unchanged over time, the scope of her responsibilities increased significantly.

In 2022, the complainant was informed that her designation had been administratively assimilated into another grade on a personal basis. This change was presented as a technical adjustment limited to nomenclature. The complainant alleged that this assimilation resulted in her exclusion from the latest collective agreement applicable to the education sector, placing her at a disadvantage when compared to other officials performing comparable functions who benefitted from improved grades and financial conditions.

**Facts and findings**

The investigation confirmed that when equivalent administrative posts were originally established within lifelong learning and vocational education centres, they were governed by identical calls, duties, salary scales, and conditions of employment. Over time, changes to structures and titles occurred, but these did not materially alter the nature of the roles.

During negotiations for the current sectoral agreement, the complainant's role was omitted from the grading structure. This was acknowledged by the Ministry responsible for Education, which confirmed that the complainant's designation did not fall within the scope of the agreement, while comparable roles had been assimilated into higher grades.

The Commissioner found that, through a series of administrative and nomenclature changes, the complainant had effectively been sidelined. Whether this resulted from oversight or from a conscious decision was considered immaterial. In either case, the Ministry failed to exercise due care. The omission resulted in financial loss and personal distress, particularly in light of the complainant's years of service in lifelong learning.

The investigation noted strong similarities with an earlier case decided by the Office of the Ombudsman, where comparable treatment was found to amount to unjust and improperly discriminatory conduct.

### **Conclusions and recommendations**

The Commissioner for Education concluded that the complaint was fully justified and sustained. The treatment complained of was wrong in principle, unjust, and improperly discriminatory, in breach of the Ombudsman Act.

The Commissioner recommended that a further personal basis assimilation be carried out so that the complainant would fall within the appropriate grade under the current sectoral agreement, with effect from the date on which the agreement came into force.

### **Outcome**

Following the issuance of the Final Opinion, the Commissioner for Education sought confirmation from the Ministry responsible for Education on whether the recommendation would be accepted. No reply was received within the stipulated timeframe, despite an extension having been requested.

The matter was subsequently brought to the attention of the Prime Minister in terms of the Ombudsman Act. As no action was taken, the report was forwarded to the Speaker of the House of Representatives to be tabled in Parliament.

### **Sequel**

Following the tabling of the Final Opinion before the House of Representatives in December 2025, the Principal Permanent Secretary replied on 20 February 2026 stating that the recommendation could not be accepted.

In his reply, the Principal Permanent Secretary argued that the complainant's duties were administrative rather than educational in nature and therefore did not justify placement in Salary Scale 5. He maintained that the post is not equivalent to that of a Head of School or Education Officer and that assimilating the complainant to that scale would create an unfair precedent. Reference was also made to the various allowances paid to the complainant as evidence that she was fairly treated.

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On the same date, the Commissioner for Education replied, stating that the Government's position effectively confirmed that the complainant's role had been altered to her detriment by the letter of 5 August 2022, which had been presented to her at the time as a "*simplification exercise*". The Commissioner observed that the plans to place Centre Administrators and Centre Coordinators on separate paths had not been made known to the complainant and that no evidence had been produced to show otherwise. He reiterated the concerns already expressed in the Final Opinion regarding the absence of transparency and duty of care, adding that the injustice was aggravated by the fact that the People and Standards Division of the OPM appears to have given its blessing to what had been done.

In light of this exchange, the Ombudsman and the Commissioner for Education informed the Speaker of the House of Representatives of the latest developments and confirmed that the recommendation made in the Final Opinion remained in force.



# Commissioner for Education

ANNUAL REPORT 2025



**OMBUDSMAN**

COMMISSIONER FOR EDUCATION

# COMMISSIONER OF FOR EDUCATION

## ANNUAL REPORT 2025

Although according to Rules 2(1) and 17 of the Commissioners for Administrative Investigations (Functions) Rules 2012 (today S.L.385.01) the function of the Commissioner for Education is primarily to deal with complaints against public providers of further and higher education, the Commissioner, according to a long-standing practice, is invariably also assigned complaints directed against the Education Authorities in the sphere of pre-compulsory and compulsory education when the complaint refers, whether directly or indirectly, to the provision of such education. In fact, half of all the new cases opened and investigated in 2025 by the Commissioner for Education – 33 out of 66 – were directed not at the University of Malta, MCAST, the Institute for Tourism Studies or the Institute for Education but against the Education Authorities in general. This assignment is in application of the provisions of Article 27(1) of the Ombudsman Act and of Rule 8 of the abovementioned Rules.

At face value, the number of new cases investigated, and the number of cases decided by the Commissioner for Education in 2025, has not changed in any dramatic way from 2024. In 2025, as already indicated, 66 new cases were investigated – an increase of just 1 over 2024 – and the spread across institutions has remained stable, with a 25% decrease in the number of cases directed against the Education Authorities (which, for statistical purposes, includes the Malta Further and Higher Education Authority) – 33 in 2025, compared to 43 in 2024 – and a noticeable increase (120%) in cases against MCAST – 11 in 2025 compared to 5 in 2024. Likewise, the number of cases finalised in 2025 was 63, 66 in 2024. It is to be noted that some of the cases finalised in 2025 would have been introduced in the previous year or years. There was a small, but noticeable increase of 25%, where the complaint was upheld (or ‘sustained’, to use the traditional jargon), whether in whole or in part – 15 cases in 2025, compared to 12 the previous year. In 2025, the Commissioner ruled against the complainant in 16 cases, compared to 17 in 2024. In most cases where the Commissioner rules against the complainant, the concluding document is not a Final Opinion sent to both the complainant and the respondent public entity, but a Letter of Closure which is sent only to the complainant, with the respondent entity being only informed that the case is no longer being investigated. This is done in order to maintain confidentiality as much as possible, while at the same time explaining to the complainant the reason or reasons why his or her complaint was unfounded, in line with the requirements of Article 17(3) of the Ombudsman Act.

**Table 2.1 - Complaint intake by institution (2024 - 2025)**

<b>Institutions</b>	<b>2024</b>	<b>2025</b>
University of Malta	18	17
MCAST	5	11
Institute of Tourism Studies	-	2
Education Authorities	43	33
Outside Jurisdiction	1	3
<b>Total</b>	<b>67</b>	<b>66</b>

**Table 2.2 - Complaints by Institution classified by complaint type (2024 - 2025)**

	University of Malta		MCAST		Institute of Tourism Studies		Education Authorities		Outside Jurisdiction		Total	
	2024	2025	2024	2025	2024	2025	2024	2025	2024	2025	2024	2025
Staff	6	7	2	4	-	-	14	13	-	-	22	24
Students	12	10	3	7	-	1	14	11	1	3	30	32
Others	-	-	-	-	-	1	14	9	-	-	14	10
<b>Total complaints by students and staff</b>	<b>18</b>	<b>17</b>	<b>5</b>	<b>11</b>	<b>-</b>	<b>2</b>	<b>42</b>	<b>33</b>	<b>1</b>	<b>3</b>	<b>66</b>	<b>66</b>
Own initiative cases	-	-	-	-	-	-	1	-	-	-	1	0
<b>TOTAL</b>	<b>18</b>	<b>17</b>	<b>5</b>	<b>11</b>	<b>-</b>	<b>2</b>	<b>43</b>	<b>33</b>	<b>1</b>	<b>3</b>	<b>67</b>	<b>66</b>

**Table 2.3 - Outcomes of finalised complaints (2024 - 2025)**

<b>Outcomes</b>	<b>2024</b>		<b>2025</b>	
Sustained cases	12	18%	15	24%
Cases not sustained	17	26%	16	25%
Resolved by informal action	17	26%	13	21%
Investigation discontinued (not undertaken, given advice/ assistance, withdrawn, etc)	16	24%	15	24%
Outside Jurisdiction	1	1%	2	3%
Declined (time-barred, trivial, etc.)	3	5%	2	3%
Other	-	-		
<b>Total</b>	<b>66</b>	<b>100%</b>	<b>63</b>	<b>100%</b>

Of particular significance is the increases of the number of cases, introduced in 2025, alleging unfair treatment or lack of equity at the hands of the respondent public entity. This from 41 in 2024 to 53, an increase of 29% in the year under examination, accounting for 80% of the total number of cases (compared to 61% in 2024). Admittedly this category – an office construct for statistical purposes – is rather wide and open ended, but considering that the assignment to this category is always made by the same person and all other things being equal, the data can be taken as a reasonably good indication of the substance of individual complaints. These range from complaints about promotion of academic staff at the UOM, recruitment processes at MCAST, unfair treatment of teachers and Learning Support Educators in government service over pay and transfers (particularly the transfer of educators residing in Gozo from Malta to Gozo) and complaints about students' stipend. A recurring complaint last year was over the unavailability of sufficient Learning Support Educators for statemented children, an issue complicated by the Education Division's attitude towards one of the trade unions representing only LSEs.

