



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

MAGISTRATE NATASHA GALEA SCIBERRAS B.A., LL.D.

Case Number: 44/2018

Today, 1st August 2018

**The Police
(Inspector Spiridione Zammit)
(Inspector Malcolm Bondin)**

VS

**Yahye Mohamed Dicisow
Residence Permit No 0083382(A)**

The Court,

After having seen the charges brought against the accused Yahye Mohamed Dicisow, age 26, son of Mohamed Dicisow and Sofia, born in Somalia on the 1st January 1992, without a fixed address in the Maltese Islands and holder of Maltese residence permit number 0083382A;

Charged with:

On 4th March 2018 and the days before this date on the Maltese Islands:

1. Had in his possession (otherwise than in the course of transit through Malta of the territorial waters thereof) the whole or any portion of the plant cannabis in terms of Section 8(d) of Chapter 101 of the Laws of Malta, which drug was found under circumstances denoting that it was not intended for his personal use;

2. Had in his possession (otherwise than in the course of transit through Malta of the territorial waters thereof) the resin obtained from the plant cannabis, or any other preparation of which such resin formed the base, in terms of Section 8(a) of Chapter 101 of the Laws of Malta, which drug was found under circumstances denoting that it was not intended for his personal use.

The Court was also requested to apply Section 533(1) of Chapter 9 of the Laws of Malta, as regards the expenses incurred by the Court appointed experts.

Having heard the evidence adduced and having seen the records of the case, including the order of the Attorney General in virtue of subsection two (2) of Section 22 of the Dangerous Drugs Ordinance (Chapter 101 of the Laws of Malta), for this case to be heard by this Court as a Court of Criminal Judicature;

Having heard the Prosecution declare that it was resting on the evidence adduced and final oral submissions by the defence.

Considered that:

The facts which led to this case were as follows: On 4th March 2018, at around 8.15 p.m., whilst conducting a patrol at Triq il-Biccerija, Marsa, PC 1406 Kurt John Rizzo and PC 660 Alexander Mifsud, after having signalled to the driver of a vehicle, a Toyota Celica bearing registration number IBV164, to stop, they noticed that a packet was thrown out of the front passenger window. Upon retrieving the said packet, which consisted of a plastic bag, it was noted that this contained a substance, suspected to be cannabis resin. A search carried out on the front passenger, namely the accused, yielded a wallet with a substantial amount of cash. A search was later conducted in the vehicle and under the front passenger seat, PC 1413 Antoine Agius found a small plastic bag containing a brown substance (brown sticks) in yellow paper and a black plastic bag containing some green substance.

It further results from the evidence adduced that at the time, there were four persons in the said vehicle, namely the driver, Mohamed Abdel Rashid, the accused who was the front passenger, Abdulkadir Mohamed Indhol, who had been sitting behind the driver and Jamal Mohamed Liban, who was sitting behind the front passenger (the accused).

Abdulkadir Mohamed Indhol¹ states on oath that he had been in Marsa with his friends, where he had tried to obtain some money for a bus ticket, but did not manage. Mohamed Abdel Rashid, whom he knew by sight, offered to give him a lift to Hal Far. After a few minutes, whilst still in Marsa, their vehicle was stopped by the police. As soon as they heard the police, the driver and accused exchanged some words, though the witness could not understand what was said. Witness states that the window on accused's side was open and that the vehicle only had two windows. The police retrieved 'something', though he did not know where this had been found and later, the police found some drugs under the front seat of the vehicle, where the accused had been sitting. During his cross-examination, the witness states that the window on accused's side had been open before the police arrived and explained that he had seen accused extending his left hand out of the window. Yet, it was dark inside the car and he was sitting at the back, so he could not see if accused held anything in his hand.

Jamal Mohamed Liban² states on oath that he had been drinking at Marsa, where he met Indohl and suggested that they go together to Hal Far, but Indohl had no money for the bus. He went to catch the bus, at which point Indohl called him and told him that he had found a lift to Hal Far. They were four persons in the car and he sat at the back. The accused, also a passenger in the vehicle, sat on the front, whilst he sat behind him and a certain Rashid drove the car. As soon as they drove off, they saw the police, but before the police approached them, accused extended his arm out of the vehicle's window, "*but I do not know what he do*" ... "*what he th[r]ew*".³ Once the police approached the vehicle, they asked accused to step out and they handcuffed him. He states that more police arrived on site and he was asked whether there were any drugs in the car to which he replied that he did not know, as he only knew Indohl and that he would not have been there, had Indhol not offered him a lift. He states that only the front windows of the vehicle were open. He also states that when the police were approaching, accused told Rashid to calm down. During his cross-examination, witness states that he had not seen accused throwing anything out of the window as it was dark, but had seen his hand outside the window, after accused had seen the police, but before said police approached them.

