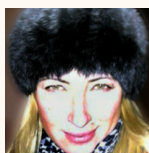


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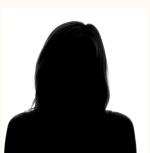
The Impact of Delayed Legal Proceedings in Wilful Homicide Cases in Malta



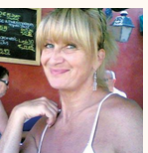
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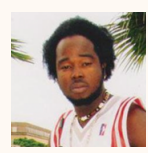
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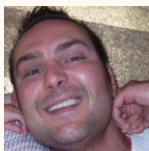
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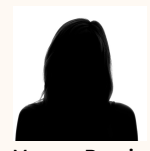
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Mario Galea



Matthew Zahra



Meryem Bugeja
& unborn twins



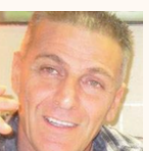
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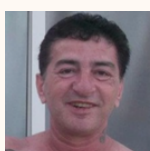
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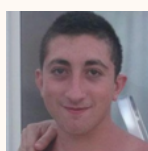
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Paul Degabriele



Mario Camilleri Sr



Mario Camilleri Jr



Paul Grech



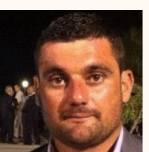
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Peter Cassar



Darren Degabriele



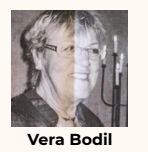
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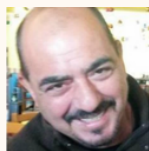
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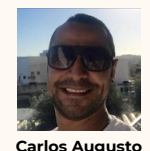
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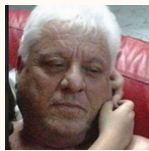
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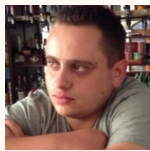
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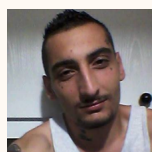
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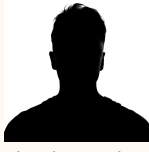
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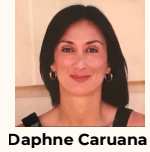
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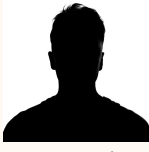
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Daphne Caruana
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Angelo Mangion



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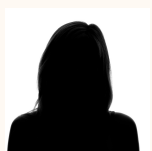
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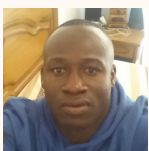
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Fenech



Antonia Micallef



Lassana Cisse



Bakry Bashir
Alnur



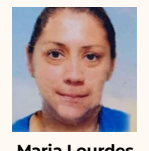
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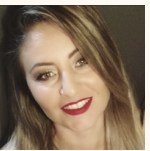
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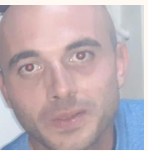
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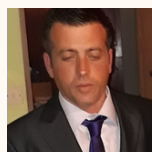
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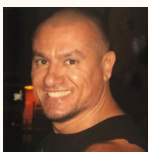
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Savior Gaffarena



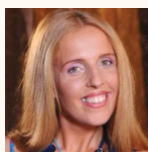
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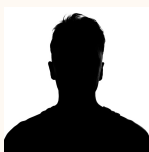
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Ivor Maciejowski



Yvette Gajda



John Spiteri



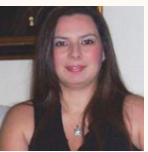
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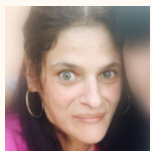
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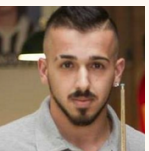
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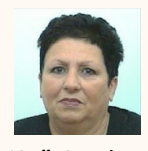
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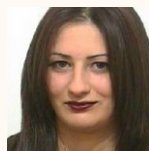
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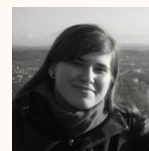
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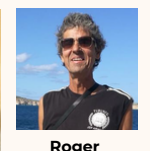
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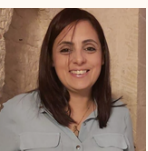
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Roger
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Bernice Cassar



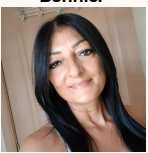
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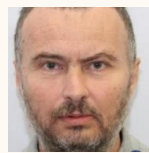
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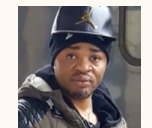
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Joe Bartolo



Carmen Abela



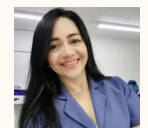
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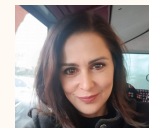
Eric Borg



Sandra Milena
Ramirez



Jesmond Gatt



Nicolette Ghirxi



Raul Eduardo Rey



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The Daphne Caruana Galizia Foundation (“the Foundation”) is a non-profit civil society organisation that pursues public accountability through investigative journalism and legal advocacy. The team at the Foundation is inspired by Daphne Caruana Galizia’s life, journalism, and unwavering commitment to the public interest. The Foundation works to ensure justice for her assassination and to continue her fight for press freedom and democracy. Because it is not possible to isolate her assassination from systemic corruption, institutional and state capture, and a collapse in the rule of law in Malta, the Foundation has a wide mandate to attack those diseases and fight for the principles of democracy using journalism and both legal and political mechanisms.

www.daphne.foundation contact@daphne.foundation

Justice at Risk: The Impact of Delayed Legal Proceedings in Wilful Homicide Cases in Malta

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Authors: Michaela Pia Camilleri with research support from Sabrina Zammit, The Daphne Caruana Galizia Foundation.

Acknowledgements: Thanks are due to Prof. Liberato Camilleri for his contribution to this report.

Cover images: The images of victims published on the cover of this report were all publicly available online. In some cases, no image of the victim could be found in the public domain. The images are placed in order of delayed justice for the respective victims, starting from the longest delayed case.



**Co-funded by
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This report is co-funded by the European Union. However, the views and opinions expressed here are solely those of The Daphne Caruana Galizia Foundation and do not necessarily reflect those of the European Union or the granting authority – the European Education and Culture Executive Agency (EACEA). Neither the European Union nor the granting authority can be held responsible for them.

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Executive Summary

Delays in court proceedings in Malta are no secret. In fact, Malta has been ranked **among the worst-performing EU member states** when it comes to the **length of judicial proceedings**. Malta is bound by the European Convention of Human Rights of the Council of Europe, and its Constitution, to ensure fair hearings within a reasonable time. However, Malta has been found to be **in breach of this important obligation several times**.¹

This report provides an analysis of the significant delays in justice within the Maltese judicial system, by gathering data specifically on **homicide cases that occurred between 2010 and 2024** (inclusive), and the related legal proceedings. The findings show a clear picture of the causes of the systemic failures to deliver timely justice, which undermine the rule of law and the rights of victims and their families. The report also identifies other obstacles to making the Maltese judicial system victim-centred.

Key findings of the report include the following.

- **Low resolution rate:** 46% of homicide cases committed and arraigned between 2010 and 2020 are still pending.
- **Growing backlog:** Malta records an average of 6 murders per year, but only an average of 1.5 cases are concluded annually, leading to a mounting backlog of unresolved cases.
- **Long wait for trial:** On average, accused persons wait three years for a trial date after being indicted.
- **Serious risks:** Long waits increase the likelihood of accused persons absconding, dying, or being declared unfit for trial, and of witness memory fading and evidence becoming inadmissible.
- **Figures don't add up:** Malta has one of the highest expenditure rates on the courts, yet one of the smallest judiciaries per capita and one of the lowest resolution rates in Europe.

To address these critical issues, the report presents a series of recommendations aimed at systemic reform and modernisation of the judicial process, including the following.

- **Formal analysis:** Conducting a comprehensive, formal analysis of the justice system to identify all contributing factors to the delays.

¹The European Court of Human Rights has found Malta guilty of unreasonably lengthy judicial proceedings at least eight times.

- **Procedural reform:** Reducing bureaucracy and streamlining legal procedures.
- **Human resources:** Increasing and better managing human resources, and establishing effective regulation of court translators and experts.
- **Performance monitoring:** Introducing specific targets for case completion and monitoring the time between court hearings to ensure accountability.
- **Technological advancement:** Investing in and implementing new technologies, such as AI systems for transcribing testimonies and a digital-first system for document filing and notifications.
- **Court management:** Improving the management and layout of court halls to be more efficient and victim-centered.

The report makes a final call for immediate and decisive action to overhaul the existing system. The current state of affairs not only constitutes a denial of justice for victims but also erodes public trust in the judiciary and the state's ability to uphold the fundamental principles of a functioning democracy.

Introduction

Cases take so many years, it's barely worth going to court anymore. This phrase, commonly uttered in Malta, is backed by the EU Justice Scoreboard, which ranks Malta [among the worst-performing EU member states](#) in all categories of justice, including **length of proceedings**. Malta continues to have some of the longest delays in the EU in resolving civil, commercial and administrative cases. This is also the case with criminal proceedings, for which the consequences of delay are arguably the most severe and profound.

The Council of Europe's Tableau Public on the member states' efficiency of justice indicates that **Malta has a low clearance rate of criminal cases, at 93%**, and that Malta has by far **the worst disposition time for such cases** among the Council of Europe's member states.²

Data from [June 2025](#) showed that there were 206 people awaiting trial for crimes for which they have already been charged, and **76 of those have been waiting for five years or more**. Data from [October 2025](#) shows that, **at the time of writing, there are 253 trials by jury pending in Malta's courts - nearly fifty more than there were four months ago**. Almost 200 of these trials cannot be appointed yet as they await the outcome of other proceedings.

Purpose of this report

The EU Justice Scoreboard does not include data collection on violent crime, such as homicide. For this reason, The Daphne Caruana Galizia Foundation carried out its own research into wilful homicides, otherwise known as "intentional" or "voluntary" homicides. **Wilful homicide is arguably one of the most, if not the most devastating crime on a personal and societal level. If wilful homicide is not a priority for the justice system, then no other crime is.** For this reason, the Foundation set out to analyse the Maltese authorities' response to this grave crime. The data analysed concerns voluntary homicides committed in Malta between 2010 and 2024, and reflects the actual status of each case up **until 30 June 2025**.

In 2023, [Malta had the lowest murder rate in the EU](#), with a rate of 0.37 per 100,000 people, according to Eurostat. Even the country's highest recently recorded rate, of 2.79 in 2012, is still well below the rate of those EU member states ranking worst in any given

² "Disposition time" refers to the time it takes for a case to be resolved or reach a final outcome in court. Malta's disposition time for criminal cases is 527 days, while the median disposition time for the Council of Europe's member states is 133 days:

<https://public.tableau.com/app/profile/cepej/viz/EfficiencyEN/Efficiency>

year. Given this lighter caseload, one would expect Malta to be able to deal with wilful homicide cases easily and efficiently. Yet the strong anecdotal evidence and the empirical data collected and analysed for this report reveal **a shockingly poor record in delivering justice for wilful homicide.**

The consequences of judicial delays are profound and far-reaching: they erode public trust in the justice system and, consequently, disrupt societal equilibrium.³ Though not exclusive to criminal cases, one of the most grave consequences of the absence of timely judicial resolution is **the negative impact on the mental and emotional wellbeing of victims' families.** [A study of people exposed to legal proceedings of differing lengths](#) by the Department of Psychology of the University of A Coruña in Spain found that the "health of the group with the longest exposure to legal proceedings was the most deteriorated". Longer proceedings result in **increased court and legal costs** only adding more weight to the already heavy burden suffered by victims' families.

