



**Court of Magistrates (Malta)  
As a Court of Criminal Judicature**

**Magistrate Dr. Donatella M. Frendo Dimech LL.D., Mag. Jur. (Int. Law)**

**The Police**

**(Inspector Nikolai Sant)**

**-vs-**

**Eva Langridge Stastna, holder of Maltese Identity Card No. 0146996A  
and Slovak Passport No. BE6410821**

***Criminal Inquiry No.: 446/2017***

Today, the 17<sup>th</sup> day of July, 2018

The Court,

Having seen the charges brought against the accused **Eva Langridge Stastna** for having:

Between the 25th September, 2017, at around 23.30hrs, and the 26th September, 2017, at around 01.30hrs, at No. 157, Flat No. 2, Birkirkara Road, St. Julians -

Without intent to kill or to put the life of any person in manifest jeopardy, caused grievous bodily harm on the person of Peter John Langridge.

The court may, where it deems it expedient, in order to provide for the safety of Peter John Langridge or for the keeping of the public peace, in addition to, or in lieu of the punishment applicable to the offence, require the offender to enter into his own recognizance in a sum of money to be fixed by the court according to article 383 and 412C of Chapter 9 of the Laws of Malta.

Having seen the note by the Attorney General indicating the Articles of Law in terms of Article 370(3)(a) of Chapter IX of the Laws of Malta dated the 26<sup>th</sup> February, 2018.<sup>1</sup>

Having heard the accused declare that she does not object to the case being tried summarily by this Court.

Having heard witnesses.

Having seen all the acts and documents exhibited;

Having heard the prosecution and defence counsel make their submissions;

Considers,

Whereas **Peter John Langridge**, of 71 years, testified how his wife, twenty years his junior, was frequently entering into arguments with him and blaming him for the fact that her son was not so successful at school, and how on the night of the 25<sup>th</sup> September 2017, one such argument broke out whilst they were on their balcony.<sup>2</sup> That night she had started provoking him and accusing him he was a paedophile and a drug addict; this argument went on for about an hour. As he entered to go into the kitchen she stood in the door way and blocked him from exiting and when he attempted to get past her a couple of times, she punched him on the left side of his head and pulled at his hair. Langridge tried to restrain her but this developed into a tussle with the accused scratching him on his legs, chest and hands which bruises and abrasions remained visible to the Court notwithstanding that he testified over a month later. The accused kicked him below the knee whilst also biting him on his arm without relenting as she continued to shake her head whilst his arm was firmly in her mouth.<sup>3</sup>

---

<sup>1</sup> Fol.51

<sup>2</sup> Fol.9-10

<sup>3</sup> Fol.11

The injured party explained further *"I was trying to get her head off my arm and a few seconds later she got my testicles my private parts, she managed to get her hands inside my shorts and she started pulling like crazy. Eventually I was begging her to stop, she's got long fingernails and I'm telling you it was agony. I told her a few times, "please stop this is too painful."..... She stopped and she stood up and looked at me, I was still at the floor and walked away..... I was on the floor and she went I don't know where..... Then I gradually with difficulty stood up in the kitchen and I told her that I needed an ambulance."*<sup>4</sup> Instead of offering assistance to her husband, who had now retreated to the bedroom to get his mobile and call for assistance, Eva simply stood and stared at him. He could not find his keys or wallet and by that time he needed to rest so he remained on the bed.<sup>5</sup> It was later that he noticed that the sheets were stained with blood. After the argument he had felt helpless hence explaining the reason why he had not sought medical assistance immediately: *"I wanted to rest and calm down and wait for the opportunity for when I am able to leave safely I will do so..... on my way out of the apartment she was lying on the sofa in the sitting room and I turned my head to her and I told her, "I am going to the Gzira Polyclinic," and she knew I went there. "*<sup>6</sup> A doctor from the Gzira policlinic then referred Peter Langridge to Mater Dei where after undergoing an operation he was informed that the left testicle had to be removed.