As regards the cases finalised last year, most complaints regarding promotion of academic staff at the UOM and recruitment of staff at MCAST were dismissed, though in at least two of the cases the Commissioner had the opportunity to make recommendations of a procedural nature to enhance accountability and transparency, which were accepted by the respondent entities. In another two cases, initiated on the complaint of a Member of the House of Representatives and of a trade union, the Education Division was found to be in violation of the law, including the fundamental right of freedom of expression, by a circular issued attempting to prohibit educators from expressing their views on education matters.

Other matters dealt with – whether by Final Opinion or Letter of Closure – were:

- a complaint against the MFHEA for failure to sort out complaints about sharp practices by private education providers leading to unfairness in the seniority ranking of LSEs;
- the inflexibility of the MATSEC Board when dealing with a request for Examination Access Arrangements by a dyslexic student, an intransigence that the Commissioner found to be unreasonable, unjust and wrong in principle;
- the wrongful deregistration of an MCAST student because he was partially colour blind;
- the alleged unfair treatment by the UOM of an applicant for the Master of Advocacy Course on the ground of language requirements – the complaint was dismissed as ill-founded;
- two almost identical cases where private entities regularly organising summer schools on government school premises were faced with last minute hikes in the price requested by the Education Authorities for the use of the premises;
- the unjust and improperly discriminatory treatment of supply teachers regarding the payment of allowances and work resources; and

- the unreasonable behaviour of the Director General, Education Services, in refusing to allow parents of children attending a resource centre to be represented at official meeting by people of their choice.

It should be recalled that the Commissioner for Education handles also cases which do not appear in the abovementioned statistics because no file is formally opened. A file is not opened either when the would-be complainant is only seeking direction as to how to proceed in respect of a particular issue; or when the matters complained of is either manifesting time-barred (Article 14(2) of the Ombudsman Act) or manifestly outside the jurisdiction of the Ombudsman's remit as defined in Articles 12 and 13 of the Ombudsman Act. When the matter complained of is not manifestly outside the Ombudsman's jurisdiction, a file is opened and then closed in terms of Article 17 of the Ombudsman Act upon further and proper verification of the facts. This accounts for the 3 new cases opened in 2025 (as opposed to 1 in 2024) which were later held to be outside the jurisdiction of the Ombudsman.

**Table 2.4 - Complaint Grounds (2024 - 2025)**

Grounds of Complaints	2024		2025	
	Count	Percentage	Count	Percentage
Contrary to law and policies or rigid application of legislation, regulations and policies	8	13%	3	4%
Improper discrimination	3	5%	1	2%
Lack of transparency	1	1%	1	2%
Failure to provide information or to provide a reply	1	1%	1	2%
Undue delay/failure to act/waiting lists	6	9%	3	4%
Unfair treatment/lack of equity	41	61%	53	80%
Unfair selection process/promotion/grading	1	1%	3	4%
Issues of quality of life/special needs	2	3%	1	2%
Improper attitude of staff or management	1	1%	-	-
Shortage/Inadequate supply of equipment/services	-	-	-	-
Issues of privacy, dignity and confidentiality	-	-	-	-
Personal matters/staff issues/student issues	-	-	-	-
Review of Commissioners' decision	-	-	-	-
Other	3	5%	-	-
Shortage/Inadequate supply of medicines	-	-	-	-
Continuing care/follow-up issues	-	-	-	-
<b>Total</b>	<b>67</b>	<b>100%</b>	<b>66</b>	<b>100%</b>

In 2025 the Commissioner for Education dealt informally with a number of complaints involving the International European University of Ukraine, a private education provider which had been granted a temporary licence by the MFHEA to operate from Malta. When the licence expired and was not renewed, it moved its operations from Malta back to the Ukraine. A number of foreign students who had applied to undertake courses with this institution in Malta and who had paid substantial sums by way of fees and other charges and who for a variety of reasons – mainly refusal of a student visa by the Maltese authorities – could not make it to Malta, found considerable difficulty in pursuing their request for refund of the sums paid. The Commissioner for Education could not undertake an investigation – the institution being a private one – but referred the cases, with all the necessary details, to the corresponding office in the Ukraine, that is, to the Ukrainian Parliament Commissioner for Human Rights. Through the good offices of the Ukrainian counterpart, all the cases were successfully resolved.

Most public education providers supply the information required by the Commissioner for Education in reasonably good time. The quickest responses come from the Institute for Tourism Studies and from the Institute for Education. Other public education institutions including MCAST should review internally and externally the sensitive issue of the time they take to respond to complaints and/or requests of the Commissioner for Education, out of respect for the principles of good governance including, but not only, the principles of efficiency and responsiveness. The autonomy of any procedures which MCAST may undertake are safeguarded by the provisions of Chapter 638 of the Laws of Malta.

# Commissioner for Environment and Planning

ANNUAL REPORT 2025



**OMBUDSMAN**

COMMISSIONER FOR ENVIRONMENT AND PLANNING

# COMMISSIONER FOR ENVIRONMENT AND PLANNING

## ANNUAL REPORT 2025

During the year 2025, the Commissioner for Environment and Planning investigated cases that are assigned in line with the Ombudsman Act, mainly involving Environment and Planning matters and also others that are more technical in nature. The Commissioner also conducted three own-initiative investigations.

**CHART 3.1: NEW CASES 2013-2025**

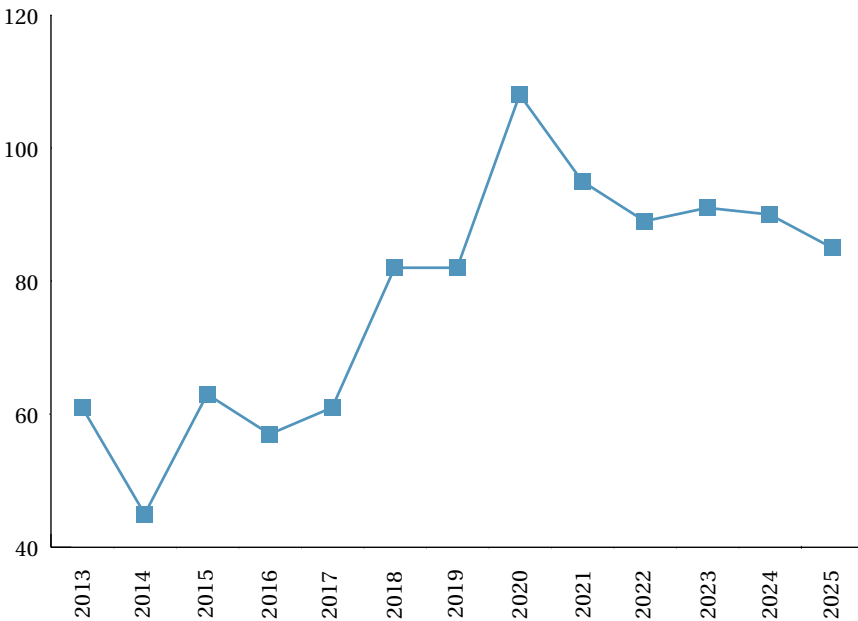


Chart 3.1 illustrates the number of new cases assigned to the Commissioner for Environment and Planning each year since the establishment of the Office. These figures do not include inquiries and other general-oriented reports.