Mohamed Abdel Rashid⁴ states on oath that he was in Marsa, where he met some friends and also the accused at about 5.00 p.m. or 6.00 p.m. He later asked

¹ *Vide* his deposition, a fol. 11 to 22 of the records.

² *Vide* his deposition, a fol. 23 to 32 of the records.

³ A fol. 27 of the records.

⁴ A fol. 33 to 46 of the records of the case.

accused to give him a lift to Hal Far and also asked him to drive the car. He explains that the vehicle belonged to Abdelaziz, but accused had the key to said vehicle and was using this vehicle at the time. Indohl asked the witness to drive him to Hal Far, after he had asked him for money, which the witness did not give him. The witness drove the car, accused sat on the front, whilst Indohl sat at the back with a third party, whom the witness did not know. He states that as soon as he drove off, he saw a police car behind him. The police signalled him to stop and he did so, near the abattoir in Marsa. He states that he saw accused moving his hand and he told the witness to calm down and not to worry about the police stopping them, as he panicked. The police first spoke to accused and then to him and he was asked to step out of the car. He further states that he saw “*blokka marijuana*”⁵ at the front of the car. He explains that whilst in the car and when the police were still walking towards them, he had seen a black bag on accused’s lap, but when the police arrived, this bag was no longer on accused’s lap. The police then found this bag under the front passenger seat, where accused had been sitting. Upon being asked if he had seen how this bag ended up under the seat of the vehicle, the witness states that he had only seen accused moving his hand, since at the time he was looking in the mirror, observing the police approaching the car. He further states that when he had seen the bag on accused’s lap, he did not know that this contained drugs, but only realised this when the police opened it. It contained green grass and pieces of *blokka* (cannabis resin), some of which was wrapped in paper. He further states that the vehicle had two windows and that only the window on accused’s side was open. He states that he told the police that the drugs did not belong to him. During his cross-examination, and with reference to the black bag, upon the defence’s suggestion that “*someone else who was in the car tried to throw it out of the car and this ended under the seat*”,⁶ the witness excluded that this was the case, since he had seen the bag on accused’s lap.

PC 1406 Kurt John Rizzo states that on 4th March 2018, at around 8.15 p.m., whilst conducting a patrol in Triq il-Biccerija, Marsa with PC 660, they signalled another vehicle to stop, at which point, they noticed the front passenger “*throwing a packet out of the window*”.⁷ They stopped the car immediately and whilst his colleague stayed with the vehicle and its passengers, he went to look for the said packet. He found a plastic bag covered in blue paper, which according to him, contained a huge amount of a green substance. He then conducted a frisk search on the front passenger and found a black wallet with a considerable amount of cash and a mobile phone. Another police unit arrived on site and conducted a search inside

⁵ A fol. 40 of the records.

⁶ A fol. 45 of the records.

⁷ A fol. 75 of the records.

the vehicle and on the other passengers. He confirmed that Document MB2 contained the drugs which he had found.⁸ PC 538 Raymond Azzopardi, namely one of the police officers who arrived on site to assist PC 1406 and PC 660, states that a search on the passengers of the vehicle yielded nothing illegal.⁹ PC 660 Alexander Mifsud confirms PC 1406's version that as soon as they signalled to the vehicle to stop, the passenger inside the vehicle threw "*something*"¹⁰, which he then describes as a small bag, out of the car's window, at which point the car immediately stopped. He states that he saw the front passenger's hand coming out of the car's window. He also states that he directed his colleague towards the bag he had seen being thrown away and as soon as this was retrieved by his colleague, the latter informed him that it was "*haxixa*"¹¹. He specifies that he was about two and a half cars away from the other vehicle when he noticed the object coming out of the window. Upon being cross-examined, he confirmed that the four persons inside the car were all of the same nationality and upon being asked as to how he could be certain that it was actually accused's hand which he had seen, the witness insisted that he had seen accused's hand.¹²