Defence questions the injured party's credibility on this declaration since it later transpired that the testicle was not removed as he had originally testified. However, after hearing the consultant urologist, it clearly results that at the time of testifying, both Peter Langridge and his surgeon, were still under the impression that the testicle had been removed. It was only after histological test results became known that it transpired that the testicle had not been lost but such news became known two weeks before the urologist testified in January 2018<sup>7</sup> and months after the injured party had given his testimony. Hence **there is**

---

<sup>4</sup> Fol.11-12

<sup>5</sup> Fol.13

<sup>6</sup> Fol.15

<sup>7</sup> Fol.47: *Avukat: When was the last time that you saw..*

*Xhud: It was Monday, not last Monday the Monday before.*

*Qorti: Recently basically in the last two weeks.*

*Xhud: Recently. Yes in the last two weeks.*

*Avukat: So it was the last visit when you informed him about not losing his testicle?*

*Xhud: Yes it was on the follow up visit, he had a follow up visit after this surgery.*

**no issue as to Peter Langridge's credibility.** In fact, Mr John Sciberras in his certificate specifically makes reference to this *"The patient was told as a preliminary result that he had lost his left testicle and left the ward with this impression."*<sup>8</sup>

Whereas prosecution exhibited the ticket of referral from Gzira Policlinic to the Accident and Emergency Department of Mater Dei wherein it results that the injured party sought assistance at 18:15 of the 26<sup>th</sup> September, 2017. Examinations revealed that Langridge had suffered *"swelling and maceration of the scrotum with inflammation of the left testes"*.<sup>9</sup> Upon admission to the A&E department, two hours later, he was also found to be suffering from **scratches on either side of the face, scratches and abrasions on both upper limbs and laceration of the left scrotum, which injuries were classified as grievous.**<sup>10</sup> The Case Summary also describes how the injured party had suffered injuries to the scrotum and testicles. The left testicle was swollen, covered in pus and out of the scrotum. The mere fact that pus had started to form clearly indicates that there was a time lapse between the time of examination and the time when the injuries were sustained. Moreover, these injuries fully corroborate his account of the aggression in particular when the accused inserted her hands in his pants and tugged at his genitals.<sup>11</sup> The report goes on to make mention of the multiple scratches varying in length which he sustained on his face as well as the bruises and scratches on the upper limbs, lower limbs and hands. A left orchidectomy was carried out on the same day.<sup>12</sup>

Although learned defence, in its final submissions, makes much of the fact that Peter Langridge had only sought help the following day in the evening, the Court finds nothing untoward in this. Langridge explained how being unable to call for an ambulance or find his keys he had retreated to the bedroom to rest after the aggression he endured at the hands of his wife. The injured party is a frail 71-year-old whilst his wife a 51-year-old of sturdy build. It is only to be expected that after suffering such a violent onslaught, wanting to rest and gain composure would be

---

<sup>8</sup> Doc. JS a fol.49

<sup>9</sup> Doc. PL a fol.21-22

<sup>10</sup> Doc.PL1 a fol. 23. Confirmation of authenticity of the certificate by Dr. Nicole Buhagiar a fol.30

<sup>11</sup> Fol.11

<sup>12</sup>Doc. PL2 a fol.24

one's initial and most logical reaction, especially when hitherto noticing the blood-stained sheets he had not realised the intensity of his injuries! In fact the injured party had not gone to the polyclinic because of his scratches and abrasions on parts of his body, but after noticing blood on his sheets and the pain in his genital area which had – as attested by the emergency department – started to accumulate pus, he had decided to seek medical help. Langridge testified that he had begged his wife to stop tugging at his testicles with her long nails because the pain was insufferable. Who would not want to rest after such an ordeal especially when the extent of his injuries were hitherto unknown? Langridge did not hold back the fact that he had not sought immediate medical help when filing his report upon being admitted to hospital.<sup>13</sup>

It is an expected reaction of anyone suffering such an embarrassing injury coupled to the fact of having to explain the circumstances as to how the injuries were sustained – at the hands of one's own wife – to delay seeking medical assistance until that point when procrastinate one can no more. The fact that bruising was readily apparent on the 26<sup>th</sup> September, is also consistent with the fact that the assault happened some time earlier allowing for pus and bruising to form; bruising which was still visible to the Court when Peter Langridge testified over a month following the assault.<sup>14</sup>