**TABLE 3.2: NUMBER OF CASES**

	2025	2024
Pending cases from previous years	25	21
New requests for investigation	86	90
<b>Total</b>	<b>111</b>	<b>111</b>

Pending cases from previous years now account for 23% of the total cases under review, up from 19% in 2024 and down from 25% in 2023. While the Commissioner remains committed to concluding investigations as expeditiously as possible, experience from previous years has shown that, in certain cases, it is prudent to allow additional time, as this often enables the relevant government entity to resolve the matter.

Although the cases assigned to the Commissioner for Environment and Planning include complaints against the Building and Construction Authority, this Office is still awaiting the formal extension of the Commissioner's remit to encompass this Authority, as was indicated two years ago.

**TABLE 3.3: CLOSED CASES**

	2025	2024
Pending cases from previous years	21	17
New requests for investigation	68	69
<b>Total</b>	<b>89</b>	<b>86</b>

76% of the cases received this year were concluded within the same year, carrying forward to 2026 only 18 cases received this year (many of which were received during the last months of 2025) together with a handful of cases from previous years.

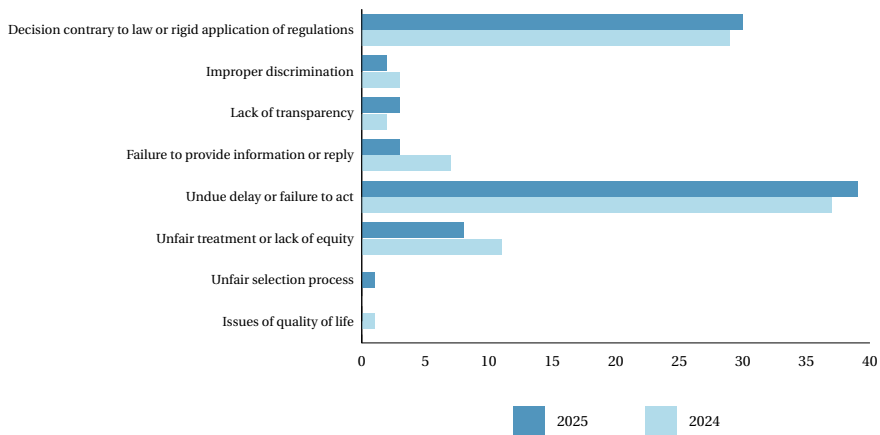
**TABLE 3.4: GOVERNMENT ENTITIES SUBJECT TO COMPLAINTS**

	<b>2025</b>	<b>2024</b>
<b>Building Construction Authority</b>	4	4
<b>Building Industry Consultative Council</b>	1	-
<b>Enemalta</b>	2	2
<b>Environment and Resources Authority</b>	6	6
<b>Environmental Health</b>	1	1
<b>Health Services</b>	1	-
<b>Housing Authority</b>	-	1
<b>Infrastructure Malta</b>	6	3
<b>Lands Authority</b>	4	3
<b>Local Council</b>	7	8
<b>Malta Tourism Authority</b>	-	2
<b>Ministry for Finance</b>	1	-
<b>Ministry for Foreign Affairs and Tourism</b>	1	-
<b>Ministry for Gozo and Planning</b>	1	1
<b>Ministry for Justice and Reform of the Construction Sector</b>	-	1
<b>Ministry for Transport, Infrastructure and Public Works</b>	1	-
<b>Occupational Health and Safety Authority</b>	-	1
<b>Office of the Prime Minister</b>	1	-
<b>Planning Authority</b>	37	45
<b>Police</b>	2	5
<b>Public Works</b>	-	2
<b>Superintendence of Cultural Heritage</b>	5	2
<b>Transport Malta</b>	3	2
<b>Water Services Corporation</b>	2	1
<b>TOTAL</b>	<b>86</b>	<b>90</b>

Complaints against the Planning Authority fell to 43% of the annual caseload this year, down from 50% in 2024 and up from 41% in 2023. Notable to note the increase in cases involving the Superintendence of Cultural Heritage, showing increased interest in the Cultural Heritage whilst raising the subject on whether the Superintendence should start having more clout in the decision-making process involving developments on scheduled and protected sites.

**TABLE 3.5: CASELOAD BY NATURE OF COMPLAINT**

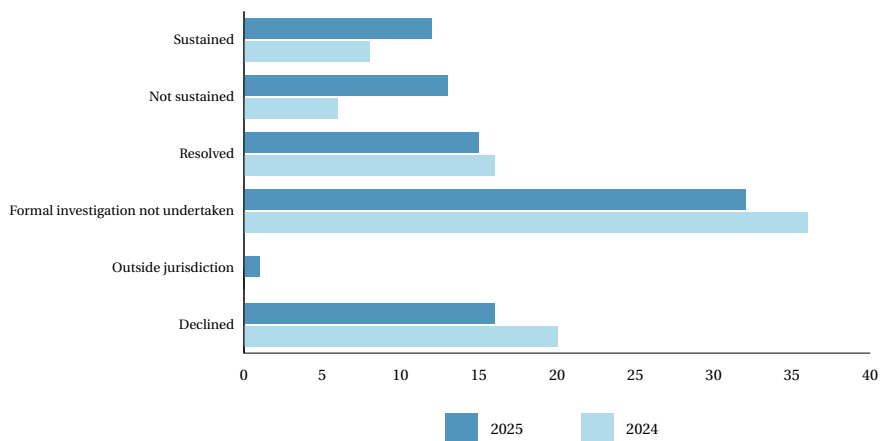
	2025		2024	
Decision contrary to law or rigid application of regulations	30	35%	29	32%
Improper discrimination	2	2%	3	4%
Lack of transparency	3	4%	2	2%
Failure to provide information or reply	3	4%	7	8%
Undue delay or failure to act	39	45%	37	41%
Unfair treatment or lack of equity	8	9%	11	12%
Unfair selection process	1	1%	0	0%
Issues of quality of life	0	0%	1	1%
<b>Total</b>	<b>86</b>	<b>100%</b>	<b>90</b>	<b>100%</b>



Decisions contrary to the law, rigid application of regulations, and undue delays or failures to act keep accounting for 80% of all complaints received. On a positive note, issues related to a lack of transparency and discrimination remain relatively low throughout the years whereas it is apparent that generally, government entities are replying to public queries, although sometimes not within the desired timeframe.

**TABLE 3.6: OUTCOME FOLLOWING CLOSURE OF CASES**

	2025		2024	
Sustained	12	13%	8	9%
Not sustained	13	15%	6	7%
Resolved	15	17%	16	19%
Formal investigation not undertaken	32	36%	36	42%
Outside jurisdiction	1	1%	0	0%
Declined	16	18%	20	23%
<b>Total</b>	<b>89</b>	<b>100%</b>	<b>86</b>	<b>100%</b>



During this year, the number of sustained cases increased significantly, from 8 to 12, going back to the 2023 levels. Out of these 12 cases, only five recommendations were implemented. These involved:

- The enforcement of the Energy Performance Certificate requirement on advertisements for the sale of property by the Building and Construction Authority;
- Information requirements by the Planning Authority for regularisation applications;
- The investigation of anonymous complaints by the Planning Authority;
- Development applications assessments by the Superintendence of Cultural Heritage; and
- The legal aid selection process by the Building and Construction Authority.

