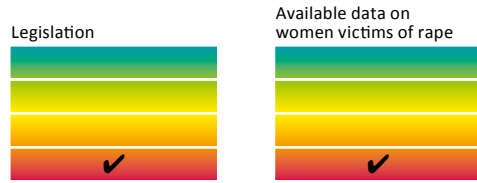


NATIONAL ANALYSIS

Malta



Expert
Marceline Naudi

Legislation

The current legislation (*Criminal Code, Chapter 9, Title VII 'Of Crimes Affecting the Good Order of Families', Sub-title II 'Of Crimes against the Peace and Honour of Families, and Against Morals'*) considers rape as a crime against the 'Peace and Honour of Families'.

Rape is generally prosecuted only on the complaint of the victim rather than ex-officio (barring certain specific provisos).

The definition of rape is based on penetration. Force or violence is assumed only in cases where the victim is under 12 years old, or considered unable to resist due to mental or physical infirmity.

Marital rape (including where the marriage has been annulled or dissolved) is clearly included and attracts an additional degree of punishment.

www.justiceservices.gov.mt/DownloadDocument.aspx?app=lom&itemid=8574

Available data on women victims of rape

The Police have data but is available only on request and at their discretion.

According to an article written in 2009 by Dr Saviour Formosa PhD, senior lecturer at the Institute of Criminology, University of Malta, Malta ranks lowest amongst EU countries for reporting of rape (<http://www.maltatoday.com.mt/2009/09/09/t7.html>).

According to information given in Parliament by the Health Minister in September 2010:

17 called at hospitals or clinics seeking treatment after having been raped. There were:

23 cases in 2009

25 cases in 2008

23 cases in 2007

27 cases in 2006

31 cases in the year 2000, the highest in the past 10 years.

www.timesofmalta.com/articles/view/20100930/local/17-rape-cases-reported-this-year.329212

According to the National Statistics Office publication, *Demographic Review 2009* there were 12 rapes reported to the police in 2009, and 43 violent indecent assaults.

www.nso.gov.mt/statdoc/document_file.aspx?id=2840



The *Demographic Review 2010* gives the figure of reported rape as 11 in 2010, with 43 violent indecent assaults.

www.nso.gov.mt/statdoc/document_file.aspx?id=3173

No information was found in relation to the sex of the victim, relation to offender etc.

Useful Contacts

Supportline 179 and Victim Support Malta.
There is currently no rape crisis centre but funds for a sexual assault response team based at the main general hospital were mentioned in 2013 national budget speech.

