Press Release

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STATEMENT BY THE GOVERNMENT OF MALTA

**Government sets up a public independent inquiry into the murder of Daphne Caruana Galizia**

Prime Minister Joseph Muscat appointed Judge Emeritus Michael Mallia to preside over a Public Independent Inquiry into the murder of Daphne Caruana Galizia, under the Inquiries Act, Cap. 273 of the Laws of Malta.

The Commission will be also composed of former Dean of the Faculty of Law and constitutional expert Professor Ian Refalo and forensic expert Dr Anthony Abela Medici.

This decision precisely reflects Government’s consistent position that there exists no difficulty in establishing a public inquiry once it is assured that such inquiry does not undermine investigations and/or criminal proceedings which are pending in this case. One must point out that, within 50 days of the murder, three persons were arraigned in Court accused of the murder if Daphne Caruana Galizia and have now been placed under a bill of indictment.

In light of the Resolution approved by the House of Representatives on 12th December, 2018 and the Resolution of the Parliamentary Assembly of the Council of Europe on 26th June, 2019, Government has engaged in technical discussions with officials of the Council of Europe to avoid that the public inquiry endangers the integrity of investigations and/or criminal proceedings which are already underway in this case.

Government had, and still has, serious reservations on the methodology used and the conclusions listed in the Resolution of the Parliamentary Assembly of the Council of Europe. Yet, Government has full respect towards the Council of Europe, and the work carried out over the past weeks is testament to the reciprocal respect between Malta and this important institution.

The Prime Minister has requested that the Public Inquiry is to be concluded within nine months and published as directed by the same Commission.

The Commission will regulate its own procedure.

Attached are the terms of reference of the Public Inquiry.

**Dr Michael Mallia** served as a Judge of the Superior Courts from the 29th of September 2009 until his retirement on the 30th March 2015. During this time he served in the Courts of Criminal Jurisdiction and also presided over various trials by jury.
This appointment followed a vast experience of 23 years as Magistrate of Inferior Courts, where he also served as a Senior Magistrate.

Well-known for his integrity, in 2004 Dr Mallia was nominated as President of the Tribunal for the Investigation of Injustices, a post he held until December 2005, when all pending cases before the Tribunal were dealt with.

He is currently the Chairperson of the Judicial Studies Committee.

**Dr Ian Refalo** is a Full Professor of Public Law and Dean Emeritus of the Faculty of Laws at the University of Malta and occupies the post of Ad Personam Jean Monnet Professor at the University of Malta.

He is widely recognised as a leading authority in administrative and public law and has practiced at the bar for over 40 years. His experience ranges across the entire spectrum of Human Rights, civil, commercial and administrative law, acting as lead counsel in landmark cases.

He also acted as counsel before the European Court of Human Rights and the European Court of Justice.

**Dr Anthony Abela Medici** has served as Director of the Forensic Science Laboratory at the Malta Police Department between 1981 and 2010.

He was, and still is, appointed by the Courts of Law in Malta as a Forensic Expert in various fields of study.

He is a former member of the European Committee for the Prevention of Torture and Inhumane or Degrading Treatment or Punishment which is a committee of experts of the Council of Europe and also serves as a member of the European Regional Steering Committee for the Royal Society of Chemistry.

Dr Abela Medici is currently also the Commissioner for Voluntary Organisations.