Two other cases were implemented following closure and after the case was referred to the House of Representatives. These cases involved the investigation concerning the permits for stables by the Planning Authority and the implementation of a Traffic Management Plan in Mosta.

The remaining five non-implemented cases involve:

- Increasing the maximum enforcement fine and implementing a confiscation regime for mobile irregularities by the Ministry for Gozo and Planning;
- The disclosure by the Planning Authority of the identity of Officers processing summary development applications, at both recommendation and decision phases;
- The issuance and renewal of Light Passenger Transport Services (Y-Plate) Operator's Licences by Transport Malta;
- No action by the Planning Authority against longstanding irregular fixed canopies at is-Suq tal-Belt in Valletta; and
- The exclusion of the Malta Chamber of Geologists from membership in the Building and Construction Consultative Council by the Ministry for Justice and Reform of the Construction Sector.

All these cases were referred to the Prime Minister and to the House of Representatives, and it is hoped that they will be implemented in due course, as was done in the two previously mentioned cases, in the interest of good governance and for the benefit of the public at large.

This year also witnessed the implementation of a recommendation concerning the delineation of concession boundaries in relation to the long-standing issue of tables and chairs, which had been referred to the House of Representatives way back in 2023.

## **CONCLUSION**

Throughout the year, the Commissioner maintained regular meetings with Ministries, Heads and representatives of Government entities, as well as NGOs. The Commissioner also attended various local conferences and participated internationally in the European Commission's Green Week and Urban Mobility Days, as well as the Clean Energy for EU Islands Forum.

The Commissioner underscored the urgent need to move away from a "build now, sanction later" mentality - an increasingly prevalent concern. Indeed, at the time of writing, the Planning Authority approved about 240 development applications within a single week, of which more than half were intended to regularise developments that had already been carried out irregularly.

The Commissioner also contributed to the Public Consultation on Holistic Planning Reform in August 2025. While it is essential to strike a fair balance between the interests of developers and those of neighbouring residents, as well as between economic progress and the preservation of environmental and architectural heritage, it must be recognised that effective preservation requires placing buildings into sustainable use. Moreover, reform should not be limited to planning policies alone. It must also extend to enforcement, through stricter regulations and penalties that reflect the current reality of numerous pending enforcement cases and the lack of adequate deterrence.



# Commissioner for Health

ANNUAL REPORT 2025

# COMMISSIONER FOR HEALTH

## ANNUAL REPORT 2025

### Introduction

The role of the Commissioner for Health is to investigate complaints lodged with the Office of the Ombudsman that are related to health services. The origin of these complaints varies and is quite diverse. They may be broadly categorised into those involving members of the public and those concerning employees working within the health sector.

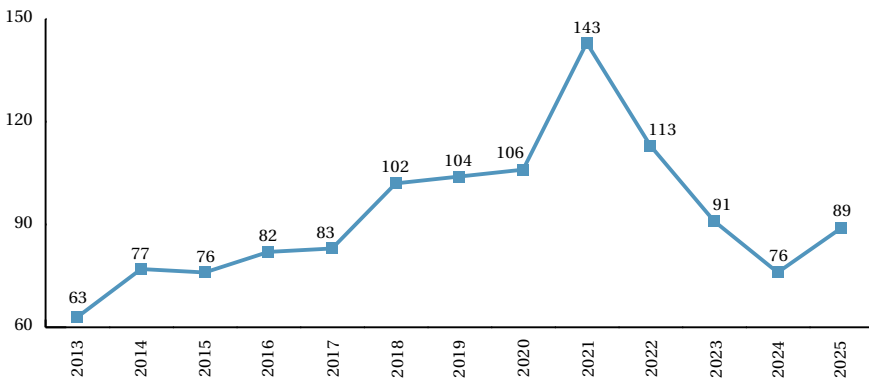
As expected, most complaints were lodged against the Ministry for Health and Active Ageing. The course and relative timeframes of the investigations varied significantly, largely depending on the nature of each case. Some complaints were, unfortunately, of a rather acute nature, as they involved a potential lack of medical treatment for patients with consequent complications. It is encouraging to note that in these particularly urgent cases, a resolution was achieved within a relatively short period of time.

At the beginning of the year under review (2025), 40 cases were under investigation from previous years. During the year, a further 89 new cases were received.

### New Cases

The total number of new cases received by the Commissioner for Health during 2025 showed an increase over the previous year. Eighty-nine cases were received, representing an increase of 13 cases, or approximately 12%, compared to the previous year, and bringing the number of complaints to a level comparable to that of 2023.

**Figure 1: New cases 2013 to 2025**

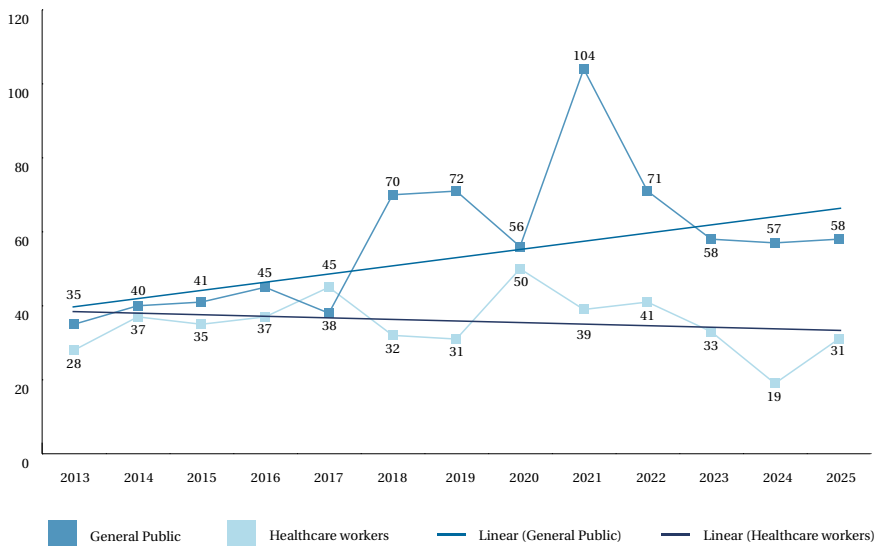


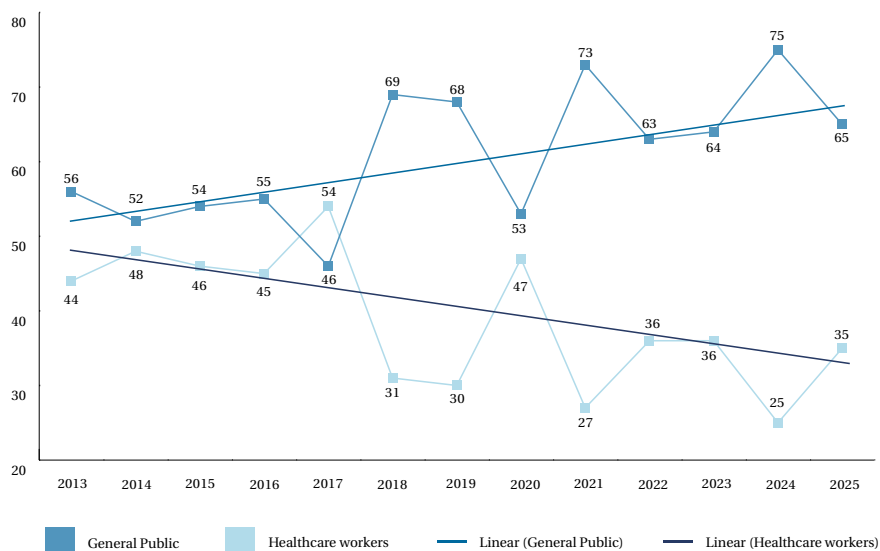
**Table 1: New cases 2013 to 2025**

Year	New Cases by general public	New Cases by Healthcare employees	Own Initiative	Total
2013	35	28		63
2014	40	37		77
2015	41	35		76
2016	45	37		82
2017	45	38		83
2018	70	32		102
2019	72	31	1	104
2020	56	50		106
2021	104	39		143
2022	71	41	1	113
2023	58	33		91
2024	57	19		76
2025	58	31		89

On analysing the data, it is apparent that this reversal in trend is mainly due to an increase in complaints lodged by healthcare employees. The number of cases lodged by the public has remained stable, with 57 cases in 2024 and 58 cases in 2025. It appears that the number of cases lodged by the public has reached a plateau over the last three years. On the other hand, the number of cases lodged by the healthcare employees has increased from 19 in 2024 to 31 in 2025.