Unfortunately, in Malta, **the slow turning of the wheels of justice has often led to the acquittal of the accused** for a variety of reasons, leaving the case permanently unresolved to the untold detriment of the murder victim's loved ones.

When cases are not tried in a timely manner, **the chances of the accused absconding pre-trial increase.**⁴ Maltese law provides for the mandatory release on bail of the accused upon the lapse of 30 months (2.5 years) when the maximum custodial sentence for the charges is more than 15 years.⁵ 78% of wilful homicide cases are not tried within such time. From our data, out of 36 defendants that received a judgement, only 8 had been tried within 2.5 years or less from the date of the murder.

The passage of time also means that crucial **evidence may be lost as witnesses' memories fade, or evidence becomes inadmissible as the law changes.** For instance, there have been cases of incriminating statements, as well as outright confessions, provided by the accused at the time of their arrest, being expunged from proceedings due to changes in legislation before the trial is held, resulting in acquittal. Examples of cases outside the dataset analysed in this report include the following.

³ Vigilantes in the marginal communities of a Bolivian city take the law into their own hands both to police their communities against crime and as a way of expressing their dissatisfaction with the State and its official policing and justice systems:
<https://anthrosource.onlinelibrary.wiley.com/doi/abs/10.1525/ae.2003.30.1.22>

⁴ Data collected by the Daphne Caruana Galizia Foundation shows that 4 murders between 2010 and 2024 remained unresolved because the accused absconded.

⁵ Article 575(9) Chapter 9 of the Laws of Malta (Criminal Code).

Sion Grech: In the case of the murder of Sion Grech, a 20-year-old transgender woman who was stabbed 17 times and left to die in a field in 2005, **18 years** elapsed before the trial of her suspected murderers even began. During the trial, statements given by the accused at the time of their arrest were **expunged due to legislative changes** which were brought into effect long after the murder took place, and a substantial amount of documentation was **excluded because witnesses and investigators could not recall particular details of the case**. The suspects were acquitted by a jury in 2023.

Brian Rosso: In the case of Brian Rosso, a marine biologist and medical technician who was murdered in 2005, the trial by jury of the two men who were charged took place **18 years later**. The criminal court ruled that admissions made by the accused at the time of the investigation (when the right to **legal assistance was not yet provided for by law at pre-trial stage**) were **inadmissible as evidence**. The accused were subsequently acquitted.

In other cases, the intervening period between the filing of charges against the accused and the commencement of trial was so long, that **the accused died, or became mentally unfit to stand trial**. From the research the Foundation carried out, four murders between 2010 and 2024 remained unresolved because the suspect or accused passed away or was murdered before the trial. Some other outstanding cases include:

Baron Francis Sant Cassia: Murdered in 1988 on the grounds of Castello Zammitello in Mgarr, Baron Francis Sant Cassia's case is still unresolved **35 years** later, despite the fact that a man was formally accused of his murder **19 years** ago, after admitting to the police that he had shot the victim. A jury was finally appointed in 2023, **17 years** after charges were filed. However, the accused never stood trial because psychiatrists appointed by the criminal court determined that **his mental health had deteriorated to such a degree that he was unfit to do so**. There is still no date for trial. The case was adjourned indefinitely. Without a trial, the family of the victim will never see justice.

Martin Scicluna: 43-year-old Martin Scicluna was shot dead by his then business partner Spiridione Mercieca, who turned himself in at the law courts in Valletta the same day of the murder. 8 years after charges were filed against him, the **accused died, still not having faced trial**.

In some cases, **the accused was let out on bail**, and committed other crimes.

Eleanor Mangion: The alleged murderer of Eleanor Mangion, murdered in 2016, has been out on bail since 2017. During his time out on bail, he was accused of allegedly committing violent robbery, for which he was again let out on bail.

Chantelle Chetcuti: *The alleged murderer of Chantelle Chetcuti, murdered in 2020, is out on bail and has been reported to the police for domestic violence. Every year, her family reiterates their call for justice, pained by the long wait. [Chantelle's sister, Stacey, recently stated](#): "Now, more than five years later, we are still waiting. No trial. No justice. Only silence. Last year, he was reported for domestic violence, yet he remains free." In a more recent appeal, her sister made [a heartfelt plea for urgent bail reform](#) and clearer timelines within Malta's justice system.*

While parallel proceedings for civil damages provide an avenue for some form of justice, the absence of a criminal judgement in a wilful homicide case will inevitably remain a source of distress for victims' families, as well as engender mistrust of the justice system within society as a whole.

Methodology

The research approach employed in this report is quantitative, focusing on measuring and analysing numerical data to draw conclusions about the efficiency of the judicial system in Malta, particularly in wilful homicide cases.

For the purposes of this research, data was collected through police press releases, freedom of information requests, documents tabled in parliament, parliamentary questions, official reports, media sources, and relevant legislation. Where possible, the Foundation has verified the dates of arraignments and the dates of the issue of the bill of indictment of the accused by consulting court judgements published on Malta's official eCourts website. In some cases, it was necessary to rely on media reports alone, as the data could not be verified by consulting official sources.

Due to limited access to official records related to court cases the Foundation recognises that its findings may not account for data that could not be identified through the sources to which it has direct access. The Foundation remains open to reviewing and updating the report's conclusions should any substantial and previously inaccessible data become available.

It is important to note that **the data is in two parts: victim-focused data and accused-focused data**. While related, they are measured differently. The reason for this is because data on the length of proceedings until a victim receives justice differs from data on the length of proceedings against an accused - a case against a defendant may be resolved before full justice for the victim is achieved. In the dataset analysed in this report, there were 88 victims, and only 82 accused, with several of the murder cases involving two or more accused.

The principle data points identified by the research include: pending murder cases from the victim's perspective, number of arraignments, number of arraignments still pending

and number of years they have been pending for, and the time taken for a homicide case to be concluded by the Maltese courts (by taking into account the date of indictment of the accused and the date of judgement, among other data points), for wilful homicides committed between the years 2010 and 2024, inclusive.

While referring to primary sources was the default research approach, some of the data was collected from secondary sources. For example, the dates of indictment of some of the accused were obtained through media reports and could not be verified officially with the authorities. **The Malta Police Force, Court Services Agency, and Attorney General (“AG”) were contacted for the provision of more information, however, for the most part, refused to cooperate or engage with the request.**

On 08/04/2025, the Foundation filed a Freedom of Information request with the police FOI Officer, which was partially accepted and for which data on arraignments between 2010 and 2024 was provided. However, when the Foundation contacted the Police Commissioner requesting a meeting for further information on 30/05/2025, following the Foundation’s request for a meeting with the AG on 26/05/2025, this was refused.

The police:

“Given that information, documentation and acts relative to criminal proceedings and investigations are not public in nature, we cannot assist you further with your research.”

The Attorney General:

“...we would like to respectfully draw your attention to Article 5(4)(d) of the Freedom of Information Act, Chapter 496 of the Laws of Malta, which states that the Act does not apply to documents held by the Office of the Attorney General.”

The Court Services Agency:

The Foundation filed a Freedom of Information request with the Court Services Agency on 07/04/2025, however the Foundation received no response by the date of publication of this report.

Interpretation

Throughout this report, the term “concluded” with reference to the courts shall refer to the definitive conclusion of the criminal proceedings against all the accused in a particular case, whether they have been convicted or acquitted.

The term “case” refers to the murder of an individual victim, and/or the related legal proceedings.

Scope and limitations

The Foundation's research is limited exclusively to cases of wilful homicide in Malta between the years 2010 and 2024, inclusive. The cut-off point for updates on these cases was 30th June 2025, and statements and conclusions made in this report must be interpreted accordingly.

Given the lack of access to metadata of official case records, the Foundation acknowledges the possibility that data on cases is not reflected in the report's findings if they were not traceable through the sources to which the Foundation had access. The Foundation would be willing to review and revise the findings of this report in light of any significant new data that is, so far, unavailable to it.

Chapter 1: Legal Framework

1.1 Criminal proceedings in homicide cases

The Court of Magistrates (as a Court of Criminal Inquiry)

In the case of a suspected homicide occurring in Malta, the court of magistrates (as a court of criminal inquiry) collects the evidence brought by the police against a person charged with an offence falling within the competence of the criminal court. These proceedings are sometimes called compilation or committal proceedings. At the end of this inquiry, the court has to decide whether there is sufficient evidence for a bill of indictment to be filed by the Attorney General before the criminal court.

Arraignment

When a suspect is arrested, they are taken into police custody to be interrogated, and may be held in pre-trial detention for up to 48 hours. Before the lapse of such time, the police may either bring the suspect before the court to be arraigned (formally charged) under arrest, or release them (on the grounds that the reasonable suspicion no longer exists, or in order to further investigate the case before deciding whether to take the matter to court).

When an accused is charged before the court of magistrates (as a court of criminal inquiry), s/he is asked to enter a plea, whether guilty or not guilty. At this stage, the court also decides on certain matters, including bail and whether the accused will be kept in custody pending trial. The court then proceeds with the compilation of evidence, in order to decide whether there is sufficient evidence for the case to be tried before the criminal court.

Indictment

Once the criminal inquiry is concluded by the court of magistrates, the Attorney General may issue a bill of indictment in respect of the suspect.⁶ The bill of indictment is the document which formally charges the accused. It is filed to initiate proceedings before

⁶ Formerly, the magistrate leading an inquiry would decide when to conclude the collection of evidence. Legislation introduced on 2nd April 2025 caps the term for the conclusion of a magisterial inquiry at six months from when it opened. The term may be extended; however, the Magistrate must conclude the report within two years from the start date even when the inquiry is not concluded. While this speeds up proceedings, care must be taken to ensure that the quality of justice served is not jeopardised. Speeding up the proceedings may actually have the opposite effect of slowing down the process of justice - if critical evidence is not collected within the two-year inquiry limit and the Attorney General does not then order the reopening of the inquiry, justice will be delayed, possibly indefinitely.

the criminal court. If the Attorney General is of the opinion that there aren't sufficient grounds for the accused to be tried, s/he may order the discharge of the accused (*nolle prosequi*).

Trial

Once the Attorney General issues the bill of indictment, the case is then appointed for trial before a judge in the criminal court. The jury decides whether the accused is guilty or not guilty, while the presiding judge decides on the application of the law, such as the punishment imposed following the jury verdict.

Appeal

The court of criminal appeal hears appeals from judgements of the criminal court, and is presided over by the Chief Justice and two other judges.

