

**IN THE COURT OF MAGISTRATES (MALTA)
AS A COURT OF CRIMINAL JUDICATURE**

**Chapter 31 of the Laws of Malta;
Drugs (Control) Regulations, LN 22 of 1985
and G.N. 292/1939**

**Magistrate
Dr Consuelo Scerri Herrera LL.D. DIP. MATR. (Can)**

Drugs No. 97/16

**The Police
(Inspector Gabriel Micallef)**

vs

CRAIG LEE BRITTON

Today, 3rd April 2016

The Court,

Having seen that the accused **CRAIG LEE BRITTON**, of 20 years, son of Paul and Amanda nee' Tasher, born in the UK on 5th April 1993, residing at No. 1 Vernon Close, Sutton Coldfield, UK and holder of UK driving licence number BRITT904053CL9PA06 was arraigned before her and charged with having on the 1st April 2016 on these islands:

1. Had in his possession the psychotropic and restricted drug (ecstasy) without a special authorisation in writing by the Superintendent of

Public Health, in breach of the provisions of the Medical and Kindred Professions Ordinance and the Drugs (Control) Regulations.

2. And also for having on the same date, time and circumstances had in his possession the drugs (cocaine) specified in the First Schedule of the Dangerous Drugs Ordinance, Chapter 101 of the Laws of Malta, when he was not in possession of an import or an export authorisation issued by the Chief Government Medical Officer in pursuance of the provisions of paragraphs 4 and 6 of the Ordinance, and when he was not licensed or otherwise licensed by the President of Malta or authorised by the Internal Control of Dangerous Drugs Regulations (GN 292/1939) to be in possession of the mentioned drugs, and failed to prove that the mentioned drugs was supplied to him for his personal use, according to a medical prescription as provided in the said regulations.

Having seen all the documents exhibited in the acts of these proceedings by the Prosecution in particular the Fiat of the Attorney General issued in terms of Chapter 31 of the Laws of Malta, the statement of the accused, the declaration regarding refusal of legal advice prior interrogation and a true copy of British driving licence of the accused.

Having heard the accused declare that he does not understand the Maltese language though he understands the English language and thus the Court ordered that the proceedings are to be held in the English language in terms of Section 3 of the Judicial Proceedings Act.

Having heard the accused request for assistance of a legal aid lawyer, the Court appointed Dr Patrick Valentino as Legal Aid Lawyer to assist the accused.

Having heard the accused plead guilty to the charges brought forward against him.

The Court explained to the accused the consequences of his plea of guilt in the presence of his legal aid lawyer and after having given the accused sufficient time to reconsider his guilty plea and saw that the same accused insisted on registering in the acts of these proceedings his plea of guilt, had no alternative but to register such plea.

In the light of the above plea of guilt which guilty plea was made voluntarily, expressly and unconditionally, the Court is satisfied that the accused is to be found guilty of the charges brought forward against him.

Having heard the Prosecution declare that the amount of cocaine found on the accused was de minimis, whereas with regards to ecstasy tablets he was in possession of five tablets.

The Court took note of the fact that the accused is a first time offender and registered his guilty plea in the first opportunity given to him. Having heard the Prosecution declare that the accused collaborated fully with her during the investigation.

However, the Court felt that it should give the message to society that it will not tolerate youngsters to attend parties with the possession of drugs.

Thus the Court, having seen the laws, in particular, Chapter 31 of the Laws of Malta, Drugs (Control) Regulations, LN 22 of 1985 and G.N. 292/1939, decides to find the accused CRAIG LEE BRITTON guilty of the charge brought forward against him by the prosecution and

condemns him to the payment of a fine of six hundred and fifty euro (€650).

The Court also orders the confiscation of the drug exhibited in Court and orders its destruction. Hence, the Court orders the Registrar of the Criminal Courts to effect such destruction and the Registrar is to compile a proces verbal documenting the destruction procedure, which document is to be inserted in the acts of these proceedings not later than fifteen days from today and this in line with the judgement given by the Court of Criminal Appeal on the 22nd December 2006 in the case ‘Il-Pulizija vs Anthony Joseph Portelli’.

**Dr Consuelo Scerri Herrera LL.D.
Magistrate**