Whereas **Inspector Nikolai Sant** testified how some ten days after the report was filed by the injured party, he interrogated the accused who refused to answer questions relating to the allegations being made against her.<sup>15</sup>

Whereas consultant urologist **John Sciberras** gave evidence regarding the injuries sustained by Peter Langridge which testimony clearly depicts the full extent of the aggression this 71-year-old as made to endure. *“He was found on examination to be running a temperature of 38.3 degrees Celsius and had a normal pulse and blood pressure. It was noted that there were **multiple scratches on his face, arms, hands and lower limbs as well as a penetrating injury to his scrotum.** His scrotal skin was noted to be lacerated and there was marked swelling with **the left testicle hanging out of***

---

<sup>13</sup> **Doc. MV** a fol.34-36

<sup>14</sup> Fol.11

<sup>15</sup> Fol.37 *et seq.* Statement exhibited as **Doc.NS** a fol. 39-40

*the scrotum and it was covered with pus. In view of all this, which is the fever, signs of infection, the open wound, he was consented for an urgent operation on the same day from Accident and Emergency so that to clean his wound and possibly also remove his testicle which had caused also a left orchidectomy. He was operated on the same day ..... Now it has to be noted that at this time the preliminary report and results were that he had lost his left testicle. It was quite difficult to ascertain what was happening at this stage, there was marked swelling on the ward, this is when I saw him after surgery obviously, and basically he was told that he had lost his testicle and actually at this stage it was difficult to ascertain this. After some time the pathohistological result which is the sample that we send to the lab came back and it was noted that no testicular material was present in the histology report. He was examined in the hospital afterwards and both a clinical examination and an ultrasound confirmed that his left testicle was there and it was concluded it was normal. .... Arrangements were made to follow up the patient afterwards when he was told all this. Basically what I note is the discharge letter and the final findings there is a variation in that there was no loss of the left testicle.”<sup>16</sup>*

From this testimony, as the Court has had occasion to mention earlier, it results with certainty that at the time Langridge testified he was still under the impression that he had lost his left testicle. Sciberras explained that it was only following the review of the histological results which became known over two months after the injured party testified, that the testicle was not actually removed. The witness further explains the reasons for the discrepancy “it was a serious of events, so this was an injury with a potential loss of the testicles so it was a penetrating injury, and usually in that area when there is infection and obviously the testicle is not viable and there is debrilement ..... So we told him that he would have lost his testicle but the obviously when the pathology the final report came out you have to tell the patient all this and that is what happened, which is normal practice what we usually do.”<sup>17</sup>

Questioned by the Court as to whether Peter Langridge sustained any permanent functional debility due to the injuries sustained, Mr Sciberras replies “no not really, I think it will take time and obviously other assessments. But he did sustain a penetrating injury all the same to the scrotum.”<sup>18</sup>

---

<sup>16</sup> Fol.44-45

<sup>17</sup> Fol.46

<sup>18</sup> Fol.47

Whereas **Eva Statsna Langridge** testified that on the night of the 25<sup>th</sup> September, 2017, she had spent the day away from home and returned around 6pm. Her husband joined her some time later and they stayed in the balcony until around 10pm when she made tea for him. He told her he was feverish but she said his forehead was cold and told him he was not running a fever.<sup>19</sup> He went to his bedroom whilst she stayed watching tv.<sup>20</sup> The next morning she woke up, had coffee whilst her husband was cooking lunch. From time to time her husband went to his bedroom and came to sit beside her to watch tv. Then at around 6pm he informed her that he was going to the Gzira policlinic.<sup>21</sup>

Such a version is incredulous at best. It makes no mention of the fact that the injured party had sustained multiple scratches and abrasions *inter alia* on the face which would have been readily visible to her had he truly come to sit beside her to watch tv. She gives no plausible account as to how these injuries were sustained by her husband. She denies there ever having been an argument “*We dint have a quire [recte: quarrel] even<sup>22</sup>....we didn't have arguments or calls*”.<sup>23</sup>; and categorically denied that any violence took place as is being alleged “*It doesn't happen for sure*”.<sup>24</sup> The accused adds she only found out what happened to her husband ten days later after she got to know this from his cousin “*I knew nothing about injuries*”<sup>25</sup> and later states that she got to know of the allegations when first interrogated.<sup>26</sup>