1.2 Relevant legislation

Crime and punishment

The Maltese Criminal Code provides that “[a] person shall be guilty of wilful homicide if, maliciously, with intent to kill another person or to put the life of such other person in manifest jeopardy, he causes the death of such other person.”⁷ Wilful homicide is punishable with imprisonment for life.⁸

If the accused admits guilt, the court may impose the punishment of imprisonment for a term from twelve to forty years.⁹ In the case of a trial by jury, the court may award a sentence of imprisonment for a term of not less than twelve years in lieu of the punishment of imprisonment for life if, in establishing a fact involving such punishment, the jury shall not have been unanimous.¹⁰

Prescription

As homicide is a crime punishable with imprisonment for 20 years or more under Maltese criminal law, criminal action in respect of homicide is barred by the lapse of 20 years from the date of commission of the crime.¹¹

⁷ Article 211(2) Chapter 9 of the Laws of Malta (Criminal Code).

⁸ Article 211(1) Chapter 9 of the Laws of Malta (Criminal Code).

⁹ Article 492(1) Chapter 9 of the Laws of Malta (Criminal Code).

¹⁰ Article 492(2) Chapter 9 of the Laws of Malta (Criminal Code).

¹¹ Article 688 Chapter 9 of the Laws of Malta (Criminal Code).

However, it is important to point out that once an individual is served with the criminal charges issued against him or her, the period of prescription in respect of those criminal offences is suspended until such time as the definite judgement is delivered. Furthermore, the prescription period shall not start running if the offender is not known.¹²

Maltese law, however, does not prescribe a maximum time period within which an accused murderer must face trial. This report demonstrates that many years often elapse between an accused being charged with murder and the appointment of their trial for hearing before the criminal court.

Bail

Maltese criminal law provides for the right of a person charged or accused who is in custody to apply to be granted temporary release from custody (also known as bail), subject to the satisfaction of certain conditions to be determined by the court.¹³ The law also provides that, in the absence of a final judgement, bail shall also always be granted to a person accused of an offence upon the lapse of 30 months from the date of indictment.¹⁴

Human rights legislation

Unjustified delays in court proceedings are a violation of the European Convention of Human Rights of the Council of Europe, which holds that “everyone is entitled to a fair and public hearing within a reasonable time”,¹⁵ and that “[e]veryone arrested or detained... shall be brought promptly before a judge... and shall be entitled to trial within a reasonable time”.¹⁶ This right is also enshrined in the Constitution of Malta, the highest law of the country.

Despite this, judicial proceedings in some cases take an inordinate length of time, with several cases lasting decades, particularly those involving [property disputes](#). Even

¹² Article 692 Chapter 9 of the Laws of Malta (Criminal Code).

¹³ Article 574(1) Chapter 9 of the Laws of Malta (Criminal Code).

¹⁴ Article 575 (7), (8) and (9)(a)(v) of the Laws of Malta (Criminal Code).

¹⁵ Article 6 § 1 European Convention on Human Rights.

¹⁶ Article 5 § 3 European Convention on Human Rights.

criminal proceedings take an unreasonable amount of time to resolve: some cases dating back to the 1980s are still pending.¹⁷

The delays in the Maltese judicial system are also recognised as a problem by the European Court of Human Rights (ECtHR), before which **Malta has lost at least eight cases** on this particular point.

For instance, the ECtHR lambasted the Maltese courts for taking too long to expedite constitutional redress proceedings on length of proceedings. The applicants, criminally accused in 1984, had filed constitutional proceedings in 1999, claiming that their rights had been breached due to excessively long criminal proceedings. However, the constitutional proceedings themselves lasted an excessive time, until 2015. This meant that the fundamental rights of the applicants to an effective remedy were infringed.¹⁸ The proceedings before the Maltese Constitutional Court, intended to be a remedy for excessive delays in other courts, were themselves excessively long and therefore failed to meet the "reasonable time" requirement of Article 6 of the European Convention on Human Rights.

Embodying the principle of "justice delayed is justice denied", the Strasbourg Court held that the applicants had suffered a violation of their rights when they were made to wait for a further seventeen years to redress the excessive delays that they had suffered, and ordered Malta to pay the applicants the sum of €17,000 each.

¹⁷ The murder of Francis Sant Cassia in 1988 is still unresolved. 19 years have elapsed since charges were filed and there is still no date set for trial. The accused's mental health has deteriorated so much that he is unlikely to ever stand trial.

¹⁸ Galea and Pavia v. Malta [2017] European Court of Human Rights.

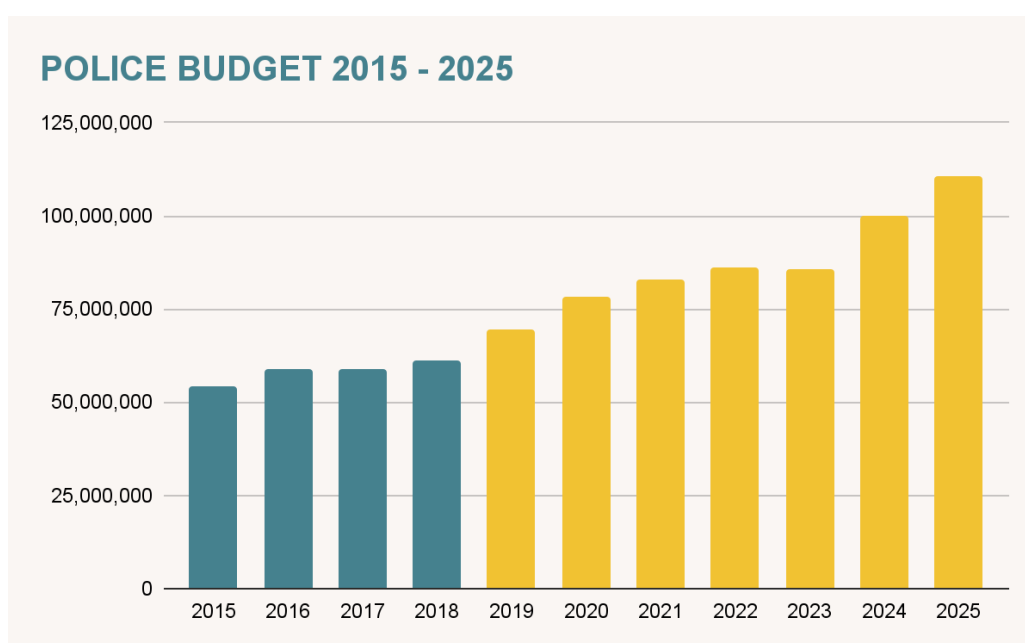
Chapter 2: Findings

2.1 Findings on duration of justice for victims

During 2010 to 2024, 88 people died in Malta with wilful homicide as the cause of death.

- **In the case of 24 of the 88 victims (27% of cases), no person was ever formally accused of their murder.**

These 24 murders all happened before 2018. One year following Daphne Caruana Galizia's assassination in 2017, the Malta Police Force annual budget was increased significantly by €8 million, which could have enabled more thorough investigations.



2.1. Source: Malta Budget Estimates 2015-2025

- **Five murders between 2010 and 2024 remained unresolved because the suspect or accused passed away or was murdered before the trial.**

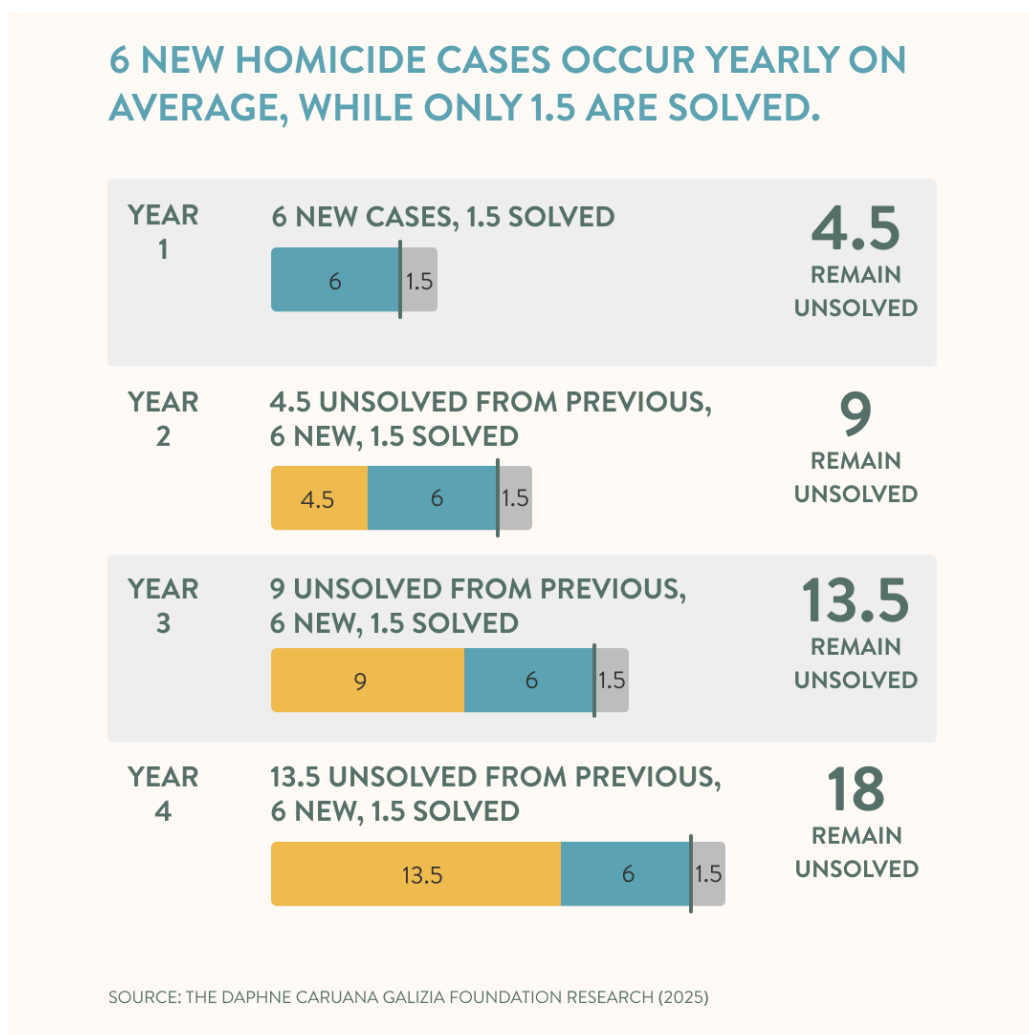
These are the cases of Yulia Kalinina, murdered in 2011, Kevin Gatt and Stephen Zammit, murdered in 2012, Joseph Caruana, murdered in 2013, and Antoine Dalli, murdered in 2020,

- **Three murders between 2010 and 2024 remained unresolved because the suspect or accused absconded before the trial.**

These are the cases of Ahmed Rasem Franko, murdered in 2016, and Ramzi Abdulhafid Ib Abukem and Hamza Kamel M.I Bakoush, murdered in 2018.

- On average, 6 murders take place every year, but only 1.5 cases are concluded every year.

