

IN THE COURT OF MAGISTRATES (MALTA)

AS A COURT OF CRIMINAL JUDICATURE

MAGISTRATE

DR. ANTHONY J. VELLA BA., LL.D., MA

TODAY 26th January 2017

Police

Inspector Nicholas Vella

Vs

Peter Nicholas West

The Court;

After seeing the charges brought against Peter Nicholas West son of David and Ursula nee Mitchell born in England on the 1st of July 1981 and residing at Flat 1, Rawhide, Triq il-Qartas, Swieqi. Holder of ID Card number bearing number 223895M;

With having on the 25th of September 2016 at around 2300hrs in the Maltese Islands in St. Paul's Bay:

- 1) With the intent to commit theft aggravated by time, value and violence to the detriment of Christopher and Maria Drago, manifested such intent by overt acts which were followed by a commencement of the execution of the crime, which crime was not completed in consequence of some accidental cause;

- 2) On the same date, time, place and circumstances caused slight bodily harm on the person of Christopher and Maria Drago as certified by Dr. Mark Sammut of Mosta Health Centre;
- 3) On the same date, time, place and circumstances caused bodily harm of slight nature, as certified by Dr. Sarah Bezzina of Mosta Health Centre, on PC1117 Frankie Paul Cutajar and PC 374 Joseph Buttigieg whom were lawfully charged with a public duty, while in the act of discharging his duty or because of having discharged such duty;
- 4) On the same date, time, place and circumstances wilfully committed any spoil, damage or injury to or upon any movable or immovable property of the amount of 21.85euro to the detriment of the Commissioner of Police and/or other persons;
- 5) On the same date, time, place and circumstances committed another offence, after have been sentenced for an offence on the 8th October 2013 by Mag. Dr. F. Depasquale LL.D., which judgement has been confirmed on the 1st June 2016 by Judge Dr. A. Mizzi LL.D. which has become res judicata.

Having heard the accused plead guilty to the charges brought against him, notwithstanding the fact that the Court warned him in the most solemn manner of legal consequences of his guilty plea after giving him sufficient time within which to reconsider and withdraw her guilty plea;

Having heard the prosecution and defence counsel make their submissions;

Having seen all the acts and documents exhibited;

Considers;

After having seen Articles 41, 49, 50, 95, 221, 262, 267, 270 and 325 of Chapter 9 of the Laws of Malta;

After having heard the evidence and the documents exhibited;

The Court finds the said accused guilty as charged and is ordering that he be placed under a probation order, in terms of Article 7 of Chapter 446 of the Laws of Malta, for a period of three (3) years.

Furthermore the Court also orders that the accused be placed under a treatment order, in terms of Article 412D of Chapter 9 of the Laws of Malta, also for a period of three years.

Finally the Court condemns the accused to the payment of a fine of €800.

The Court explained in clear words the terms of the judgment to the accused.

DR ANTHONY G VELLA BA. LL.D. M.A.

MAGISTRAT