The accused's testimony jars dramatically with reality: She admits that when her husband informed her he was going to the policlinic she didn't ask him why.<sup>27</sup> She fails to mention how one could possibly suffer all those injuries – which she fails to mention as even seeing, including the multiple scratches on the face, arms and hands – when by her own admission since the evening of the 25<sup>th</sup> September, her husband never left the house and was doing nothing strenuous apart from cooking

---

<sup>19</sup> Fol.57

<sup>20</sup> Fol.58

<sup>21</sup> Fol.59

<sup>22</sup> Fol.59

<sup>23</sup> Fol.60

<sup>24</sup> Fol.61

<sup>25</sup> Fol.62

<sup>26</sup> Fol.65

<sup>27</sup> Fol.64

shepherd's pie, resting and watching tv until 6pm when he suddenly informs her that he is going to the Gzira policlinic. Incidentally she denies he was even running a temperature although this is contradicted by Mr Sciberras's findings that Peter Langridge was running a temperature of 38.3°.28

The Court finds the testimony of the accused as being both unsafe and unsatisfactory. Her demeanour on the witness stand wherein she failed to convince the Court of her genuineness and credibility, her continuous denial that any incident took place notwithstanding the injuries which were sustained by her husband who, by her own admission, never left the house, render her account of events nothing but a product of fiction, yet a fiction riddled with *non sequiturs*. Her testimony conflicts dramatically with that of the injured party who effortlessly recounts, yet not without embarrassment, what he was made to suffer at the hands of his wife on the night between the 25<sup>th</sup> and the 26<sup>th</sup> September, 2017. His evidence is fully corroborated by medical findings and this to the minutest detail.

Thus, having seen the evidence produced before it, the Court finds that the prosecution has proven its case beyond a reasonable doubt.

The Court also underlines that the Attorney General in his note indicating the Articles of Law in terms of Article 370(3)(a) of the Criminal Code fails to cite article 222 of the said Code, in terms of which the punishment is increased by one degree, *inter alia*, when the harm was committed on the person of the spouse of the accused. However, the Court makes reference to the judgement delivered by the Court of Criminal Appeal *Il-Pulizija vs Kevin Falzon*.29

Issa huwa minnu illi minn qari tan-nota ta' rinviju ghal gudizzju tal-20 ta' Mejju 2008, l-Avukat Generali, fit-termini ta'l-artikolu 370(3) tal-Kodici Kriminali, baghat l-atti lura lill-Qorti tal-Magistrati sabiex il-kaz jigi iggudikat mill-Qorti bhala dik issa ta' Gudikatura Kriminali, ghar-reati mahsuba fl-artikoli 198, 86,87, 203 u 209 tal-Kodici Kriminali u dan fil-forma kontinwata ta'l-imsemmija reati.

---

<sup>28</sup> Vide evidence of John Sciberras evidence a fol.44

<sup>29</sup> Appeal No.178/2014; Decided 26.10.2017 per The Hon. Mdme. Justice Dr. Edwina Grima



Issa meta **“ir-rinviju għall-gudizzju jsir skond is-subartikolu (3) tal-Artikolu 370 (u allura wiehed qed jitkellem fuq għall-anqas reat wiehed, fost dawk imputati, li huwa ta' kompetenza tal-Qorti Kriminali), in-nota ta' rinviju għall-gudizzju tassumi rwol simili għal dak ta' l-att ta' akkuza quddiem il-Qorti Kriminali. Fin-nota ta' rinviju għall-gudizzju skond l-Artikolu 370(3) ma jistghux jizdiedu reati li dwarhom ma tkunx saret il-kumpilazzjoni; l-Avukat Generali, naturalment, jista' jnaqqas reat jew reati u anke jzid skuzanti. ...<sup>30</sup>”**