PC 1413 Anton Agius states that at about 8.15 p.m., his colleagues and himself were called to assist other police officers near the abattoir in Marsa, where they found a Toyota Celica with four passengers. He states that PC 1406 told them that the passenger had thrown a small plastic bag out of the vehicle's window and in the bag there were some brown sticks. Whilst conducting a search inside the vehicle, under the front passenger seat, he found more brown sticks in a small plastic bag and another bag which contained some green substance. The witness identified Document MB3 as the substances which he had found under the front passenger seat. He described the black bag in Document MB3 as the bag that contained the grass and the yellow paper in the same evidence bag as that which contained the brown sticks.¹³ The Court notes that PC 538 Raymond Azzopardi, who was present whilst PC 1413 conducted the search inside the vehicle states that the suspected cannabis resin and grass were found underneath the driver and the passenger seat, but he later clarifies that the major part of these substances were found under the passenger seat, and that only one or two sticks were found under the driver's seat.

⁸ A fol. 71 to 77 of the records.

⁹ A fol. 82 to 85 of the records.

¹⁰ A fol. 116 of the records.

¹¹ A fol. 117 of the records.

¹² A fol. 115 to 119 of the records.

¹³ A fol. 78 to 81 of the records.

Abdel Aziz Salad Hassan states on oath that he is the owner of the vehicle Toyota that was being used by accused. He states that he had given his car to accused eight days prior to this incident and that only the accused had used the said car during this time. He had not used the car himself. During his cross-examination, the witness states that he had given the car to accused, but he did not know whether accused had given the car to third parties.¹⁴

In terms of the report drawn up by expert Scientist Gilbert Mercieca, he was handed over two documents for his analysis, namely Document MB2 (evidence bag M13904939), composed of a plastic bag that contained 20 brown resin sticks wrapped in a piece of paper and weighing in total 25.148 grams and Document MB3 (evidence bag M13904937), which contained 38 brown resin sticks, weighing 32.697 grams, 10 plastic bags that contained a herbal material and other herbal material found in the evidence bag, weighing in total 8.472 grams, a piece of paper and a black plastic bag.

Said expert concluded that the samples (MB2 A-C) taken from Doc. MB 2 and the samples (MB3.1 A-E) taken from Doc. MB 3 resulted positive for the presence of cannabis and that the total weight of cannabis resin amounted to 57.845 grams, with a purity of circa 18.12%. The samples (MB3.2 A-E) taken from Doc. MB 3 also resulted positive for cannabis and the total weight of cannabis grass amounted to 8.472 grams, with a purity of 21.44%.¹⁵

The accused denies any knowledge of the drugs found inside and outside the vehicle. In his statement, released on 5th March 2018¹⁶, accused denies that the substances found in the vehicle belonged to him. He states that on the night in question he was watching football in Marsa. His girlfriend called him and he went inside the car to speak to her, where he spent about one and a half hours alone. His friend Rashid asked him to give his two Somali friends a lift to Hal Far and as they left, the police arrested them and carried out a search. He only knew these other two Somalis by sight. He had given the car's key to Rashid to drive. He also states that whilst in the car, he did not smell the cannabis. Accused states that he did not buy these drugs, he did not sell drugs and he had not seen the drugs inside the vehicle prior to his arrest. He also denies throwing drugs out of the car. With reference to the car, he further states that *"Aziz gave it to me in Marsa, gave me the keys, I went inside the car on the passenger seat alone, phoned my girlfriend and I had trouble with her and phoned each other for one and a half hour. Only me was*

¹⁴ A fol. 149 to 158 of the records.

¹⁵ This report is exhibited a fol. 132 to 139 of the records.