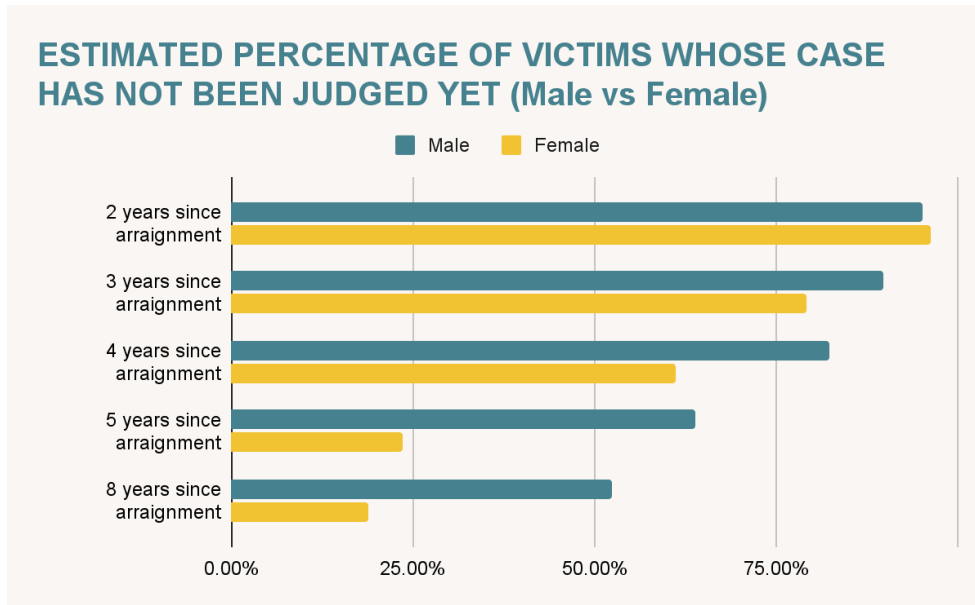
This discrepancy is significant in that it reflects Malta's low resolution rate for criminal cases, and is comparable to Malta's low resolution rate for civil, commercial, and administrative cases, which is one of the lowest in the EU.¹⁹ This low resolution rate is concerning in that, in the absence of a meaningful intervention, it is predictive of a worsening situation over the years as the backlog of cases continues to increase, with the inevitable consequence that some will fail to be concluded even decades after the murder takes place.



2.2 Annual numbers of new and resolved homicide cases

¹⁹ EU Justice Scoreboard.

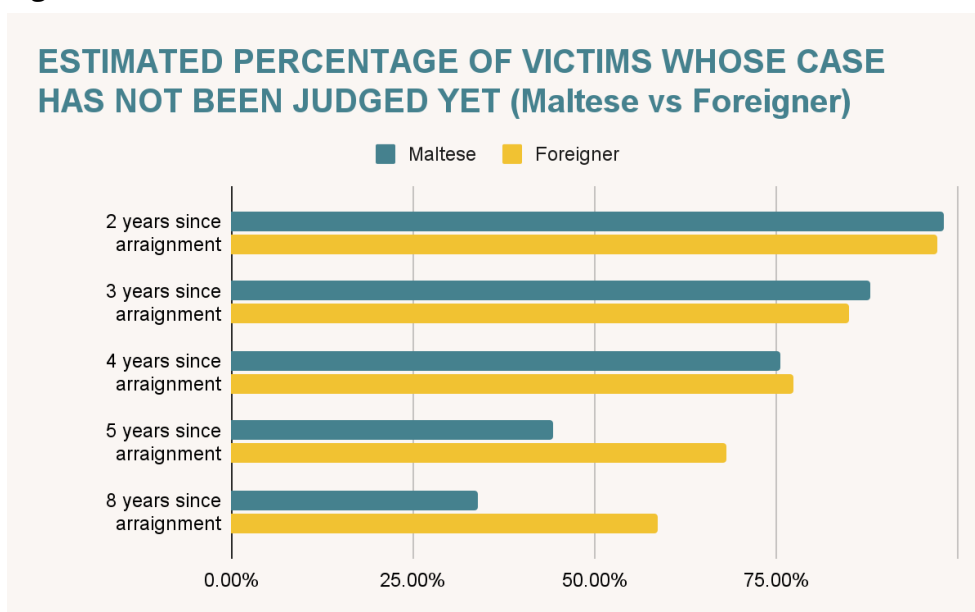
- Cases involving female victims take a significantly shorter time to be judged compared to male victims.



2.3. Source: The Daphne Caruana Galizia Foundation Research (2025)

- The number of Maltese victims was larger than the number of non-Maltese victims. 60 out of 88 victims were Maltese.
- Cases involving Maltese victims take a shorter time to be judged compared to non-Maltese victims.

The tables below show that beyond 4 years from arraignment, the percentage of Maltese victims whose case has not been judged yet is significantly smaller than the percentage of non-Maltese victims.

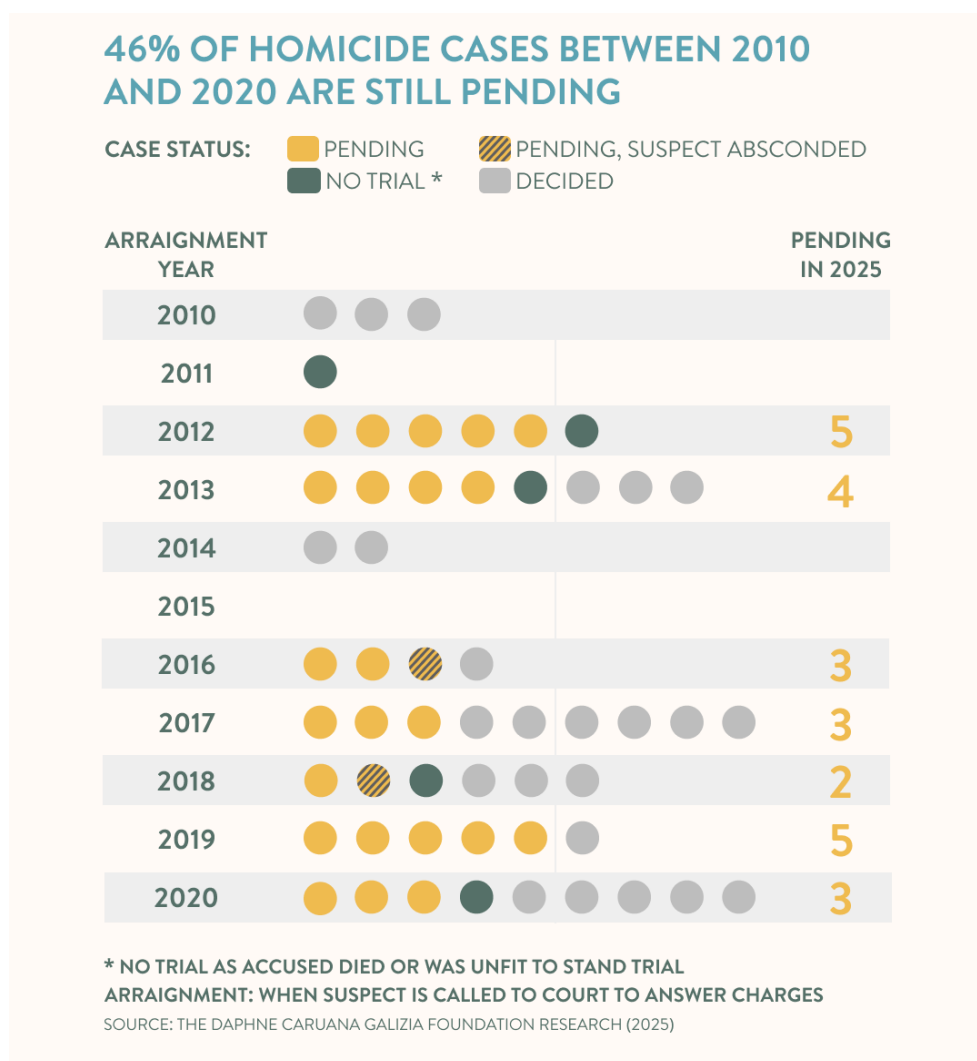


2.4. Source: The Daphne Caruana Galizia Foundation Research (2025)

2.2 Findings on proceedings against the accused

- Court proceedings are still pending for 46% of the arraignments for murders which took place between 2010 and 2020 (25 out of 54 cases).²⁰

7 out of 10 arraignments dating back to 2012 were still pending as at 30 June 2025, meaning that the families of the victims have been in legal limbo with no end in sight for over 13 years.



2.5. Number of homicide cases pending from 2010 to 2020

- Of the 36 accused's cases which were fully concluded by 30 June 2025,²¹ the full process from arraignment to judgement took a maximum of 8 years, a minimum of 1 year, and, on average, 4 years. This does not take into account all the cases that are still pending from 2012.

²⁰ This also includes persons who have been indicted and are waiting for a trial date.

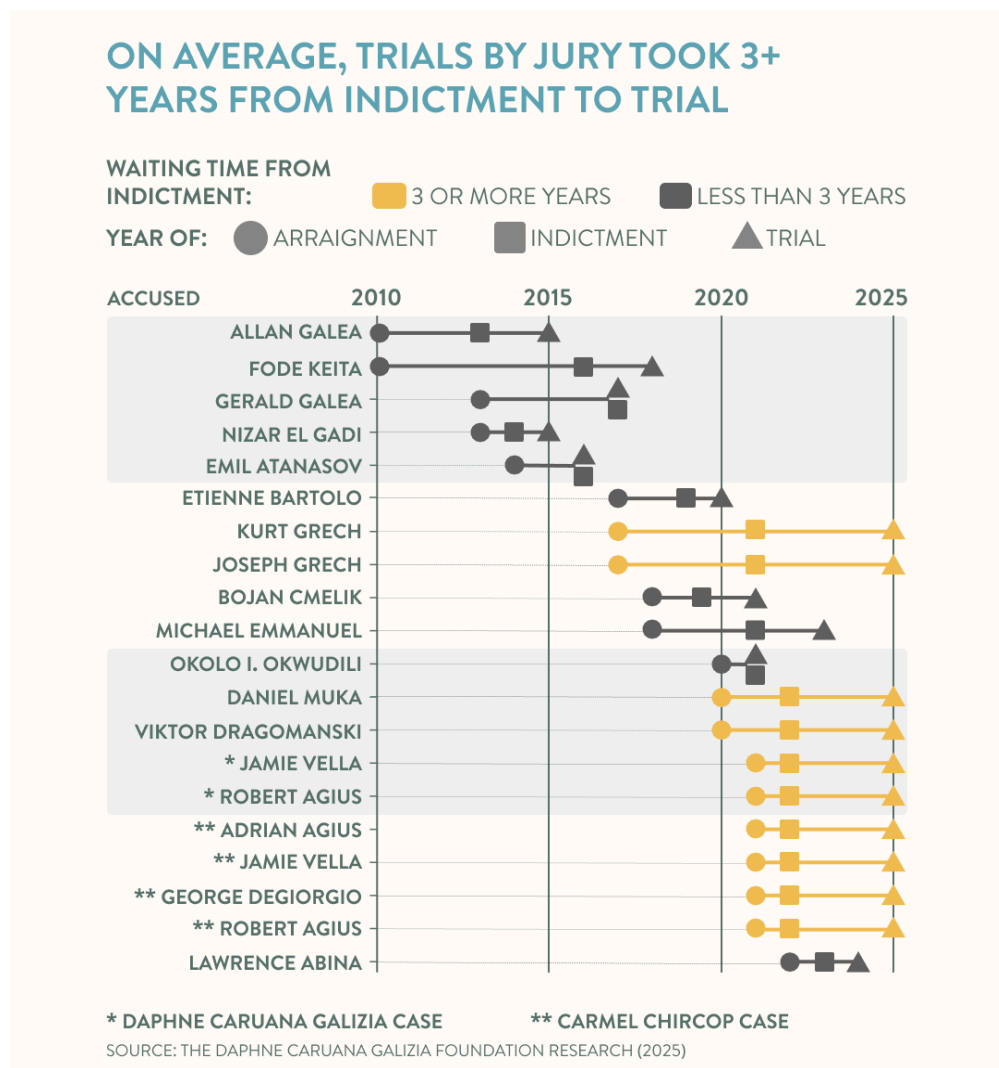
²¹ This is the cut-off date of data-collection of this report.

