



MALTA

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

**MAGISTRATE  
DR. CHARMAINE GALEA**

**Today the 27<sup>th</sup> July 2016**

**The Police  
(Inspector Godwin Scerri)**

**vs.**

**Matthew David Bullian  
(British passport number 509741539)**

The Court:

Having seen that the offender **Matthew David Bullian** was charged with having on the 25<sup>th</sup> of July 2016, at around 19:50hrs in Trunciera Road St Paul's Bay, whilst driving a motorcycle bearing registration number KQZ-807, through imprudence, negligence or unskillfulness in his trade or profession, or through the non-observance of any regulation, caused grievous bodily harm to Ms Elaine Day as per medical certification of Dr Jonathan Zammit med reg 3054 in breach of Article 226 (1) (a) of Chapter 9 of the Laws of Malta.

Also accused of having on the 25<sup>th</sup> of July 2016, at around 19:50hrs in Trunciera Rd St Paul's Bay, whilst driving a motorcycle bearing registration number KQZ-807, through imprudence, negligence or unskillfulness in his trade or profession, or through the non-observance of any regulation, caused damage to the mentioned motorcycle in breach of Article 325 (1) (b) of Chapter 9 of the Laws of Malta.

Also accused of having on the 25<sup>th</sup> of July 2016 of refusing to supply the Executive Police with a breathalyzer specimen in breach of Section 15D (b) of Chapter 65 of the Laws of Malta.

Also accused of having on the same date, place and circumstances whilst being in a public place or place open to the public, of being drunk and incapable of taking care of himself in breach of Articles 338(ff) of Chapter 9 of the Laws of Malta.

The Court was requested to disqualify any driving license in possession of the accused as per Section 15 (2) (3) of Chapter 65 of the Laws of Malta.

Having seen the consent of the Attorney General for this case to be tried summarily, and that the offender had no objection to the case being so tried;

Having seen that the acts of the proceedings;

Having heard the offender plead guilty to the charges brought against him, which guilty pleas was reconfirmed after the Court gave him time to reconsider such plea;

Having heard the submissions regarding the penalty to be meted out.

**Having considered:**

That offender admitted the charges brought against him and hence these are consequently sufficiently proved;

Regarding the penalty to be meted out the Court took into consideration the nature of the offences of which the offender is being found guilty and his admission at the earliest stage of these proceedings;

The Court also took into consideration the fact that the offender has paid out the damages caused to the injured party David Mangion;

Wherefore the Court, after having seen sections 226, 325 (1) (b), 338 (ff) of Chapter 9 of the Laws of Malta and section 15 D (b) of Chapter 65 of the Laws of Malta, on his admission finds the offender **Matthew David Bullian** guilty of the charges brought against him and condemns him to **ten (10) months imprisonment which by application of section 28A (1) of**

**Chapter 9 of the Laws of Malta are being suspended for a period of two (2) years from today. The Court is also condemning the offender to the payment of a fine (multa) of one thousand and two hundred euro (€1200).**

In accordance with sections 28A (4) of Chapter 9 of the Laws of Malta, the Court explained in clear and simple language the meaning of this judgement to the offender, and the consequences which would follow if he fails to abide by it, that is if he commits another offence which is punishable by imprisonment within the operative period of two (2) years from today.

**Finally, the Court is ordering the suspension of any driving licenses which are in possession of the offender for a period of three (3) months from today.**

**Dr. Charmaine Galea  
Magistrate**

Diane Gatt  
Deputy Registrar