**Figure 2: New cases 2013 to 2025 by type of complainant**

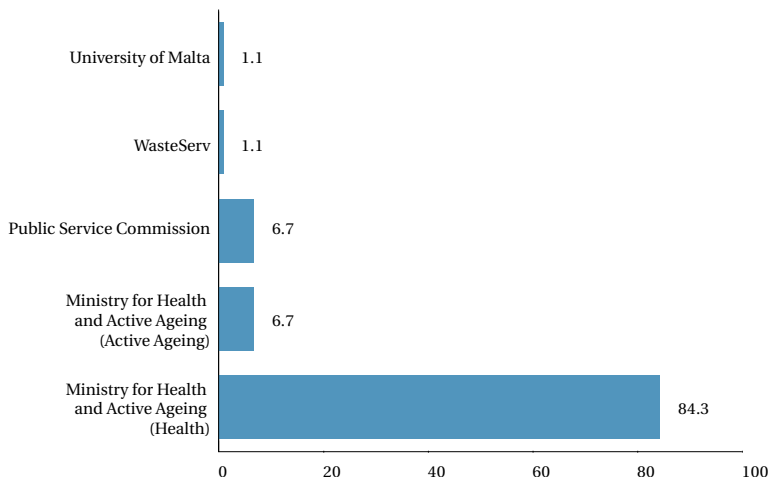


**Figure 3: Percentage new cases 2013 to 2025 by type of complainant****Entities involved**

As expected, most of the complaints received involved the Ministry for Health and Active Ageing. No less than 81 cases, or 91% of all complaints, were lodged against this Ministry.

**Table 2: Entity involved in complaint**

Entity involved in complaint	No.	%
Ministry for Health and Active Ageing (Health)	75	84.3
Ministry for Health and Active Ageing (Active Ageing)	6	6.7
Public Service Commission	6	6.7
WasteServ	1	1.1
University of Malta	1	1.1
Total	89	100

**Figure 4: Number of cases lodged with Commissioner for Health by entity**

## Overview of complaints received in 2025

### Complaints by category

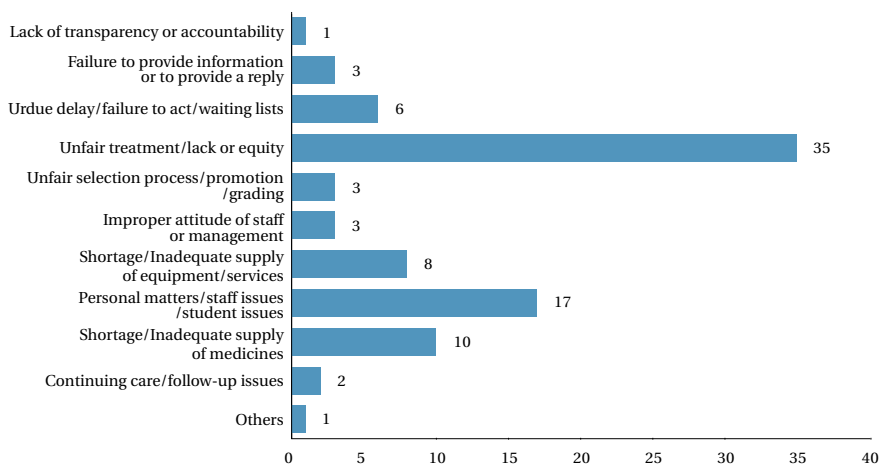
Once again, most complaints received during 2025 involved instances where complainants felt that they were **treated unfairly** or that there was a **lack of equity** regarding their concerns. Unfortunately, this category has once again topped this list, with more than a third of complaints (39.3%) falling within this category. **Personal matters/staff issues** ranked second in this classification. Both of these categories are directly related to healthcare employees, and therefore, the increase in the number of cases lodged by these employees - from 19 in 2024 to 31 in 2025, could have contributed to this trend, and *vice versa*.

**Shortage/Inadequate supply of medicines, equipment and services** accounted for a combined total of 18 cases, or 20% of all complaints. Ten cases concerned a shortage of medicines, while eight cases were related to equipment or service shortages.

Complaints by category are depicted in Table 3 and illustrated graphically in Figure 5

**Table 3: New cases lodged with the Commissioner for Health in 2025 by category**

Categories	No.	%
Lack of transparency or accountability	1	1.1
Failure to provide information or to provide a reply	3	3.4
Undue delay/failure to act/waiting lists	6	6.7
Unfair treatment/lack of equity	35	39.3
Unfair selection process/promotion/grading	3	3.4
Improper attitude of staff or management	3	3.4
Shortage/Inadequate supply of equipment/services	8	9.0
Personal matters/staff issues/student issues	17	19.1
Shortage/Inadequate supply of medicines	10	11.2
Continuing care / follow-up issues	2	2.2
Others	1	1.1
<b>Total</b>	<b>89</b>	<b>100</b>

**Figure 5: Complaints received by Category (No.) - 2025**

### Cases brought forward

The 40 cases that were brought forward from the previous years had been under investigation since some time, as shown in Table 4.

**Table 4: Cases by year when received**

Year complaint was lodged	Total
2019	4
2020	1
2021	2
2022	3
2023	7
2024	23
<b>Total</b>	<b>40</b>

**Outcome of closed cases**

The Commissioner for Health concluded a total of 85 investigations in 2025, 57 of which had been lodged in the same year, 2025. Out of the remaining 28 cases, four dated back to 2019, two to 2021, and a further four to 2023. Eighteen cases had been lodged in 2024. This indicates that two thirds, or 67% of the cases received in 2024 were concluded within the year.

**Table 5: Closed cases by year when received**

Year when closed cases were lodged	No.	%
2025	57	67.1
2024	18	21.2
2023	4	4.7
2021	2	2.4
2019	4	4.7
<b>Total</b>	<b>85</b>	<b>100</b>

**Outcome of cases closed**

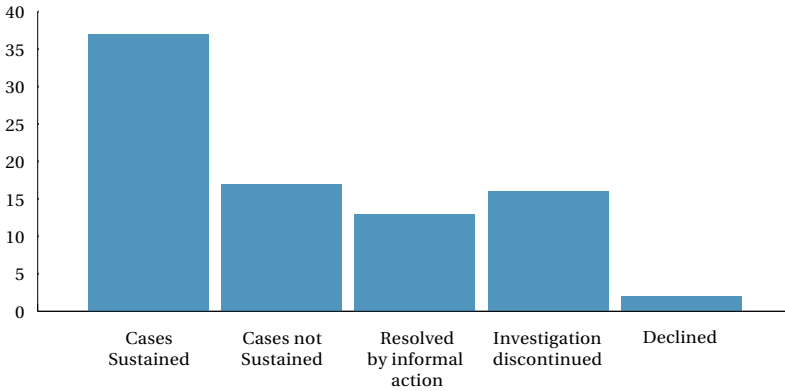
Thirty-seven, or 43.5% percent of all the 85 closed cases, were sustained, while 17 cases, or 20%, were not sustained. The reasons why these were not sustained were always communicated to the complainants.