¹⁶ *Vide* accused's statement, a fol. 60 to 62 of the records.

in the car, then Rachid came asked me something, I was on the phone and had the two men other with him, I gave him the keys and drove the car”.¹⁷

In his deposition during these proceedings¹⁸, accused states that he was in Marsa watching football, when his girlfriend called him and so he went outside to speak to her. His friend Rashid asked him for a lift to Hal Far and so he gave him the key to the car he was using. This car had been given to him by his friend Abdiaziz as he had scrapped his car some time before. He states that Abdiaziz had given him the car a few days before. Rashid drove the car and they were stopped by the police about three minutes after they drove off. At the back, there were friends of Rashid. Inside the car, the police found hashish or something similar. However, he was speaking on the phone whilst inside the car. During his cross-examination, accused states that before he gave the key to Rashid, said key had always been in his possession. He states that after Abdiaziz gave him the key to his car, there were times when his friend or Abdiaziz drove the car. Upon being asked who had been driving the car prior to his arrest, accused states that this had been driven by his friend Abdulkarim or himself. He states that his friend had driven the car from Fgura to Marsa in his presence. He further states that the car had always been driven in his presence and that he had never given the key to anyone else, except perhaps to Abdiaziz, who had given him the car four days earlier. Accused states that he had only seen the drugs for the first time when these were shown to him by the police outside the vehicle. He states that the police found “*something but not my chair*”¹⁹ and he denies that he had hidden drugs under his seat. He also denies that he was selling drugs in Marsa or that he intended to sell these drugs.

Considered that:

The accused is being charged with possession of the cannabis plant and resin in circumstances denoting that these were not intended for his personal use. On his part, accused is denying any knowledge of the drugs found inside and outside the vehicle on the night in question.

After having analysed the evidence adduced, the Court finds that it has been proved beyond any reasonable doubt that the drugs found had indeed been in accused’s possession. As regards the drugs found and retrieved by the police outside the vehicle, the Court notes that both PC 660 and PC 1406 state to have seen the front passenger, namely the accused, throwing a packet or a small bag

¹⁷ A fol. 62 of the records.

¹⁸ A fol. 188 to 204 of the records.

¹⁹ A fol. 202 of the records.

from the front passenger window, immediately before they stopped the vehicle. It results that the vehicle was a two-door vehicle, thereby having only two front windows and that the front passenger's window was indeed open. Although the defence questions PC 660 as to how he could be so certain that it was accused's hand that he had seen out of the window, when the vehicle was occupied by another three Somali males, yet other evidence also corroborates the police officers' version. Apart from the fact that the police vehicle was only a short distance behind the vehicle in question and thus, PC 660 and PC 1406 had a good view of the said vehicle, the back passengers inside the vehicle, namely Indhol and Liban, both state to have seen accused extending his hand outside the vehicle's window as soon as they realised that they were being accosted by the police and before the police had approached their vehicle. Although they could not confirm that accused had indeed thrown anything out of the vehicle's window, yet their version of events certainly corroborates the police's version that it had been the front passenger, namely the accused, who had thrown the bag out of the window.

As regards the drugs found inside the vehicle, the Court notes that these were found under the front passenger seat as indicated by PC 1403, who was the police officer who had actually found and retrieved the said substances and that although PC 538, who was present during this search, states that these were found under the driver and passenger seats, yet he clarifies that for the most part, these were situated under the passenger seat, with the exception of one or two sticks that were found under the driver's seat. First of all, since these drugs were found specifically underneath his seat and not under any other seat in the vehicle, save for one or two resin sticks, this is highly indicative that such drugs had actually been in accused's possession. Rashid's testimony then that he had seen the black bag containing the drugs on accused's lap, as the police were approaching their vehicle, although not its contents, and that he had seen accused doing some movements with his hand, though he had not actually seen him placing the bag underneath the front seat, also confirms that said drugs had been in accused's possession. In this regard, the Court notes that although accused denies any knowledge of such drugs and he also denies Rashid's version of events, yet despite having released a statement and taking the witness stand, he provides no alternative explanation for the presence of the drugs in the car which had been in his possession during the days prior to his arrest. He even goes so far as to deny that anything was found underneath his seat. The Court also notes that according to his version, accused had been sitting alone in the car for an hour and a half prior to his arrest and that Rashid and the other two passengers had only joined him in the car a few minutes prior to their arrest. Moreover, accused had been in possession of the vehicle for a few days and another friend of his had only driven the car in his presence. Although accused

states that Abdel Aziz, the owner of the vehicle, had also used the car during this period of time, yet the latter denies this assertion and states that he had handed over the car's key to accused about eight days prior to this incident. Furthermore, the Court cannot but note that from the photographs of the substances in Documents MB2 and MB3, forming part of expert Scientist Gilbert Mercieca's report, it results that there is a clear similarity as to shape and size between the resin sticks in Document MB2, namely those found by PC 1406 outside the vehicle and the resin sticks in Document MB3, which were found inside the vehicle.