For instance, the murderers of Brandon Pace, murdered in 2017, were found guilty in 2025. They were arrested soon after the murder, and charged in court just two days later. It is unclear why the case took so long to be decided.

- **Of those cases that underwent a trial by jury (20 of the 36 cases) there was an average waiting time of more than 4 years from the date of arraignment and more than 3 years from the date of indictment.**

There are 2 cases in which the trial started less than 5 years after the date of indictment, and 8 cases where the trial started less than 4 years after indictment.

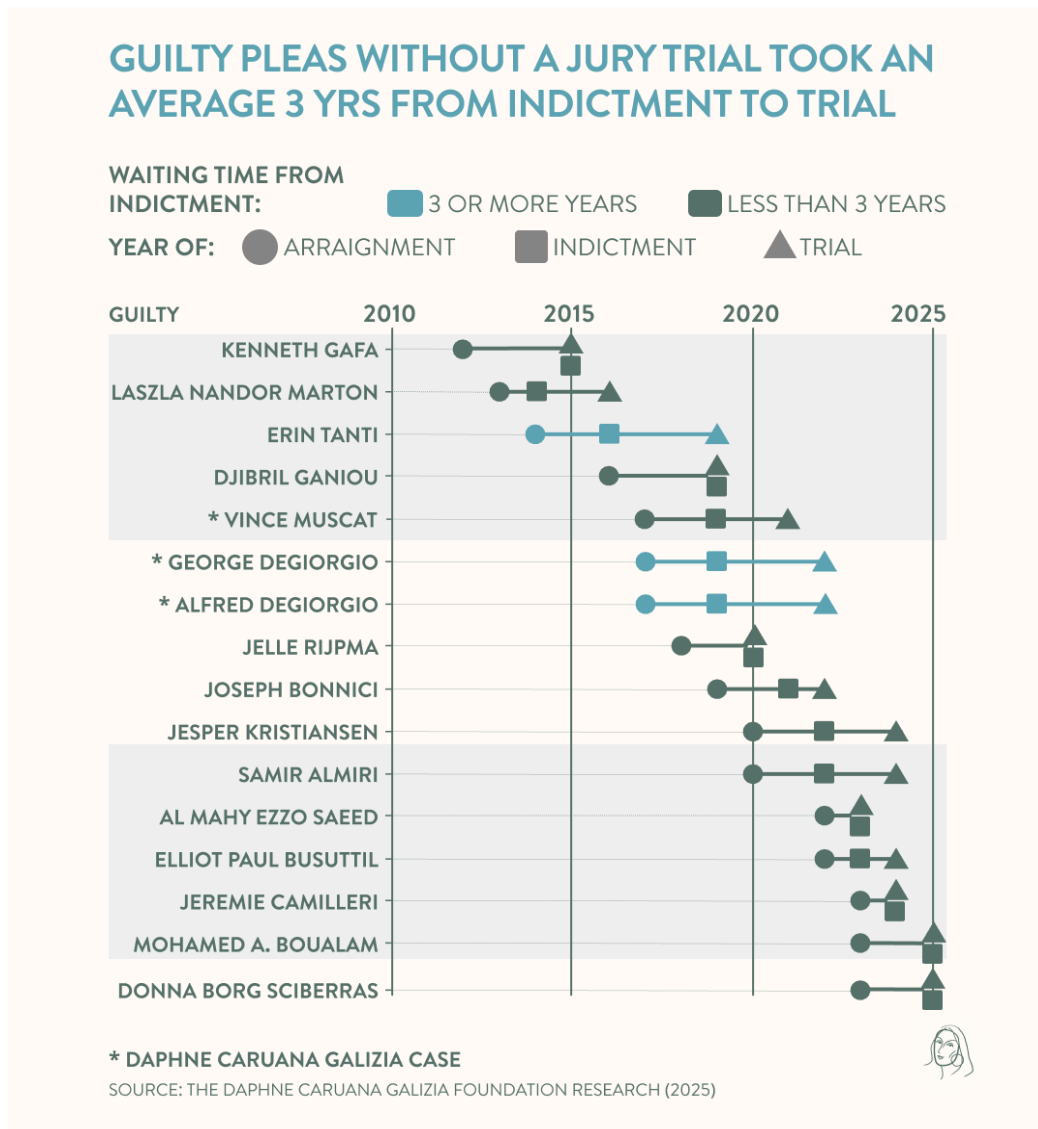
For instance, in the case of Daniel Muka, who was found guilty of murdering Christian Pandolfino and Ivor Maciejowski in August 2020, Muka was indicted on 22 April 2022, while his trial started 3 years and 3 months later on 17 June 2025. Muka was arraigned in court on 26 August 2020, meaning that the wait for trial lasted longer than the compilation of evidence.



2.6. Average time taken by trials by jury from indictment to trial

- Of the remaining 16 cases where the accused pleaded guilty and did not undergo a trial by jury, on average, such cases took under 3 years from the date of indictment to be called to trial .²²

There are 3 cases where the trial started less than 4 years after the date of indictment.



2.7. Average time taken from indictment to trial in guilty pleas without a jury trial

²² When an accused pleads guilty before their trial, they are still called to trial before a judge, who then formally declares the accused is guilty and hands down a judgement and sentence. Pleading guilty to wilful homicide before the bill of indictment is issued means the accused avoids life imprisonment. For instance, in the case against Jeremie Camilleri, who murdered Pelin Kaya, the judge observed that she was unable to impose a life sentence because Camilleri had admitted his guilt before the bill of indictment was issued.

- **Of 82 arraignments (for a total of 88 murders), 5% of the accused died before the trial started, and 2.5% of the accused escaped before the trial started.**

The Foundation's research revealed several cases in which the appointment of a trial took so long that the defendant died in the interim. In such cases, not only is the accused deprived of their right to a fair trial within their lifetime, but victims' families are deprived of the opportunity to see the accused stand trial for murder, and to see justice meted out.

Accused murderer Tamara Gennadievna Boubekova died 7 years after she was arraigned for the murder of her daughter Yulia Kalinina in 2001.

The family of Martin Scicluna, who was murdered by his business partner in 2008, never saw justice being served, as the accused, who had confessed to the murder just moments after it happened, died of illness 8 years later, in 2016, without ever having been brought to trial.

It is not uncommon for the accused to be released on bail even before the lapse of 30 months required for mandatory release, and so families would have had to witness the accused continuing to live among their friends and family until their death, while they are left to grieve their loved ones having been denied perhaps the most essential step towards possible healing.

For instance, the alleged murderer of Eleanor Mangion who was murdered in 2016, has been out on bail since 2017. During his time out on bail, he was accused of allegedly committing violent robbery, for which he was again let out on bail. Eleanor's family, including her daughter, live their lives knowing he is out on bail.

- **In at least two cases,²³ a bill of indictment has not yet been issued, several years after the murder took place.**

For example, soldiers Francesco Fenech and Lorin Scicluna have not yet been indicted for allegedly murdering Lassana Cisse in 2019. It is fair to question why two cases of AFM soldiers accused of murdering migrants are taking so long to progress and to be brought to trial, when cases involving migrants murdering other migrants, for example, are usually the cases that are quickest to be brought to trial by jury.

²³ The Foundation did not have access to all dates of issue of the bills of indictment in all the cases under analysis in this report. There may be other cases of wilful homicide in which an alleged perpetrator is charged but a bill of indictment has not been issued years after the murder.

For example, Okolo Innocent Okwudili, who was accused of murdering Amoubi Joseph Ezechi Wisdom in 2020, was acquitted in a trial by jury one and a half years after arraignment. Emil Atanasov, accused of murdering Kristic Dragoljub in 2020, was found guilty in a trial by jury just over 2 years after arraignment. Lawrence Abina, found guilty of murdering Rita Ellul in 2022, also underwent a very quick judicial process. He was found guilty in a trial by jury within just 2 years from the murder. The same can be said for Nizar el Gadi, found guilty of murdering Margaret Mifsud in 2012.

- **In two cases, even after an accused had been formally indicted, the case was still awaiting a trial date up to 5 years later**

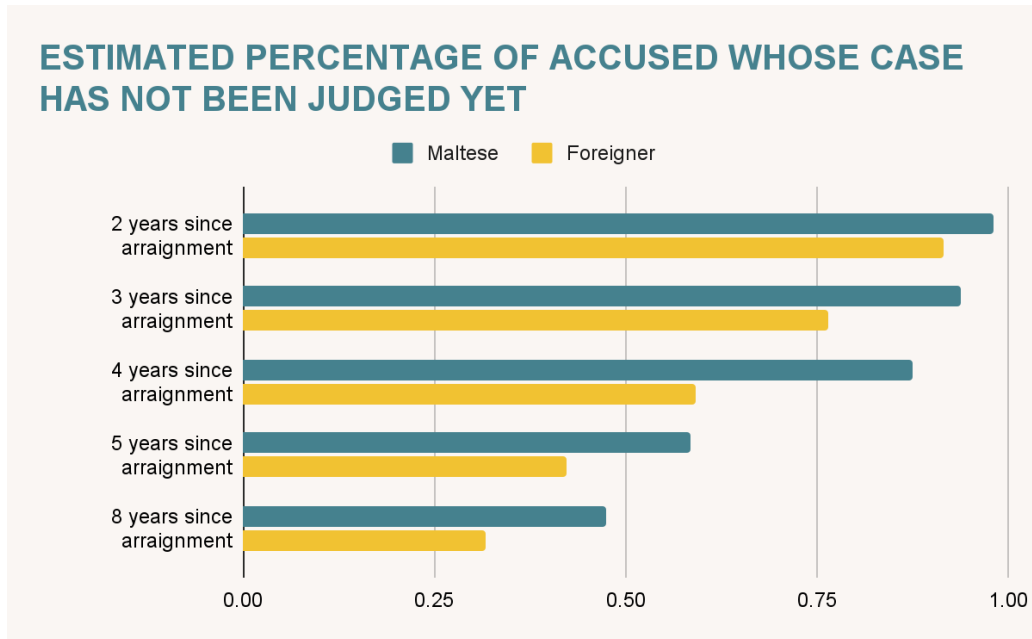
For instance, Andrew Mangion, who murdered his wife, Eleanor, in 2016, has been under indictment for nearly 5 years. He is currently out on bail, and hasn't been called to trial yet. While out on bail, he has been accused of violent robbery, among other crimes.