Illi bhal kif jagħmel meta jigi biex jirredigi l-att ta' l-akkuza, l-Avukat Generali wara li jifli l-atti tal-kumpilazzjoni irid jara liema huma dawk ir-reati li jistghu jigu imputati lill-persuna akkuzata fejn allura huwa jista' inaqqas reat jew reati minn dawk li kienu qed jigu investigati tul l-atti kumpilatorji. Issa għalkemm l-Avukat Generali għar-reat mahsub fl-artikolu 198 tal-Kodici Kriminali cioe' dak ta' l-istupru, kif ukoll dak mahsub fl-artikolu 203, ma jindikax ic-cirkostanza aggravanti imsemmija għall-ewwel reat fl-artikolu 202(b) u għat-tieni reat imfisser fis-sub-inciz (1)(c) għall-istess artikolu tal-ligi u cioe' l-fatt illi r-reati gew kommessi fuq il-persuna ta' dixxendenti taht l-eta ta' tmintax-il sena, l-Ewwel Qorti għaddiet biex sabet htija għal dawn ir-reati bic-cirkostanzi aggravanti. L-appellanti jilmenta allura illi b'hekk ir-reat gie rez iktar gravi minn dak indikat fin-nota ta' rinviju għal gudizzju. Jinsisti inoltre illi din ic-cirkostanza aggravanti kellha tohrog mill-provi ikkumpilati, haga li fil-fehma tieghu ma tirrizultax ippruvata, u gjaldarba l-Avukat Generali ma hassx il-htiega li jindika dan l-aggravvju allura kellu jkun evidenti għall-Ewwel Qorti illi din il-prova ma saritx.

Illi l-artikolu 589 tal-Kodici Kriminali jitkellem dwar dak li għandu ikun fiha l-att ta' l-akkuza meta fis-sub-inciz (b) li jikkontempla l-parti narrattiva ta' l-att ta' l-akkuza hemm dispost illi l-Avukat Generali **“għandu fisser il-fatt li jikkostitwixxi r-reat, bil-partikularitajiet li jkunu jistgħu jingħataw dwar iż-żmien u l-lok li fihom ikun sar il-fatt u dwar il-persuna li kontra tagħha r-reat ikun sar, flimkien maċ-ċirkostanzi kollha li, skont il-liġi u fil-fehma tal-Avukat Ġenerali, jistgħu jkabbbru jew inaqqsu l-piena.”**

Ikompli s-sub-iniz (c) hekk meta jitkellem fuq il-part akkuzatorja ta' l-att ta' l-akkuza meta hemm dispost illi din tikkostitwixxi:

**“għabra fil-qosor li fiha l-imputat jiġi akkużat tar-reat kif miġjub jew imfisser fil-liġi, u bit-talba sabiex jitmexxa kontra l-akkużat skont il-liġi, u sabiex l-istess akkużat jiġi ikkundannat għall-piena stabbilita mil-liġi (hawn jingħad l-artikolu tal-liġi li jikkontempla r-reat) jew għal kull piena oħra li skont il-liġi tista' tingħata skont kif jiġi iddikjarat ħati l-akkużat.”**

---

<sup>30</sup> *Il-Pulizija vs Michael Carter* – 07/12/2001 App.Krim

Mela allura ghalkemm fil-parti narrattiva ta’-l-att ta’-l-akkuza l-Avukat Generali ghandu jindika c-cirkostanzi kollha ta’ fatt li jistghu jkabbru jew inaqqsu l-piena u allura jirrendu ir-reat iktar gravi, madanakollu imbaghad fil-parti akkuzatorja huwa bizzejjed illi jigi indikat l-artikoli tal-ligi li jikkontempla ir-reat. Dan x’aktarx ghaliex huwa rimess ghal gudizzju tal-gurija popolari biex jiddeciedu jekk il-fatti esposti mill-Avukat Generali jirrizultawx ippruvati mill-evidenza li tingieb waqt il-guri, fejn imbaghad il-kwistjoni dwar il-piena li ghandha tigi erogata f’kaz ta’ sejbien ta’ htija ghal fatti kif decizi mill-gurati tigi, imhollija f’idejn l-Imhalled togat.