**Table 6: Final outcome of the cases closed by the Commissioner for Health**

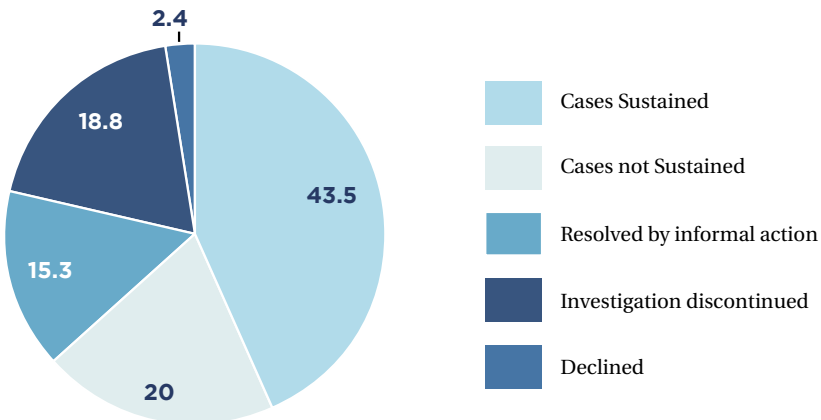
Outcome of cases closed	No.	%
Cases Sustained	37	43.5
Cases not Sustained	17	20.0
Resolved by informal action	13	15.3
Investigation discontinued	16	18.8
Declined	2	2.4
<b>Total</b>	<b>85</b>	<b>100</b>

In the majority of the sustained cases, most of the recommendations made by this Office were accepted by the Ministry concerned. However, there remain some cases in which such recommendations were not accepted. Accepting the recommendations in the health sector is extremely important, especially when the complaints involve treatment or lack thereof. Fortunately, most cases in which recommendations were not accepted did not involve treatment-related issues, but rather matters concerning employment issues.

**Figure 6: Final outcome of cases closed by the Commissioner for Health 2025**



**Figure 7: Percentage final outcome of cases closed by the Commissioner for Health in 2025**



Thirteen cases, or 15% of the total cases, were resolved through informal action. This is practically the same amount that was resolved the year before. Resolution through informal action is particularly useful in very urgent cases where time is of the essence. However, it is highly dependent on the cooperation of the various stakeholders involved in the case.

Out of the 85 cases where the investigation was closed, 16 investigations were discontinued during the course of the investigation process. The majority, or 56%, were withdrawn by the complainants themselves for various personal reasons. Unfortunately, another 5 or 31% of the cases were closed due to the complainants' failure to provide the requested supporting documentation. The reasons for discontinuation of these 16 investigations are shown in Table 7.

**Table 7: Reason why investigation was stopped**

<b>Reason why investigation was stopped</b>	<b>No.</b>	<b>%</b>
No supporting documentation provided	5	31.2
Withdrawn by complainant	9	56.2
Taken over by other authorities	1	6.3
Others	1	6.3
<b>Total</b>	<b>16</b>	<b>100</b>

### **Conclusion**

This has been a significant and eventful year for our Office, marking the 30th anniversary of the establishment of the Office of the Ombudsman. During the year, the Commissioner participated in several conferences focused on healthcare and maintained regular engagement with the relevant Ministries. Several on-site visits were also conducted, particularly at Mater Dei Hospital (MDH), where various issues were examined and investigated.

### **Inpatient bed availability**

MDH, inaugurated in 2007, was originally designed to serve a population of approximately 410,000. By 2025, however, the population had increased to approximately 570,000—an increase of 160,000 individuals. This demographic shift has placed considerable additional pressure on the health services provided at MDH, which remains the only hospital offering acute care beds. As a result, the hospital is experiencing bed shortages and overcrowding. While some expansion of facilities has taken place, it has not kept pace with the growing demand.

In light of this, the Ministry for Health and Active Ageing must continue to implement both short-term and long-term strategies to expand services and meet current and future needs. Immediate measures are particularly crucial to ensure that patients continue to receive high-quality care in a safe and appropriate environment, free from the adverse effects of overcrowding.

Encouragingly, steps are being taken in this direction. Additional bed space is being created within the MDH footprint, and intermediate healthcare services outside the hospital are being developed. These initiatives are expected to help alleviate the burden on the acute care system. While these developments are positive, they must be reinforced and expanded. Greater efficiency in the use of existing infrastructure is also essential, and certain work practices require substantial reform to align with modern standards and improve overall effectiveness.

### **Communication**

Communication remains a key concern, as evidenced by the complaints received by this Office. In a significant number of cases, individuals seek the assistance of the Ombudsman due to inadequate communication. Issues range from a complete lack of response to insufficient explanations for decisions taken. Although the Ministry for Health previously introduced training programmes to improve communication skills among its staff, such efforts must be continuous and reinforced through ongoing professional development if meaningful improvements are to be achieved.

### **Operation waiting time**

Another persistent issue highlighted in previous reports is the long waiting time for surgical procedures. This continues to present a major challenge within the healthcare system. Nevertheless, it is encouraging to note that initiatives implemented during 2025 have led to a reduction in the number of patients awaiting surgery. This improvement is evident across the three specialties with the longest waiting lists—Orthopaedics, General Surgery, and Ophthalmology. Despite this progress, sustained and enhanced efforts are required to further reduce waiting times and ensure that no patient endures unnecessary delays. The standards set out in the Patient's Charter, launched in 2016, should remain a guiding benchmark.

### **Provision of Medicines**

The availability of new medicines on the Government Formulary (GF) is another area of concern. According to data published in the 2025 EFPIA Patients W.A.I.T. Indicator Survey, 173 new medicines received marketing authorisation in Europe between 2020 and 2023. On average, 80 of these medicines were made available to patients across the EU. In Malta, however, only 17 (10%) were accessible. Of these, 71% were included in the Government Formulary, while the remaining 29% were available on a named patient basis.

Furthermore, the latest available data for Malta (2022) indicates that the average time for a newly authorised medicine to become accessible to patients was 1,351 days—significantly longer than the European average of 532 days. The Government has committed to expanding the range of medicines available on the formulary. Recently the addition of 15 new antiepileptic medicines considered essential for the most vulnerable patients has been announced by Government. One awaits further details on which specific drugs will be included.

Patients requiring treatments not covered by the Government Formulary often have to rely on alternative sources of support, primarily the Malta Community Chest Fund. Ideally, such treatments should be fully integrated into the National Health System. Although the Government announced in November 2024 its intention to assume responsibility for funding of cancer medication, this commitment had not yet been realised by the end of 2025. This matter should be given the priority it deserves.

Recent EU pharmaceutical regulations, approved last December, are expected to help address the limited availability of certain medicines, particularly those used in the treatment of rare diseases and cancer.

It is therefore hoped that 2026 will see the implementation of these initiatives and reforms, leading to continued improvements in Malta's healthcare system in the best interests of patients.



# ANNEX I

## REPORT AND FINANCIAL STATEMENTS



# REPORT AND FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 DECEMBER 2025

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### **Statement of Responsibilities of the Office of the Ombudsman**

The function of the Office of the Ombudsman is to investigate any action taken in the exercise of administrative functions by or on behalf of the Government, or other authority, body or person to whom the Ombudsman Act 1995 applies. The Ombudsman may conduct any such investigation on his initiative or on the written complaint of any person having an interest and who claims to have been aggrieved.

The Office of the Ombudsman is responsible for ensuring that:

- a. proper accounting records are kept of all transactions entered into by the Office, and of its assets and liabilities;
- b. adequate controls and procedures are in place for safeguarding the assets of the Office, and the prevention and detection of fraud and other irregularities.

The Office is responsible to prepare accounts for each financial year which give a true and fair view of the state of affairs as at the end of the financial year and of the income and expenditure for that period.