In view of the above considerations, therefore, the Court cannot but conclude that the drugs in question were indeed in accused's possession.

Having reached this conclusion, the Court must proceed to consider and determine whether it has been proved to the degree required by law that the said substances were not intended for accused's exclusive use, in terms of the two charges brought against him. In this regard, the Court notes that at no point does accused assert that he consumed cannabis and neither was he ever asked this question, both whilst releasing his statement or during his deposition in these proceedings. Indeed, accused merely denies that these drugs appertained to him. Yet in any case, whether the accused consumed cannabis or otherwise, the Court considers that the total amount of cannabis in his possession – namely 57.845 grams of cannabis resin and 8.472 grams of cannabis grass – is clearly not an insignificant amount and not one which is normally associated with personal use. Furthermore, the Court considers the total number of cannabis resin sticks found, that 48 out of these 58 sticks were very similar in shape and size and that most of the cannabis grass was also found in ten separate plastic bags, also very similar in size.

Taking into consideration these circumstances, the Court deems that the two charges proffered against the accused have been proved to the degree required by law, in so far as these refer to 4th March 2018.

Considered further that:

Accused was also found in possession of a wallet which contained the sum of one thousand, nine hundred and thirty five Euro (€1,935).²⁰ In his statement, accused states that one thousand and two hundred Euro (€1,200) belonged to him, whilst the rest belonged to his friend. He states that this money was meant to be used to rent another apartment and thus consisted of the rent, the deposit and the agency

²⁰ This has been exhibited in the records of the case as Document MB1.

fee. He also states that he had this money in his possession, since he did not want to leave it at home. His accounts with HSBC and BOV were both closed and he could not open an account without an employment contract. In his deposition accused states that this money was meant for a new lease agreement that was to be signed on the following day.

Omar Hussein Abdulkarim states that on the night of accused's arrest, he had given the accused the sum of €750 because they planned on moving together to a residence in Zebbug. Accused had given him back €20 "*to keep for him because I speak English and the dealer comes to me in Paola*".²¹ In his second deposition, Abdulkarim states that accused had decided to rent a house in Siggiewi and he had given the sum of €750 as deposit to the accused. Accused had another €750 for rent and another €450 circa. He states that accused had sent him a video of this residence, since the witness had no time to view the residence and that together, they had met the agent in the Fgura/Paola area. Witness had told the agent that accused could sign the lease agreement on his behalf.²²

In his statement, accused further states that he shares an apartment with his Somali friend, that he has lived in this apartment for the last two months and that with his friend, he paid €550 in rent. On the other hand, Abdulatif Mohamed Abdule states in his deposition that accused had been living with him in Marsascala for the past three months, that they paid €500 in rent and that this was shared between five persons including the accused, so that they paid €100 each.²³ In his statement, accused further states that he planned on moving to Siggiewi, where he was to pay €700 in rent with his friend. Apart from the rent, he pays €40 a month for food. He further states that he had stopped working, that he had been without an "*official job*" for four months, but he carried out "*1 day jobs*" and that he received €78 every Friday in social benefits. He states that he has no money saved and that he lives on his "*cheque money*".

Witness Ivan Cilia, in representation of the Director General Social Security, states that accused was in receipt of subsidiary allowance, namely an allowance awarded to unemployed persons, having subsidiary protection in Malta, until 16th February 2018. The said allowance amounted to €78.27 a week. He had been in receipt of this allowance between 17th October 2015 and 1st April 2016 and between 27th May

²¹ A fol. 89 of the records.

²² A fol. 206 to 213 of the records.

²³ A fol. 91 to 96 of the records.

2017 and 16th February 2018. Accused had failed to sign at the local area office weekly and so the allowance had been stopped.²⁴

Joseph Saliba in representation of Jobs Plus, exhibited accused's employment history in terms of which accused was last in regular employment between 28th March 2016 and 13th February 2017.²⁵

Abdel Aziz Salad Hassan, the owner of the vehicle, states that accused works with him.

