

**IN THE COURT OF MAGISTRATES (MALTA)**

**AS A COURT OF CRIMINAL JUDICATURE**

**MAGISTRATE**

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

**TODAY 28<sup>th</sup> April 2017**

**Police**

**Inspector Matthew Spagnol**

**Vs**

**Leonard William Vance**

**Steven William Power**

**The Court;**

After seeing the charges brought against Leonard William Vance, 23 years old, son of Steven and Jackie nee' Power, born in Ireland on the 20<sup>th</sup> July 1993, currently residing at Corral Cables, Forrest Street, St. Julian's, ad holder of Irish Passport Number PV4035433;

And

Steven William Power, 28 years old, son of Steven and Jackie nee' Power, born in Ireland on the 2<sup>nd</sup> April 1989, currently residing at Corral Cables, Forrest Street, St. Julian's, ad holder of Irish Passport Number PV6563634;

Charged with having on the 24<sup>th</sup> April 2017, at around 01:00hrs, in the establishment Bar Native, St. Rita Street, St. Julian's:

- 1) Without Intent to kill or to put the life of Daniel Anthony Lyth (ID. 63898A) in manifest jeopardy, caused injuries of greivous nature to the body of Daniel Anthony Lynth;

Also charged with having on the same date, time, and circumstances, in St. Rita Street, St. Julian's:

- 2) Assaulted or resisted by violence or active force not amounting to public violence, any person lawfully charged with a public duty when in the execution of the law or of a lawful order issued by a competent authority;
- 3) Reviled, or threatened or caused a bodily harm to any person lawfully charged with a public duty, while in the act of discharging his duty or because of his having discharged such duty, or with intent to intimidate or unduly influence him in the discharge of such duty;
- 4) Without intent to kill or put the life of PS1540 Edmond Fenech in manifest jeopardy, caused harm to his body or health, which injuries were certified as being of slight nature by Dr. Zachary Gauci (Med. Reg. 5738);
- 5) Without intent to kill or put the life of PC1221 Noel Mifsud in manifest jeopardy, caused harm to his body or health, which injuries were certified as being of slight nature by Dr. Zachary Gauci (Med. Reg. 5738);

- 6) Without intent to kill or put the life of PC1436 Ayrton Camilleri in manifest jeopardy, caused harm to his body or health, which injuries were certified as being of slight nature by Dr. Joseph Saliba (Med. Reg. 1776);
- 7) Wilfully committed any spoil, damage or injury to or upon any movable or immovable property belonging to any other person, this being Police Uniforms of Police Officers PS1540, PS780, PC1221 and PC1436, which amount of damage does not exceed two hundred fifty euro (€250);
- 8) With the object of destroying or damaging the reputation of any person, offended various Police Officers by words, gestures, or by any writing or drawing, or in any other manner;
- 9) Even though in a state of intoxication, publicly uttered any obscene or indecent words, or made obscene acts or gestures, or in any other manner not otherwise provided for in this Code, offended against public morality, propriety or decency;
- 10) In any public place or place open to public, were found drunk and incaable of taking care of themselves;

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

Having seen that the Court could proceed summarily in passing judgment on the accused according to law;

Having heard the prosecution and defence counsel make their submissions;

Having seen all the acts and documents exhibited;

**Considers;**

After having seen Articles 95, 96, 216, 221, 252, 338(bb) and 338(ff) of Chapter 9 of the Laws of Malta;

The Court, having considered the guilty plea of both the accused has no other alternative but to find them guilty as charged and condemns them to the payment of a fine (multa) of four thousand euro (€4,000), together with a punishment of a term of imprisonment of eighteen (18) months, suspended for three (3) years, in terms of Article 28A of Chapter 9 of the Laws of Malta.

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

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

**MAGISTRAT**