

Foreword

Public integrity is an inherent value of representative democracy: it ensures the leaders – both elected and appointed – govern in the interests of the people. Public integrity is about everybody having a voice, from elections to the policy making process, and preventing undue influence of government policies.

Political leaders are essential to integrity: by setting the “tone at the top”, they demonstrate to society that integrity is a governance issue the government takes seriously. Moreover, how political leaders themselves behave directly impacts the quality of policymaking: when political leaders guide their decisions based on the public interest, society benefits.

At a minimum, ensuring that integrity is at the centre of policymaking requires codifying standards in legislative and regulatory frameworks. More importantly, it requires establishing oversight and accountability measures that can ensure political leaders are accountable for these standards, and consequences for when the lines are crossed.

In recent years, Malta has implemented reforms to strengthen public integrity, transparency and the rule of law. These reforms adopting the Standards in Public Life Act in 2017 and establishing the Commissioner for Standards in Public Life in 2018. Together, the Act and the Commissioner provide a framework for recommending, monitoring and enforcing integrity standards for elected and appointed officials – Members of Parliament, Ministers, Parliamentary Secretaries and so-called “persons of trust”.

These efforts have helped implement a public integrity framework for elected and appointed public officials in Malta, placing integrity, accountability and transparency at the forefront. However, remaining gaps in the legislative and institutional framework hinder ethical awareness and capacity amongst officials, and strengthened procedures for monitoring, investigating and sanctioning wrongdoing are essential.

This report – part of an EU-funded project under the Structural Reform Support Programme – provides concrete recommendations for strengthening the legislative and institutional framework for elected and appointed officials in Malta. It reviews the institutional and procedural set-up of the Commissioner for Standards in Public Life and analyses the omissions, inconsistencies and overlaps in the Standards in Public Life Act. It also provides recommendations to the Government of Malta on developing the most feasible lobbying regulation, and identifies concrete measures to strengthen the existing codes of ethics for elected and appointed officials, as well as the system of asset and interest declarations.

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