Similarly, Yorgen Fenech has been under indictment for nearly 5 years, and was released on bail in February 2025 without a trial date as the pre-trial phase had not yet been completed..

Another case is that of the three soldiers accused of brutally murdering Mamadou Kamara in 2012. Sergeant Mark Anthony Dimech, Gunner Clive Cuschieri, and Lance Bombardier Gordon Pickard, have been indicted for almost 4 years, and are still awaiting trial while they live their life freely out on bail. Similarly, Aleksander Stojanovic, accused of killing Walid Salah Abdel Moteleb Mohamed in 2018, is still awaiting a trial date, almost 4 years later.

Another case has been awaiting trial for under 3 years, while there are 7 cases that have been awaiting trial for less than 2 years.

- Cases involving foreign accused take significantly less time to reach judgement than cases involving Maltese defendants.



2.8. Source: *The Daphne Caruana Galizia Foundation Research (2025)*

- The number of male accused was significantly larger than the number of female accused.

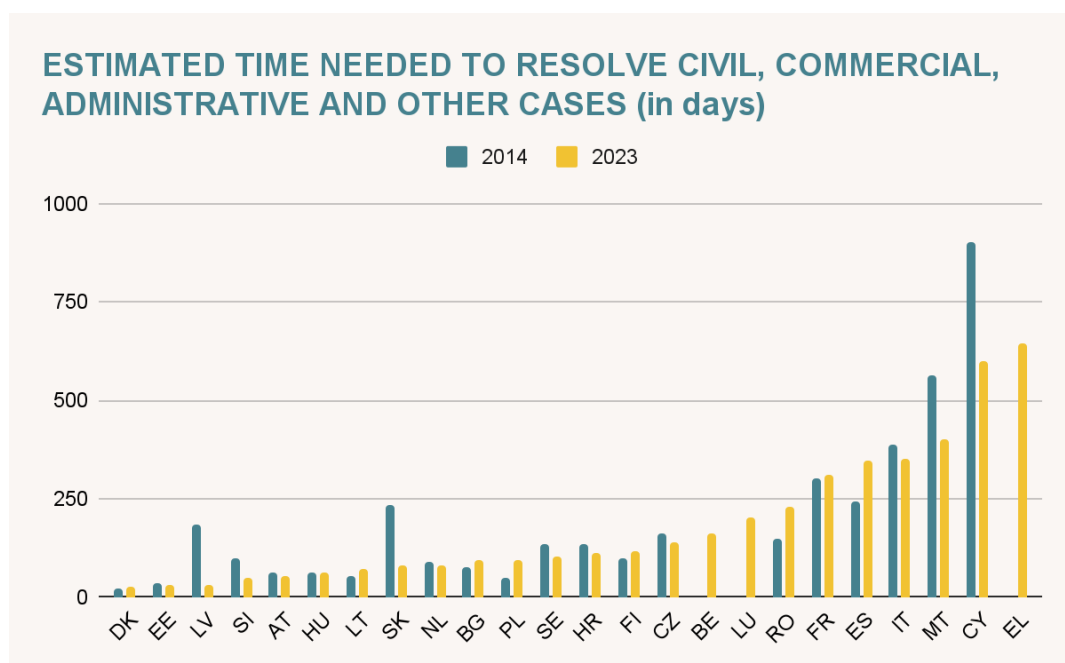
79 out of 82 accused (96%) were male, while 27 out of 88 victims (31%) were female.

Chapter 3: Comparative Analysis with Other EU Member States

3.1 How Malta's courts compare to courts in other EU countries

Malta has one of the highest expenditure rates on the courts, one of the smallest judiciaries per capita, and one of the lowest case resolution rates in Europe.

Malta's rate of resolving civil, commercial, and administrative cases is [one of the lowest in the EU](#). While in most other EU countries, the number of newly introduced cases is almost equal to the number of cases resolved annually for the years 2014, 2021, 2022, 2023, in Malta, cases are resolved at a lower rate of 90% - the fourth lowest in the EU. This means that the remaining 10% accumulate onto the next year's caseload.



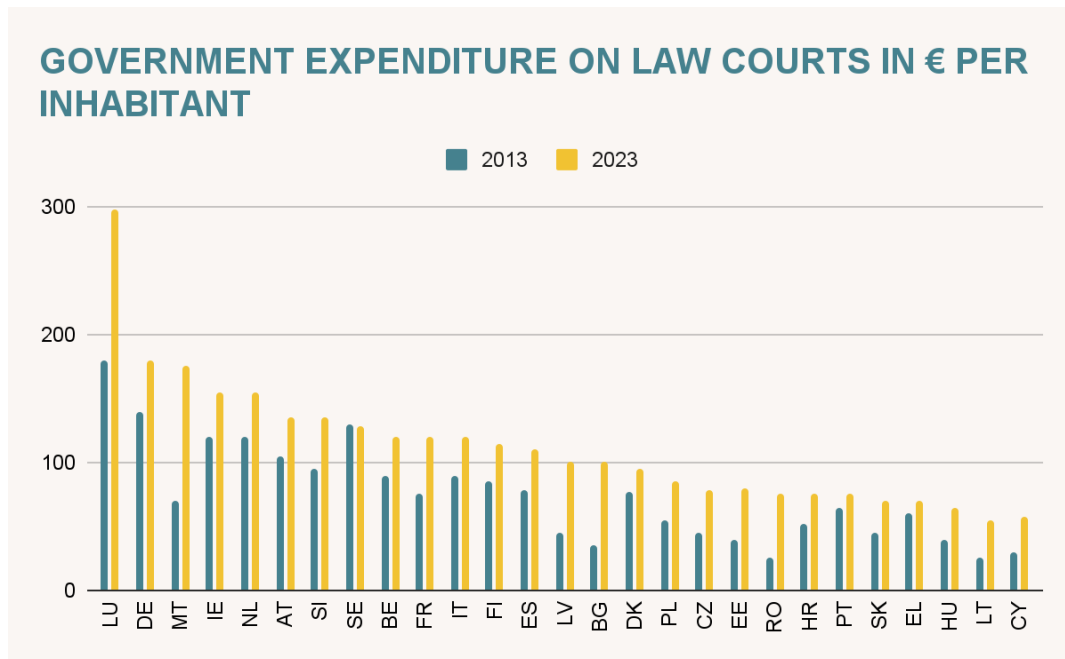
3.1. Source: 2025 EU Justice Scoreboard

This also happens with criminal cases. The Council of Europe's Tableau Public on the member states' efficiency of justice shows that **Malta has a low clearance rate of criminal cases, at 93%**, and that Malta has by far the worst disposition time for such cases from the Council of Europe's states.²⁴

²⁴ "Disposition time" refers to the time it takes for a case to be resolved or reach a final outcome in court. Malta's disposition time for criminal cases is 527 days, while the median disposition time for Council of Europe member states is 133 days:

<https://public.tableau.com/app/profile/cepej/viz/EfficiencyEN/Efficiency>

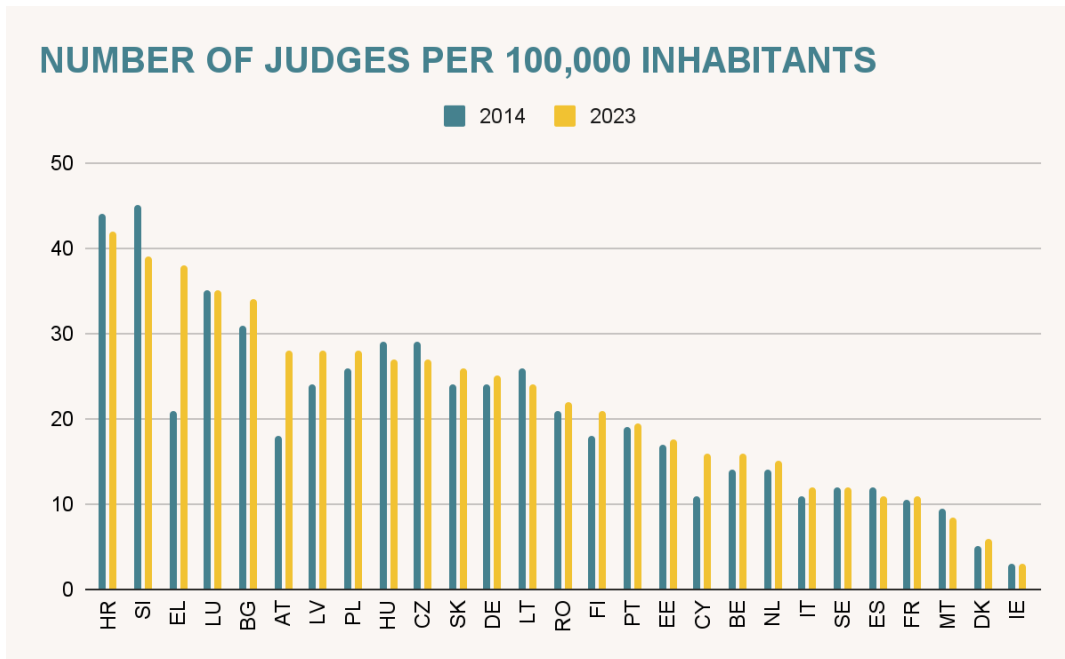
Despite being the country with some of the lengthiest court cases, **Malta is one of the countries that spends most on the operation of its justice system**, just after Luxembourg and Denmark. Contrastingly, Luxembourg and Denmark deal with cases at a much faster rate than Malta. According to separate data compiled by the Council of Europe, in 2022, the implemented judicial system budget of Malta [amounted to €38,985,790](#).



3.2. Source: 2025 EU Justice Scoreboard

While Malta is one of the countries that spends most money on its courts, it is **the third ranking country with the least number of members of judiciary per capita – around 10 per 100,000 inhabitants**. On the other hand, Slovenia, second highest in the ranking, has 41 members of the judiciary per 100,000 inhabitants. Slovenia has a 100% resolution rate of cases, as opposed to Malta’s resolution rate of 90%, which is the fourth lowest in the EU.

In 2024, the number of judges increased from 20 in December 2020 to 26 in December 2024. Over the same period, the number of magistrates [increased from 21 to 29](#). However, the number of members of the judiciary still remains among the lowest per inhabitant in the EU. **The European Commission** pointed out [in its 2025 Rule of Law Report](#) that Malta needs **to swiftly increase human resources in the judiciary** in order to reduce the length of proceedings. **Chief Justice Mark Chetcuti** [recently appealed for an increase in judges](#) appointed to the criminal court, as it would allow the court to better manage the backlog of trials currently waiting to be scheduled.