In preparing the accounts, the Office is responsible to ensure that:

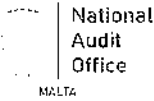
- Appropriate accounting policies are selected and applied consistently;
- Any judgments and estimates made are reasonable and prudent;
- International Financial Reporting Standards are followed;
- The financial statements are prepared on the going concern basis unless this is considered inappropriate.



**Paul Borg**  
Director General



**Gordon Fitz**  
Finance Manager



## Independent Auditor's Report

To the Office of the Ombudsman

### Opinion

We have audited the financial statements of the Office of the Ombudsman (the "Office"), which comprise the statement of financial position as at 31 December 2025, and the statement of comprehensive income, statement of changes in reserves and statement of cash flows for the year then ended, and notes to the financial statements, including a summary of significant accounting policies.

In our opinion, the accompanying financial statements present fairly, in all material respects, the financial position of the Office as at 31 December 2025, and its financial performance and its cash flows for the year then ended in accordance with International Financial Reporting Standards (IFRSs) as adopted by the European Union (EU), and comply with the Ombudsman Act 1995, Chapter 385 of the Laws of Malta.

### Basis for Opinion

We conducted our audit in accordance with International Standards on Auditing (ISAs). Our responsibilities under those standards are further described in the *Auditor's Responsibilities for the audit of the Financial Statements* section of our report. We are independent of the Office in accordance with the ethical requirements that are relevant to our audit of the financial statements, and we have fulfilled our other independent responsibilities in the exercise of our functions in accordance with Article 108(12) of the Constitution of Malta. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

### Responsibilities of Management and Those Charged with Governance for the Financial Statements

The Management of the Office is responsible for the preparation and fair presentation of the financial statements in accordance with IFRSs, and for such internal control as Management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, Management is responsible for assessing the Office's ability to continue as a going concern, disclosing as applicable, matters related to going concern and using the going concern basis of accounting unless the Office is in the process of being terminated in accordance with national law.

The Management is responsible for overseeing the Office's financial reporting process.

### Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with ISAs will always detect a

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material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

As part of an audit in accordance with ISAs, we exercise professional judgment and maintain professional scepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Office's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by Management.
- Conclude on the appropriateness of Management's use of the going concern basis of accounting and based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Office's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the Office to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

We communicate with the Management regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

A handwritten signature in blue ink, consisting of a series of loops and a long horizontal stroke.

**Auditor General**

23 April 2026

National Audit Office  
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## Statement of Comprehensive Income

		2025	2024
	Schedule	€	€
<b>Income</b>			
Government grant		2,055,000	1,486,000
Conference sponsorship		26,100	-
Non-operating income (note 3)		109	109
		<u>2,081,209</u>	<u>1,486,109</u>
<b>Expenditure</b>			
Personal Emoluments (note 4i)		(1,336,027)	(1,360,428)
Administrative and other expenses	1	(435,498)	(282,435)
		<u>(1,771,525)</u>	<u>(1,642,863)</u>
<b>Surplus/(Deficit) for the year</b>		<u>309,684</u>	<u>(156,754)</u>

## Statement of Financial Position

		2025	2024
	Notes	€	€
<b>Assets</b>			
<b>Non-current assets</b>			
Property, Plant and Equipment	5	355,518	<u>311,785</u>
<b>Current assets</b>			
Receivables	6	42,451	44,265
Cash and cash equivalents	7	<u>735,516</u>	<u>460,163</u>
		777,967	504,428
<b>Total assets</b>		<u><b>1,133,485</b></u>	<u>816,213</u>
<b>Equity and Liabilities</b>			
Accumulated surplus		1,065,372	755,688
Payables	8	68,113	60,525
<b>Total Equity and Liabilities</b>		<u><b>1,133,485</b></u>	<u>816,213</u>

The financial statements on pages 6 to 16 were approved by the Office of the Ombudsman on 23<sup>rd</sup> April 2026 and were signed on its behalf by:



**Paul Borg**  
Director General



**Gordon Fitz**  
Finance Manager

## Statement of Changes in Reserves

	<b>Accumulated Fund Total</b>
	€
At 1 January 2024	912,442
<b><i>Statement of Comprehensive income</i></b>	
(Deficit) for the year	(156,754)
At 31 December 2024	755,688
<b><i>Statement of Comprehensive income</i></b>	
Surplus for the year	309,684
At 31 December 2025	1,065,372

(page 6)

## Statement of Cash flows

	2025	2024
Notes	€	€
Cash flows from Operating activities		
Surplus/(Deficit) for the year	<b>309,684</b>	(156,754)
Depreciation	<b>87,500</b>	95,972
Disposal of tangible fixed assets	<b>6,741</b>	8,001
Non-operating income	<b>(26,209)</b>	(109)
	<hr/>	<hr/>
Operating surplus/(deficit) before working capital changes	<b>377,716</b>	(52,890)
Decrease(Increase) in receivables	<b>1,814</b>	(3,330)
Increase /(Decrease) in payables	<b>7,589</b>	(9,424)
Net cash generated from operating activities	<b>387,119</b>	(65,644)
	<hr/>	<hr/>
Cash flows from Investing activities		
Payments to acquire tangible fixed assets	<b>(137,975)</b>	(49,940)
Non-operating income	<b>26,209</b>	109
Net cash used in investing activities	<b>(111,766)</b>	(49,831)
	<hr/>	<hr/>
Net increase/decrease in cash & cash equivalent	<b>275,353</b>	(115,475)
Cash and cash equivalents at beginning of year	<b>460,163</b>	575,638
<b>Cash and cash equivalents at end of year</b>	<b>735,516</b>	460,163
7	<hr/>	<hr/>

## Notes to the financial statements

### 1. Legal Status

In 1995, the Maltese Parliament enacted the Ombudsman Act and established the organization and functions of the Office of the Ombudsman. The main objective of the Office of the Ombudsman is to investigate complaints by the public against any action taken in the exercise of administrative functions by or on behalf of the Government or other authority, body or person to whom the Ombudsman Act 1995 applies. The Office of the Ombudsman is situated at 11, St Paul's Street, Valletta.

These financial statements were approved for issue by the Finance Manager and Director General on 17th January 2026.

### 2. Summary of significant accounting policies

The principal accounting policies applied in the preparation of these financial statements are set out below. These policies have been consistently applied to all the years presented, unless otherwise stated.

### Basis of preparation

The financial statements have been prepared in accordance with International Financial Reporting Standards (IFRS) and their interpretations adopted by the International Accounting Standards Board (IASB). The financial statements have been prepared under the historical cost convention.

The preparation of financial statements in conformity with IFRS requires the use of certain critical accounting estimates. Estimates and judgements are continually evaluated and based on historic experience and other factors including expectations for future events that are believed to be reasonable under the circumstances.

In the opinion of the Finance Manager and the Director General, the accounting estimates and judgements made in the course of preparing these financial statements are not difficult, subjective or complex to a degree which would warrant their description as critical in terms of requirements of IAS 1. The principal accounting policies are set out below:

### Materiality and aggregation

Similar transactions, but which are material in nature are separately disclosed. On the other hand, items of dissimilar nature or function are only aggregated and included under the same heading, when these are immaterial.

### Property, plant and equipment (PPE)

Property, plant and equipment are stated at historical cost less accumulated depreciation and impairment losses. The cost of an item of property, plant and equipment is recognized as an asset if it is probable that future economic benefits associated with the item will flow to the group and the cost of the item can be measured reliably.

Subsequent costs are included in the asset's carrying amount or recognized as a separate asset, as appropriate, only when it is probable that future economic benefits associated with the item will flow to the group and the cost of the item can be measured reliably. The carrying amount of the replaced part is derecognized. All other repairs and maintenance are charged to the income statement during the financial period in which they are incurred.

