

**In the Court of Magistrates (Gozo)
as a Court of Criminal Judicature**

Magistrate Dr Joanne Vella Cuschieri B.A., Mag. Jur. (Eur. Law.) LL.D.

Today 8th January 2019

The Police
(Inspector Josef Gauci)
vs
Angelo Michael Scifo

Angelo Michael Scifo, son of Angelo and Mary nee' Muscat, born in New York, USA on the 23/12/1971, and resides temporarily at room 319, Downtown Hotel, Europa Street, Victoria Gozo and resides permanently at 1205, 215th ST APT 1L, Bayside, New York, USA, and holder of USA passport number: 574997237.

The Court;

Having seen the charges brought forward against the accused with having on on the 7th January 2019, at around five o'clock in the afternoon (17:00hrs), whilst at Church Street, Xaghra, Gozo and/or in the vicinities in these Islands:

1. Wilfully committed any spoil, damage or injury to or upon any movable or immovable property, which damage does not exceed two thousand and five hundred euros (€2500), but exceeds two hundred and 50 euros (€250), to the detriment of Philip Mercieca and/or his sister Josephine Mercieca, **and this in violation of article 325(1)(b) of Chapter 9 of the Laws of Malta.**
2. And in the same date, time, place and circumstances, wilfully disturbed the public good order or the public peace, **and this in breach of article 338(dd) of Chapter 9 of the Laws of Malta.**
3. And also with having on the same date, time, place and circumstances without inflicting any wound or blow, threatened, with stones or other hard substances, or threw the same, or had taken up any other weapon

against Philip Mercieca and/or his sister Josephine Mercieca, **and this in breach of article 339(1)(b) of Chapter 9 of the Laws of Malta.**

4. And also in the same date, time, place and circumstances, attempted to use force against any person, namely Philip Mercieca, with intent to insult, annoy or hurt such person and, or others, **in breach of article 339 (1) (d) of Chapter 9 of the Laws of Malta.**
5. And also in the same date, time, place and circumstances, uttered insults and threats to Philip Sciberras and/or his sister Josephine Mercieca, **in breach of article 339 (1) (e) of Chapter 9 of the Laws of Malta.**

The court has been requested, where it deems expedient, in order to provide for the safety of Philip Mercieca and Josephine Mercieca 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 court, **and this in terms of article 383 of Chapter 9 of the Laws of Malta.**

The Court has been requested, for the purpose of providing for the safety of the injured party, to issue a Protection Order **under 412C of the Chapter 9 of the Laws of Malta.**

After having seen all the records of the case;

After having heard the offender plead guilty to the charges at an early stage of the proceedings, which guilty plea was confirmed by the same offender after the Court, in terms of section 453 (1) of Chapter 9 of the Laws of Malta, warned him of the legal consequences of that guilty plea, and allowed him sufficient time to re-consider his reply, and to change it;

After having heard the oral submissions on the punishment;

Considered that:

From the evidence brought forward and from the guilty plea registered by the offender himself, the Court concludes that the offender is guilty of the charges laid against him.

As regards the punishment, the Court took into consideration the fact that the offender admitted to the charges at a very early stage of the proceedings and his clean conviction sheet.

For these reasons the Court after having seen sections 17, 325 (1)(b), 338 (dd), 339 (1) (b), 339 (1) (d), 339 (1) (e), 383 and 412C of the Criminal Code (Chapter 9 of the Laws of Malta) on his admission finds offender guilty of the charges brought against him and condemns him to twelve (12) months imprisonment which by application of section 28A (1) of Chapter 9 are being suspended for a period of two (2) years from today.

The Court accedes to the request under article 412 C and issues a protection order in favour of Philip Mercieca and Josephine Mercieca as per attached conditions document A.

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.

(sgd.) Dr J. Vella Cuschieri
Magistrate

(sgd.) Maureen Xuereb
D/Registrar

True copy

f/Registrar

