



MALTA

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

**MAGISTRATE
DR. CHARMAINE GALEA**

Today the 10th of May 2019

**The Police
(Inspector Elton Taliana)**

Vs

**Andrew James Turnbull
(British passport number 502170143)**

The Court;

Having seen that the offender **Andrew James Turnbull** was charged with having on the 8th May 2019 at around 05.30hrs and in these islands:-

1. That as merely with the intention of making temporary use of vehicle with registration number ILY021, drove away the mentioned vehicle, whether propelled by mechanical power or by any other means, without having either the consent of the owner thereof or other lawful authority;
2. Through imprudence, negligence or unskillfulness in his trade or profession, or through non-observance of any regulation, caused any fire or any damage, spoil or injury to the detriment of Mario Debono;
3. Drove or attempted to drive or been in charge of a motor vehicle or other vehicle on a road or the public space if he is unfit to drive through drink or drugs.

Having seen the documents exhibited by the Prosecution;

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;

Considered that:

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

With regards to the punishment, the Court took into consideration the fact that the offender collaborated with the investigators and that he registered an early guilty plea. Consideration was also given to the fact that the offender paid all the damages suffered by the injured party.

For these reasons, the Court, after having seen article 15A and article 61 of Chapter 65 of the Laws of Malta and section 328 (d) of Chapter 9 of the Laws of Malta, his admission, finds offender **Andrew James Turnbull** guilty of all the charges brought against him and condemns him to a term of imprisonment of one (1) year which by application of section 28A (1) of Chapter 9 are being suspended for a period of two (2) years from today. The Court is also condemning the accused to the payment of two hundred euro (€200) fine (multa).

The Court is also disqualifying Andrew James Turnbull from holding or obtaining a driving license for a period of six (6) months from today.

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.

Dr. Charmaine Galea
Magistrate

Diane Gatt
Deputy Registrar