Depreciation commences when the depreciable amounts are available for use and is charged to the statement of comprehensive income so as to write off the cost, less any estimated residual value, over their estimated lives, using the straight-line method, on the following bases.

	%
Property improvements	7
Office equipment	20
Computer equipment	25
Computer software	25
Furniture & fittings	10
Motor vehicles	20
Air conditioners	17

An asset's carrying amount is written down immediately to its recoverable amount if the asset's carrying amount is greater than its estimated recoverable amount. The carrying amount of an item of PPE is de-recognised on disposal or when no future economic benefits are expected from its use or disposal. The gain or loss arising from derecognition of an item of PPE are included in the profit and loss account when the item is de-recognised.

### Receivables

Receivables are stated at their net realizable values after writing off any known bad debts and providing for any debts considered doubtful.

### Cash and Cash equivalents

Cash and cash equivalents are carried in the Statement of Financial Position at face value. For the purposes of the cash flow statement, cash and cash equivalents comprise cash in hand and deposits held at call with banks.

### Payables

Payables are carried at cost which is the fair value of the consideration to be paid in the future for goods and services received, whether or not billed to the Office.

### Revenue recognition

Revenue from government grants is recognised at fair value upon receipt. Other income consists of bank interest receivable.

### Foreign currencies

Items included in the financial statements are measured using the currency of the primary economic environment in which the Office operates. These financial statements are presented in €, which is the Council's functional and presentation currency.

Transactions denominated in foreign currencies are translated into € at the rates of exchange in operation on the dates of transactions. Monetary assets and liabilities expressed in foreign currencies are translated into € at the rates of exchange prevailing at the date of the Statement of Financial Position.

### Critical Accounting Estimates and Judgements

Estimates and judgements are continually evaluated and based on historical experience and other factors including expectations of future events that are believed to be reasonable under the circumstances. In the opinion of the Finance Officer, the accounting estimates and judgements made in the preparation of the Financial Statements are not difficult, subjective or complex, to a degree that would warrant their description as critical in terms of the requirements of IAS 1 – 'Presentation of Financial Statements'.

## **Capital Management**

The Office's capital consists of its net assets, including working capital, represented by its retained funds.

The Office's management objectives are to ensure:

- that the Office's ability to continue as a going concern is still valid and
- that the Office maintains a positive working capital ratio.

To achieve the above, the Office carries out a quarterly review of the working capital ratio ('Financial Situation Indicator'). This ratio was positive at the reporting date and has not changed significantly from the previous year. The Office also uses budgets and business plans to set its strategy to optimize its use of available funds and implements its commitments.

### Notes to the financial statements (continued)

<b>3</b>	<b>Non-operating income</b>	<b>2025</b>	<b>2024</b>
		€	€
	Bank interest receivable	<b>109</b>	109
		<u>109</u>	<u>109</u>
<b>4i</b>	<b>Personal Emoluments</b>	<b>2025</b>	<b>2024</b>
		€	€
	Wages and salaries	<b>1,289,967</b>	1,314,274
	Social security costs	<b>46,060</b>	46,154
		<u>1,336,027</u>	<u>1,360,428</u>
<b>ii</b>	<b>Average No. of Employees</b>	<b>22</b>	<b>22</b>

## Notes to the financial statements (continued)

## 5i. Property, Plant and Equipment

	Improvements	Office	Computer	Computer	Motor	Furniture	Aircondition	Total
	to property	Equipment	equipment	software	vehicles	and fittings		
Cost	€	€	€	€	€	€	€	€
At 1 January 2025	794,660	44,852	46,433	68,899	101,767	133,158	78,136	1,267,905
Additions	119,679	5,888	6,846	0	0	5,561	-	137,974
Disposals	(20,000)	0	(1,080)	(3,547)	0	(133)	(641)	(25,866)
At 31 December 2025	(20,465)	50,740	52,199	65,352	101,767	138,586	77,495	1,380,013
<b>Depreciation</b>								
At 1 January 2025	562,775	38,326	41,352	40,430	76,706	118,887	77,645	956,121
Charge for the year	57,301	3,566	4,874	9,886	8,354	3,356	163	87,500
Release on disposals	(13,798)	0	(1,080)	(3,473)	0	(133)	(641)	(19,125)
At 31 December 2025	606,278	41,892	45,146	46,843	85,060	122,110	77,167	1,024,496
<b>Net book value</b>								
At 31 December 2025	<b>287,596</b>	<b>8,848</b>	<b>7,053</b>	<b>18,509</b>	<b>16,707</b>	<b>16,476</b>	<b>328</b>	<b>355,517</b>

## Notes to the financial statements (continued)

## 5ii. Property, Plant and Equipment

	Improvements to property	Office Equipment	Computer equipment	Computer software	Motor vehicles	Furniture and fittings	Aircondition	Total
Cost	€	€	€	€	€	€	€	€
At 1 January 2024	806,636	43,315	44,972	32,618	101,767	133,313	78,136	1,240,757
Additions	8,024	2,676	2,790	36,450	0	0	0	49,940
Disposals	(20,465)	(1,139)	(1,329)	(169)	-	(155)	0	(22,792)
At 31 December 2024	893,874	44,852	46,433	68,899	101,767	133,158	78,136	1,267,905
<b>Depreciation</b>								
At 1 January 2024	523,854	36,554	37,864	27,377	59,234	112,575	77,482	874,940
Charge for the year	50,920	2,911	4,817	13,222	17,472	6,467	163	95,972
Release on disposals	(11,999)	(1,139)	(1,329)	(169)	0	(155)	0	(14,791)
At 31 December 2024	562,775	38,326	41,352	40,430	76,706	118,887	77,645	956,121
<b>Net book value</b>								
At 31 December 2024	231,885	6,526	5,081	28,469	25,061	14,271	491	311,784

## Notes to the financial statements (continued)

<b>6</b>	<b>Receivables</b>	<b>2025</b>	2024
		€	€
	Stocks (stationery)	<b>10,183</b>	11,330
	Trade receivables	<b>6,200</b>	4,508
	Prepayments	<b>26,068</b>	28,427
		<b>42,451</b>	44,265

## 7 Cash and Cash Equivalents

Cash and cash equivalents consist of cash in hand and balances in bank. Cash and cash equivalents included in the cash flow statement comprise the following balance sheet amounts:

		<b>2025</b>	2024
		€	€
	Cash at bank	<b>734,606</b>	458,636
	Cash in hand	<b>910</b>	1,527
		<b>735,516</b>	460,163

<b>8</b>	<b>Payables</b>	<b>2025</b>	2024
		€	€
	Trade payables	<b>537</b>	14,775
	Accruals	<b>67,576</b>	45,749
		<b>68,113</b>	60,524

Financial assets include receivables and cash held at bank and in hand. Financial liabilities include payables.

## 9 Fair values

At 31 December 2025 the fair values of assets and liabilities were not materially different from their carrying amounts.

## Schedule 1

### Administrative and other expenses

	2025	2024
	€	€
Utilities	14,270	16,146
Materials and supplies	7,581	6,895
Repair and upkeep expenses	10,708	9,354
Rent	7,749	7,741
International membership	5,750	5,503
Office services	5,897	4,658
Transport costs	6,074	7,345
Traveling costs	38,327	28,800
Information Services	5,217	6,054
Outreach	11,196	9,891
Contractual Services	83,458	77,262
Professional Services	6,530	4,327
Training expenses	3,396	3,377
Hospitality	3,716	2,107
Conference	151,104	8,555
Incidental expenses	284	448
Depreciation	87,500	95,972
(Profit) on Disposals	(13,259)	(12,000)
	<b>435,498</b>	<b>282,435</b>



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Office opens to the public as follows:

October – May 08:30am – 12:00pm

01:30pm – 03:00pm

June – September 08:30am – 12:30pm

**Website:** [www.ombudsman.org.mt](http://www.ombudsman.org.mt)

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