The Court also notes that in his deposition, Inspector Malcolm Bondin states that whilst going through the messages on accused's phone, he found that the agent had not been communicating with the accused regarding a residential lease in Siggiewi, but rather in the Marsascala area. In this regard, in his report, expert Dr. Martin Bajada states that there were over 14,000 SMSes, Facebook messages, WhatsApp messages and Viber messages on the iPhone and thus did not print them out, but rather exhibited a CD. Although the Court has taken cognisance of the CD's contents, yet it did not find the messages indicated by Inspector Bondin. Given the large content of the said phone, the Court does not exclude Inspector Bondin's observations. Yet, it deems that had the Prosecution considered such messages as having an important bearing on its case, then it should have clearly indicated said messages to the expert in order that these could be printed out and exhibited in the records of the proceedings.

As regards the monies found in possession of accused, the Court notes that *a tempo vergine* accused stated that part of this money belonged to his friend and that these were to be used in connection with a lease. This is corroborated by his friend, who confirms that he had given accused this sum of money for the said purpose. Accused's version that he did not want to risk leaving his money at home is likewise credible. The Court notes that although during his interrogation, accused was questioned about the source of the sum found, he does not refer to the source of his share of €1,200, but merely explains what this was intended for. Yet he is not questioned further about this sum. The Court further notes that in terms of his statement, accused's financial means seem very limited, considering that he held no regularised job for four months (when in actual fact he had not held any registered employment for a year), received social benefits weekly (until two weeks prior to his arrest) and only had one day jobs. Thus, the question

²⁴ A fol. 110 to 114 of the records.

²⁵ A fol. 128 of the records.

necessarily arises as to how the accused had the sum of €1,200 in his possession. Yet, although accused states that he only carried out one day jobs, witness Abdel Aziz Salad Hassan states that he lives and works with accused. This was noted also by Inspector Bondin in his deposition, wherein he stated that one of the inconsistencies which he had come across during his investigation is that whereas Abdel Aziz Salad Hassan told him that he worked with accused, yet accused refused to tell the police about his job and stated that he had not been working during the previous months. Accordingly, although the Court cannot exclude that the sum of €1200 in accused's possession or at least, part of the said sum was derived from drug related activities, yet it deems that it has not been proved to the degree required by law that this was the case or which portion of such monies was so derived. Thus, the Court is ordering the release of the monies in favour of accused.

Considers further that:

As regards the punishment to be inflicted, the Court is taking into consideration the clean criminal record of the accused.

On the other hand, it is also taking into account the serious nature of the offences of which accused is being found guilty and the amount of cannabis found in accused's possession which, as already indicated above, certainly cannot be regarded as insignificant.

For the purpose of the punishment to be inflicted, the Court is applying the provisions of Section 17(b) and (f) of Chapter 9 of the Laws of Malta.

Conclusion

For these reasons, the Court after having seen Sections 8(a), 8(d), 22(1)(a) and 22(2)(b)(i) of Chapter 101 of the Laws of Malta, Regulation 9 of Subsidiary Legislation 101.02 and Sections 17(b) and (f) of Chapter 9 of the Laws of Malta, finds accused guilty of the charges brought against him (but only limitedly to 4th March 2018) and condemns him to a term of eighteen (18) months effective imprisonment – from which term one must deduct the period of time, prior to this judgement, during which the person sentenced has been held in preventive custody in connection with the offences of which he is being found guilty by means of this judgement – and a fine (multa) of two thousand Euro (€2,000).

In terms of Section 533 of Chapter 9 of the Laws of Malta, the Court condemns the person sentenced to the payment of expenses relating to the experts appointed by the Court during these proceedings, namely the expenses relating to the appointment of expert Scientist Gilbert Mercieca amounting to the sum of one thousand, one hundred and fifty Euro and fifty cents (€1,150.50) and the expenses relating to the appointment of Dr. Martin Bajada, amounting to the sum of five hundred and ninety Euro (€590), which costs amount in total to the sum of one thousand, seven hundred and forty Euro and fifty cents (€1,740.50).

Orders the release of the two mobile phones exhibited as Document MB, the monies exhibited as Document MB1 and the wallet exhibited as Document MB4 in favour of the person sentenced.

Orders the destruction of the drugs exhibited as Documents MB2 and MB3, once this judgement becomes final and definitive, under the supervision of the Registrar, who shall draw up a *proces verbal* documenting the destruction procedure. The said process verbal shall be inserted in the records of these proceedings not later than fifteen days from the said destruction.

Natasha Galea Sciberras
Magistrate