

Reporting Abuse during COVID-19


Dr Raisa Colombo

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Criminality could easily be included among the many facets of everyday life affected by the COVID-19 pandemic. While we may observe a drop in specific types of crimes due to restrictive social distancing measures which have been put in place, Europol has warned about the rise in the occurrence of some crimes such as cybercrime, organised crime and paedophilia, particularly as some individuals may take advantage of the dire situation the world is currently attempting to navigate.

Social distancing, having become the norm to minimise health risks, has therefore cultivated the need to adopt a new and different approach of reporting such crimes and abuses. Prior to the outbreak, the most common practice for the filing of reports and complaints was through police stations, whereby citizens filed their reports and complaints personally. At present, while reports may still be lodged personally at police stations, such procedure is neither necessary nor encouraged, especially when it comes to minor infringements. Telephony and advanced technology may be relied on as an alternative to safeguard the wellbeing of the public in general and the police officers during this period.


The implementation of a new procedure should in no way diminish the importance of reporting any wrongdoing to the police. An individual may also seek the assistance of a lawyer to help him/her file the relevant complaint; at times, this might be necessary, as the police may specifically request the complainant to be legally assisted.



It is to be noted that, despite the current Court closure, the police have retained the power to arraign individuals under arrest although – needless to say – not every wrong-doer is arraigned before the Courts, and immediate arraignment or its postponement mainly depends on the urgency and seriousness of each individual case. For instance, one would not expect someone to be arraigned immediately over a verbal argument between neighbours, but the same cannot be said for other cases such as those involving.

The movement restrictions imposed to limit the spread of the virus may have brought an increase in domestic violence cases, with violence in private residences becoming more frequent and dangerous. It is crucial to emphasise that we must not let the pandemic impinge on the seriousness of these cases. This is particularly being asserted in the light of the recent Constitutional Court judgment in the names of *Claire Pisani vs. Avukat Generali ILLUM Avukat ta' l-Istat; Kummisarju tal-Pulizija* decided on 27 March, 2020, where the court ruled that a victim of domestic violence should be compensated due to shortcomings on the part of the police, particularly due to the fact that there had been previous instances where the police had failed to take the necessary steps against the abuser. Some countries, such as France, are going so far as to encourage domestic violence victims to visit a pharmacy and use code words to facilitate the reporting of such abuse.

Domestic violence is not the only crime on the rise. The increased demand for certain goods, such as sanitising gels and face masks, coupled with the ever-increasing anxiety in individuals around the globe, may lead to an increase in scams, circulation of counterfeit objects as well as fraud. Europol is, in fact, currently investigating a transfer of €6.6 million between companies in Singapore for the purchase of face masks and alcohol gels which have not been received by the purchasing company. Cybercriminals are also bound to seize the opportunity with the substantial increase of organisations having implemented teleworking: in the Czech Republic, a hospital had to postpone surgeries and shut down its entire IT network following a cyber-attack. This should, if anything, serve as a wake-up call for all businesses and individuals to be more diligent and cautious in their day-to-day dealings and to immediately report any offence to the police.



As of 1 April 2020, in order to encourage social distancing and limit unnecessary contact between individuals, any person wishing to file a police report, may do so remotely; that is, over the phone on 22940000, via electronic mail on pulizija@gov.mt, online on <https://pulizija.gov.mt/opres> and, or through a mobile application called 112mt which enables virtual reporting. Remote reporting is especially encouraged in circumstances which do not necessitate immediate police assistance.

It is nonetheless to be noted that in cases where immediate police assistance is required, such as in some domestic violence and burglary cases, the newly-implemented remote reporting protocol cannot be adhered to for reasons ranging from the protection of the victim/s to the preservation of evidence on the crime scene. On the other hand, remote reporting is, at least for the time being, set to replace the traditional methods of reporting particularly in cases of a civil nature, such as, for instance, scenarios involving denied access and, or maintenance relating to a complainant's minor child. Ultimately, each and every case must be analysed subjectively in its own context and therefore the aforementioned scenarios are to be construed merely as general examples.

Any individual desirous of filing a police report must provide all the necessary details on the report in question together with contact details and identity card number. To facilitate the process, any photos and, or documents supporting the complainant's report must be sent electronically or by post. However, in the event that the complainant is, for some reason, unable to forward the said photos and, or documents as aforementioned, the latter can contact the respective police station and, or police headquarters to inquire whether these can be handed over personally. On their part, the police are to examine the filed report and to revert to the complainant via electronic mail or telephonically should they require further details from the complainant.

For information on how we may provide assistance with criminal matters, please contact Dr Raisa Colombo, Partner – raisa.colombo@thecitylegal.com

A: CITY LEGAL, Britannia House, Level 1, Old Bakery Street, Valletta, VLT1450, Malta

E: mail@thecitylegal.com

W: www.theciylegal.com

T: +35627441120/1

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