3.3. Source: 2025 EU Justice Scoreboard

Malta is also one of the lowest performers when it comes to the use of digital technology by the courts. The lack of digitisation of the court system, particularly its communication channels, is one of the major obstacles to improving the efficiency of the Maltese judicial system, as is also reflected by practising Maltese lawyers in Chapter 4 of this report. Digitisation is essential for bureaucratic efficiency, such as in the filing of some types of documents and in notification services. This digitisation process has been going on since 2022 and is still underway, as reflected in Chapter 5 of this report.

It is counterintuitive that Malta is the third-ranking country in expenditure on the courts, yet the court system is technologically underdeveloped, and has a very low number of members of the judiciary in proportion to the country's population.

The EU Justice Scoreboard also indicates that the technology within Maltese courts is better than that within the prosecution service, primarily because the latter lacks an electronic case management system, a problem the government has said it is working to resolve. Unlike the top-performing countries in the area of digitisation within the justice system, the Maltese courts and prosecution services do not make use of blockchain technology, artificial intelligence in core activities, and electronic case allocation systems.

Furthermore, Malta completely lacks secure electronic communication between courts and bailiffs/judicial officers, between courts and detention facilities, and between courts for proceedings.

3.2 Best practices of other EU jurisdictions: Working towards a more victim-centred system

A victim-centred judicial system prioritises the needs and rights of individuals who have experienced crime, focusing on their support and recovery throughout the judicial process. Its priorities are the provision of assistance, information, and empowerment to victims and their heirs, rather than solely focusing on punishing or reforming the perpetrator. The practices outlined below are not applied solely to wilful homicide cases, but serve as examples of practices that can be adopted and adapted by the Maltese justice system to place victims at the centre.

Delay-management

The management of delays in judicial proceedings is a significant aspect of a victim-centred system. Nordic countries, including Sweden, Finland, Denmark, and Norway, are known for having more victim-centred systems, and also for dealing with cases efficiently.

Nordic countries make extensive use of digital case management tools, having fully digital case files, electronic submission systems, and e-communication between courts, lawyers, and parties. For example, Finland makes use of the “TUOMAS” system, which automates case allocation and monitors timeframes, and “SANTRA”, an electronic system which allows for efficient document exchange. In Sweden, the “VERA” system manages criminal and civil cases, and tracks deadlines automatically. In Malta, lawyers have access to certain documents on the eCourts website. However, the Maltese system is not as developed as in the other countries mentioned above.

Nordic countries have a strong pre-trial case management system, where judges clarify legal and factual issues before the trial starts, and promote early settlement, in court or via mediation. The latter has contributed significantly to these countries’ low rate of civil case filings. Norway, for instance, enacted a Dispute Act which requires judges to proactively manage cases. In the preparatory stage of litigation, the judge is responsible for promoting clarification of all legal and evidentiary issues and determining whether expert testimony will be needed. This preparatory phase typically concludes six months after the case is filed. After that, the parties, claims, grounds, and evidence are deemed fixed, and while the content of evidence may evolve and claims may be adjusted, neither may be significantly altered during the proceedings. In Malta, mediation is obligatory in the case of marital separation and divorce, before the couple proceeds to litigation. Mediation is also obligatory in the case of leases issued prior to 31st May 1995. Otherwise, mediation is up to the parties, and not yet a common practice that is promoted by judges in court.

Nordic countries also widely use video conferencing for witness testimony and for procedural hearings. In Malta, witnesses may sometimes testify via video; however, this is in exceptional circumstances, such as in the case of vulnerable witnesses like children, and witnesses who are ill or residing abroad.

Special fast-track and summary proceedings speed up the process. For example, in Denmark, small claims under DKK 50,000 use simplified “small claims court” processes. Malta also has a similar system for small claims. Finland provides for summary procedures for uncontested debts, which can be resolved almost entirely electronically. In Malta, there are some tribunals where hearings are held online, such as the Environment and Planning Review Tribunal. However, this is the exception to the rule.

Nordic countries carry out rigorous performance monitoring, with public dashboards tracking average case lengths, clearance rates of cases and the age of pending caseload. For example, the Norwegian courts publish detailed annual reports comparing each court’s efficiency, while the Swedish National Courts Administration sets formal percentage-based targets for cases. Malta issues [monthly reports](#), showcasing how many cases were introduced, were decided, or are pending that month. However, there are no pre-set targets.

Participation of victims in proceedings

In certain countries, the victim, or their family, has a more active role in criminal proceedings. For instance, the German legal system allows for an “accessory action” which enables victims of criminal offences to actively assert their rights in criminal proceedings, parallel to the prosecution. It was created to give victims of certain crimes a voice in the trial. This action is allowed in cases concerning offences against life (e.g. murder, manslaughter), against sexual self-determination (e.g. rape, sexual assault) or in the case of bodily injury offences.

This action allows the victim or their family to become a joint plaintiff in the case. The joint plaintiff has the right to:

- be present in the courtroom;
- question witnesses and experts;
- inspect files through the appointed lawyer;
- present their own motions for evidence;
- appeal, insofar as his or her interests are affected.

In [a recent judgement](#), the Maltese criminal court asked the Minister of Justice to consider amending the law to grant victims a more substantive role in criminal

proceedings.²⁵ This proposal, which followed submissions by lawyers Jason Azzopardi and Chris Busietta, calls for the enhancement of the role of the *parte civile*, or victim in a criminal case, both during and prior to trial. This is in line with European and international legal frameworks, including the Victims' Rights Directive.

Under the current legal framework, while victims may be represented during criminal proceedings, they lack the ability to actively participate or pose questions. The court highlighted the need for legislative action to rectify this disparity, noting that victims should not merely be passive observers but should be afforded a platform to state their perspectives and preferences. The court also highlighted the need for victims' legal representatives to engage further in proceedings, potentially through joint applications alongside the prosecution and defence counsel. The sentence was formally communicated to the Minister for Justice, Jonathan Attard, but there has been no progress yet towards addressing the shortcomings highlighted by the court.

²⁵ *Ir-Repubblika ta' Malta vs Busuttil Elliot Paul* [2024], Courts of Malta

Chapter 4: Stakeholders' Perspectives

The Foundation consulted several stakeholders within the justice system to point out the primary causes of the delays within the justice system as a whole, as well as other issues that hold the system back from becoming more victim-centred.

4.1 Lawyer's perspective - Dr Michael Camilleri

"There are some obvious and structural issues which delay the process of cases in the law courts. There are about 50 judges and magistrates for a population of over 550,000 and this is lower than Cyprus or Italy. More judges and magistrates would obviously produce more work. **There is a serious problem with understaffing and lack of resources.** There are often times when a whole sitting is adjourned due to a lack of staff. Both of these issues (lack of judges/magistrates and lack of staff) lead to longer adjournments, typically 2/3 months between one sitting and another.

"The government and the judiciary need to get up to date with technology including having more frequent online sittings, digitalisation and using AI systems for transcribing evidence. When I started practicing in the law courts, lawyers used to simply ask for an adjournment without a reason and judges and magistrates would consent. Those days are long gone and this is a good thing, but adjourning a case for the filing of affidavits (for example) is a useless adjournment. Each sitting must be used for viva voce evidence or for oral submission, anything else should be filed between sittings.

"Filing should be done through an online system similar to the eComms system of the ECtHR. At ECtHR level we are able to file letters, submissions etc. through this system and the court will send the acts file to the government to reply. This would avoid useless delays in notifying lawyers, they would be notified through the system.

"There should also be a system whereby cases which debate an already established principle can be settled without the need of sitting. A proposal or settlement could be proposed by the court itself which would need to be accepted by the parties.

"I am not a big fan of administrative or specialised tribunals although **having an administrative tribunal set might help take the load off the courts.** But these administrative or specialised tribunals must be given all the tools given to the courts and should be full time and, in my opinion, an appeal should always lie in the courts.

"I do not deal with many criminal cases but **legislative measures can help streamline and improve the procedure.** In England they did away with the compilation of evidence stage, so you have the inquiry and once that's over the case goes to trial."

4.2 Victims' families' perspectives

In February 2024, the Daphne Caruana Galizia Foundation carried out a workshop with several families of victims of the justice system. Though not all wilful homicide cases, they have all experienced shortcomings in the Maltese judicial system. Feelings of exhaustion and frustration are common to all the families, particularly when it comes to the length of the court proceedings. However, the length of proceedings is not the only issue.

Hearings held six months apart or more, sometimes postponed or deferred at the last minute.

Hearings in the same case are commonly held six months or more apart, particularly when the court closes for the summer recess. Judiciary members are overburdened with a massive caseload, and consequently, cases stretch on for years, prolonging homicide victims' families' wait for justice.

Hearings are frequently postponed or deferred at short notice, sometimes merely minutes before the scheduled start time, increasing the distress of victims' families. For example, the family of Johanna Boni, killed in a traffic accident in 2016, would travel from Sicily to Malta to attend the court hearings, often only to find that a hearing was postponed moments before it was planned to start. Eventually, the family relocated to Malta, as it was no longer feasible to travel to Malta for a hearing, only to find it was postponed.

Expensive proceedings

Until a case is decided, legal fees can cost thousands of euros. Legal aid is limited to a very small group of people, as the income threshold is very low. This means that people just above the means test, who still cannot afford to hire a lawyer, are not eligible for legal aid.²⁶ In civil cases, including cases for damages, the court sometimes orders the losing party to pay for the winning party's legal fees.²⁷ In criminal cases, guilty parties may be ordered to pay the costs of the proceedings once a case is decided and the judgement is handed down.

²⁶ To qualify for legal aid, the applicant's income should not, for the period of twelve months prior to the request for legal aid, exceed the national minimum wage for persons above the age of 18: <https://legalaidmalta.gov.mt/Defining-Legal-Aid>

²⁷ This applies to civil cases, which are not necessarily related to homicide cases. In criminal cases, guilty parties may be ordered to pay the costs of proceedings.

Changes of magistrates or judges

Substitution of a magistrate or judge when proceedings are already underway could potentially affect the outcome of a case, as hearing witness testimony first hand is an important part of the judicial process. In one of the cases of wilful homicide reviewed in our research, the presiding magistrate was substituted while proceedings were ongoing, when he was promoted to judge. This meant that all witness testimony up to that point had not been heard first hand by the new magistrate.

Families kept in the dark

Families are often kept in the dark about the case, as they are often not updated about what happened to the victim, denied access to court documents, and at times also prohibited from seeing the crime scene.

In general, there is a significant lack of formal liaison and ongoing communication between the justice system and homicide victims' families about what to expect in the investigative/judicial process. This means that homicide victims' families face years of uncertainty, and can never really rest, or, in the case of death or wilful homicide, properly grieve their loved one, for years until the case is decided.

A lack of accountability

In some instances, the defendant's lawyer fails to show up to a hearing, or shows up unprepared and then asks the presiding judge or magistrate to postpone the hearing. Some judges or magistrates set limits on this practice, issuing an ultimatum to the lawyers concerned. However, **this is not a universal practice among members of the judiciary**.

There have also been cases where judges or magistrates have not been held accountable for their prolonged delays. In some cases hearings were deferred repeatedly for around five years with no explanation given, except, for example, that the judge was indisposed. It is difficult for plaintiffs to formally complain about a judge's or magistrate's behaviour, as, if the complaint to the Commission for the Administration of Justice is rejected, the complainants and their lawyers would then have to face the same judge or magistrate in court again.