Ekwiperata n-nota ta’ rinviju ghal gudizzju ma’-l-att ta’-l-akkuza allura huwa bil-wisq evidenti illi huwa bizzejjed illi l-Avukat Generali jindika l-artikoli tal-ligi li jikkontempla r-reat u dan kif hemm indikat b’mod specifiku fl-artikolu tal-ligi su-iccitat. Issa huwa minnu illi n-nota ta’ rinviju ghal gudizzju ma fijiex dik il-parti narrattiva bhalma fiha l-att ta’-l-akkuza, izda l-indikazzjoni tal-fatti tal-kaz johorgu mill-imputazzjonijiet kif originarjament mfassla kontra l-imputat. Illi fis-sentenza fl-ismijiet “*Il-Pulizija vs Francesco sive Godwin Scerr*” deciza 18 ta’ April 2012 minn din il-Qorti kif diversament ippresjeduta gie deciz illi:

*“Fin-nuqqas ta’ indikazzjoni differenti mill-Avukat Generali, l-artikoli citati mill-Avukat Generali u l-akkuza originali jridu jigu ezaminati flimkien ghal dak li jirrigwarda **l-fattispecji partikolari** tal-kaz.”*

Dan ghaliex, kif inghad ghalkemm in-nota ta’ rinviju ghal gudizzju hija imqabbla mal-att ta’-l-akkuza, madanakollu fiha hija mankanti dik l-parti narrattiva bhalma hemm fl-att ta’-l-akkuza li titkellem dwar il-fattispecje tal-kaz li abbazi taghhom huma imsejsa ir-reati li jigu hemmhekk imputati. Xejn ma kien josta lill-Ewwel Qorti allura stabbilit ir-reat, illi teroga dik il-piena li fil-fehma taghha kienet tapplika ghal-cirkostanzi partikolari tal-kaz kif imfissra fl-imputazzjonijiet. Ghalhekk stabbilit illi l-appellanti kien qed jigi akkuzat bir-reati ta’-l-istupru vjolenti u l-korruzzjoni tal-minorenni, kien jispetta lill-Ewwel Qorti sabiex misjuba l-htija ghal dawn ir-reati, meta tigi tqies il-piena li ghandha tigi erogata, tara jekk mill-fattispecje din kellhiex tizdied minhabba xi cirkostanza aggravanti. Ghal dawn il-motivi ghalhekk dan l-ewwel aggravju qed jigi michud.

Whereas the Court cannot but note that the accused does not stand charged with offences which the legislator specifically introduced through *Act XXXI of 2014* in a bid to protect against the abuse of the elderly and dependent persons,<sup>31</sup> which offences carry punishments of greater severity than those with which the accused stands charged. Nonetheless it falls upon this Court to underline the fact that there is

---

<sup>31</sup> Sub-Title XI of Title VIII, Part II, Book First of the Criminal Code

zero tolerance to domestic violence. There is to be no place for such demented actions, for frenzied attacks on persons who due to age or other circumstances can't even be assured protection within the confines of their own homes, attacks on individuals who suffer aggression from those to whom they entrust their care and companionship. The accused's aggressive conduct towards her spouse, 20 years her elder, went a long way in undermining the legal maxim that a '*man's house is his castle*'!

Hence with regards to punishment the Court took into consideration the nature and seriousness of the offences of which the accused stands charged and all the circumstances of the case. The only reason accounting for the fact that the accused is not being condemned to serve an effective term of imprisonment is that she is a first-time offender.

For the said reasons, the Court, after having seen articles 17, 31, 214, 215, 216(1) and 222(1)(a) of the Criminal Code, Chapter IX of the Laws of Malta, finds the accused guilty of the charge brought against her and condemns her to a punishment of two (2) years imprisonment which by virtue of article 28A of Chapter IX of the Laws of Malta, are being suspended for four (4) years.

In terms of Article 412D of Chapter IX of the Laws of Malta, the Court is subjecting the accused to a treatment order for a period of two years, wherein she is to receive psychological assistance in order to address the violent outbursts she has shown herself to be prone to.

Finally, in terms of article 382A of Chapter IX of the Laws of Malta, the Court is issuing a restraining order against the accused in favour of Peter Langridge for a period of three (3) years.

The Court explained to the accused, in ordinary language, the consequences should she chose to commit another offence within the operative period of four (4) years and if she fails to abide by the treatment order issued.

**Dr. Donatella M. Frendo Dimech LL.D., Mag. Jur. (Int. Law).  
Magistrate**