Hostile court system

There is no structured and formal relationship between victims' families and the court system, except through their lawyer. As a result, families of homicide victims feel isolated and alienated in what they experience as a hostile system.

Inadequately segregated court halls

Families of victims are often made to sit next to the families of perpetrators or sometimes even close to the perpetrators themselves, as there is no appropriate separation in the seating arrangement of the court halls. Parties have sometimes ended up in physical altercations in court halls, during proceedings. The overall lack of sufficient seating space exacerbates the problem.

Translators and experts

There isn't a formal system or body of official court translators that may be appointed to assist parties during hearings. Lawyers often have to chase translators and informally ask them whether they can act as a translator on a particular date, with the hope that they happen to be available when needed. At times, families show up to court only to find out the hearing is postponed because a translator is not available or did not show up.

There is no formal body of court experts from which presiding judges and magistrates may select and appoint experts as necessary. Members of the judiciary tend to appoint experts who are already known to the courts, and expertise is limited in some fields. This creates difficulty in the delivery of justice. For example, when one of the families of a victim of wilful homicide wanted to sue one of the experts, none of the lawyers they contacted wanted to take up their case, because of the potential impact on other, separate cases that the same lawyers are involved in and in which the same expert is engaged. Furthermore, the limited number of experts has meant that their caseload is often too big to manage, further delaying proceedings in multiple cases.²⁸

²⁸ In Malta's latest input to the rule of law report, the authorities admit that, due to a limited number of experts in high-level corruption cases, the duration of these investigations is influenced not only by the efforts of investigators and prosecutors but also by the workloads of the experts who are often assigned to multiple cases by the judiciary:
https://commission.europa.eu/document/download/371283ad-1767-4520-ab4f-82fd487c922d_en?filename=MT%20-%20written%20input.pdf

Chapter 5: Judicial Reform

5.1 Calls for judicial reform

Repeated calls for judicial reform have persisted for years. The most recent one was by Chief Justice Mark Chetcuti, who in October 2025 [appealed for action on long-stalled reforms](#).

The Chief Justice expressed concern about the running of the criminal court, as he pointed out the current backlog of cases. **He suggested reconfiguring the structure of the court and increasing the number of judges**, allowing for two or three judges to preside exclusively over trials, while three others handle appeals and criminal procedure issues. This would allow the criminal court to better manage the backlog of trials waiting to be scheduled. The Chief Justice also pointed out the growing number of jury trials before the criminal court, insisting on the need for proper support, training and resources for the court to manage the increased load.

Referring to the constitutional amendments [rejected](#) earlier this year, **the Chief Justice stressed the importance of establishing more than one section of the Constitutional Court**. He explained that while legislative amendments in 2021 had increased the civil and commercial appeals sections to four, the Constitutional Court still has only a single appeals section, resulting in a backlog of more than 300 appeals. He warned that delays in cases concerning fundamental human rights were especially damaging for both the individuals involved and also for the country's reputation.

The Chief Justice also emphasised the need for urgent investment in infrastructure, noting that the courts in Valletta were no longer sufficient for the volume of work. Court buildings, he said, were outdated and overcrowded. Government investment in resources is crucial, the Chief Justice emphasised.

5.2 What the government is doing

The Maltese government acknowledges that the issues around length of proceedings are a problem.

In December 2021, the Ministry for Justice launched its new Digital Justice Strategy, with a €10 million budget to digitise court processes, to be implemented between 2022-2027. One of the aims is to make court procedures, records, and communications digital by default, ensuring interoperability at both national and EU levels. It should also include changes such as the introduction of a number of digital tools such as virtual sittings solutions, conference training rooms, IT equipment and software, as well as case management systems for the offices of the Attorney General and State Advocate,

among others. While the Maltese eCourts website offers some information about civil cases, the available information is limited and the website is not user-friendly. Minimal information about pending criminal cases is available through the Maltese eCourts website, but only to warranted lawyers.

In September 2024, the Maltese authorities launched a tender for the development of a Court Information Management System, to digitalise the courts' processes. Nearly one year later, at the time of writing of the report, the submitted offers are [still under evaluation](#). Tenders were also issued to set-up new case management systems for the Office of the Attorney General and for the Office of the State Advocate. The project has not been completed.

In 2020, [the government promised](#) four new judicial halls and 25 administrative offices, which were to be operational by 2023. In a November 2023 press conference, the Justice Minister said the works on the promised court rooms would soon be starting, but did not say when the project would be completed. At the time of writing of this report, many of the promised court rooms and offices have still not been completed.

In 2023, [the government tabled a White Paper](#) with several proposals on reforming the compilation of evidence and the referral systems, with the aim of shortening the length of criminal proceedings in Malta. One of the proposals is the conclusion of the compilation of evidence stage within one year from arraignment. This stage takes place at the very beginning of criminal cases, during which prosecutors must present enough evidence to convince the court to indict the accused. According to the proposal, should appointed court experts not complete their assigned tasks and formally present their evidence to the court within the stipulated one-year time frame, they will not be excluded from testifying in the proceedings which follow, but the Court will have to give a preliminary ruling on how the case will proceed without having heard the experts' testimony.

The White Paper also proposes the elimination of the process called "referral" (rinviu) that often lengthens the compilation phase as the case files bounce between the court and the Attorney General's office. Lawyers frequently criticise this procedure as a waste of time, as the court documents are often unavailable to them during the period of referral and, in order to access them, they first have to locate the said documents in different sections of the courts, or wait until the Attorney General returns the case file to the registry. Digitisation of the court document exchange system would help resolve this problem and also cut down on the opportunity for a party to exploit the current system to engineer delays in a particular case.

Another proposed change concerns the punishment handed down in case of admission of guilt. If the accused admits guilt at the earliest stage, the punishment is reduced by

two degrees. Exceptionally, in the case of life imprisonment, the punishment can be reduced by one degree only, to 40 years imprisonment.

The proposed law would also spare magistrates the current obligation to sign each page of the records of criminal proceedings. In some cases, the total case file can be thousands of pages long, and it can take weeks, if not months, to sign all the individual pages.

In January 2024, the Justice Minister said the legislative process to shorten criminal proceedings would start [“in the coming months”](#). When contacted on 24 July 2025, the Ministry confirmed that “the legislative changes with regard to the reform of the Compilation of Evidence and Referral Procedures will be taken to parliament following the summer recess.”

Chapter 6: Final Reflections and Recommendations

The reasons for court delays in Malta are numerous. In recent years, the resources allocated to the courts are concerningly disproportionate to the improvements observed, particularly in terms of efficiency. Therefore, while the further allocation of resources must necessarily play an essential role in solving the problem of court delays, additional resources have proven to be insufficient as a stand-alone measure. The Daphne Caruana Galizia Foundation agrees with [the Venice Commission](#) that “in order to eliminate the problems, the reasons for such delays need to be analysed in order to be addressed correctly”.

As this report highlights, there are several factors which contribute to the problem of lengthy proceedings. While a detailed analysis of the reasons for court delays is necessary to identify long-term comprehensive solutions, the Foundation recommends considering the following actions as part of a solution. This list is by no means exhaustive. It is only through the aforementioned formal analysis of the system that all contributing factors can be definitively and exhaustively identified.

- **Legislative amendments**

- Amendment to the Criminal Code, requiring trials in criminal cases to commence within no more than two years from the issue of the bill of indictment against the accused.
- Shielding the law against delaying tactics, particularly by defence lawyers in criminal cases involving wilful homicide.
- Streamlining court procedures for better time-management, such as doing away with hearings that are purely procedural, e.g. sittings that are held simply for the parties to declare whether they want to cross-examine an expert or not.

- **Increase in and better management of human resources**

- Increase in the number of members of the judiciary.
- Increase in human resources within the courts, with court deputies taking a more active role in the administrative aspect of cases, allowing members of the judiciary to focus on the substantial aspect.²⁹

²⁹ In its latest Rule of Law report, in the chapter on Malta, the European Commission recommended: “There is a need to swiftly increase human resources in order to improve the length of proceedings.”

- Effective regulation of court translators and experts, including the setting up of an official body from which the court may appoint translators and experts.
- **Targets and monitoring**
 - Pre-set targets for the completion of a certain number of cases, as well as monitoring of the length of cases. Accountability in case of targets not reached is needed.
 - Monitoring of the time span between court hearings, ensuring that they are held within a reasonable time. If hearings are delayed, the causes of the delays must be scrutinised and accountability ensured.
 - Monitoring of deferrals and scrutiny of the reasons given for deferrals is needed.
- **Improved technology**
 - Investment in and use of AI systems for transcribing testimony.
 - Enabling the filing of certain documents, such as affidavits, through an online system similar to the eComms system of the ECtHR.
 - Further digitisation of the court system, including the communication system between various parts of the court machinery and lawyers and their clients.
 - Improvement of the current, archaic notification system into a digital-first system.
- **Efficient management of court halls**
 - Efficient management of court halls, with a more victim-centred layout and greater capacity, is needed.

Appendix

Legislation

- [The Constitution of Malta](#)
- [Chapter 9 of the Laws of Malta \(Criminal Code\)](#)
- [European Convention of Human Rights](#)

Institutional sources

- [2022 Council of Europe Statistics](#)
- [Council of Europe's Tableau Public](#)
- [Venice Commission: Compilation of Venice Commission Opinions and Reports Concerning Courts](#)
- [2025 EU Justice Scoreboard](#)
- [2025 EU Rule of Law Report Chapter on Malta](#)
- [Malta's Input to 2025 EU Rule of Law Report](#)
- [Government of Malta eTenders: tender for the customisation and implementation of an off the shelf courts management information system for the court services agency](#)
- [Malta Government White Paper on Compilation and Referral System](#)
- [Malta PQ No. 4355](#)
- [Malta PQ No. 27355](#)
- [Malta Courts Statistics](#)

Judgements

- [Courts of Malta: Ir-Repubblika ta' Malta vs Busuttil Elliot Paul \[2024\]](#)
- [European Court of Human Rights: Galea and Pavia v. Malta \[2017\]](#)

News articles

- Times of Malta, 7 November 2020: [Law courts to expand through €5m extension project](#)
- Newsbook, 20 May 2022: [Maltese courts still among EU's slowest – especially on money laundering](#)
- Times of Malta, 26 January 2024: [Reform to shorten criminal court cases to begin 'in months' - Justice Ministry](#)
- MaltaToday, 18 October 2024: [Court orders government to pay €1.2 million after 57-year battle for compensation](#)
- Times of Malta, 17 May 2025: [Malta has lowest murder rate in EU](#)
- MaltaToday, 1 October 2025: ["Help us provide the justice service our country deserves," Chief Justice appeals to MPs](#)
- Times of Malta, 1 October 2025: [Chief Justice urges MPs to reconsider constitutional amendments he had proposed](#)

Journal articles

- "'In our own hands': Lynching, justice, and the law in Bolivia', 7 January 2008, Daniel M. Goldstein:
<https://anthrosource.onlinelibrary.wiley.com/doi/abs/10.1525/ae.2003.30.1.22>
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