



Qorti tal-Magistrati (Malta)
Bhala Qorti ta' Gudikatura Kriminali

Magistrat Dr. Yana Micallef Stafrace LL.D.

Il-Pulizija

(Spettur Andrew Agius Bonello)

Vs

Domenic Chircop

Illum 14 ta' Marzu 2023

Il-Qorti

Rat illi l-imputat Domenic Chircop, 66 sena, iben Joseph u Emanuela nee Grech, imwieled Naxxar fil-25/09/1956 u residenti gewwa 14, "Ben Nevis, " Triq l-Imghazel, Naxxar ID 773656(M) kien;

Akkuzat talli nhar 4 ta' Ottubru, 2022 gewwa Red Café li jinsab fi Pjazza Toni Bajjada Naxxar gab ruhu b'tali mod li ta` fastidju lil Rachael Samantha Hodgkins.

Rat l-Artikolu 251A (a)(b) tal-Kap 9 Kodici Kriminali tal-Ligijiet ta' Malta.

Rat li Rachel Samantha Hodgekins ikkostitwixxiet ruhha bhala parte civile.

Rat ix-xhieda mressqa mill-Prosekuzzjoni.

Rat li l-imputat ghazel li ma jixhidx.

Rat l-atti u d-dokumenti kollha ezibiti.

Ikkunsidrat

PS 2383 xehed dwar l-involvement tieghu permezz ta' Affidavit.

Gie ezebit ukoll mill-Prosekuzzjoni Dok B rifjut tal-avukat u Dok C Current incident report.

Michael Calleja xehed is-segwenti fl-14 ta' Marzu 2023

Avu: Sur Calleja x`inhi r-relazzjoni tieghek ma Rachel Hodgkins?

Xhud: Rachel Hodgkins ilna 20 sena flimkien u ghandna tifla u l-partner tieghi u nahdmu bhala familja ahna.

Avu: Hawnekk il-pulizija ghandhom CD x`tista tghidilna x`taf dwar ic-CD u min tahielhom din ic-CD?

Xhud: Ic-CD lil pulizija tajtilhom jiena ghax jien ama kontx xoghol dak iz-zmien il-kazin.

Avu: Il-kazin ta` fejn?

Xhud: Il-kazin tal-Labour tan-Naxxar jien nahdem, cempilli xi hadd qalli ghandi bzonn inkellmek u x`hin mort biex inkellmu qalli iccekkja l-cameras ghax hemm xi hadd qal kelma hazina lil mara tieghi.

Qorti: U l-kazin tal-Labour tan-Naxxar ghandu xi isem iehor?

Xhud: Red Cafe.

Qorti: U meta kienet id-data?

Xhud: Xi 4th October 2022, jien iccekkjajt il-cameras u kollox u smajtu jghidilha certu kliem li m`ghogobniex lili u bqajt sejjer l-ghassa naghmillu rapport.

Qorti: Smajtu lil min?

Xhud: Il-President tieghi Domnic Chircop.

Qorti: Qiegehd fl-awla?

Xhud: Ijja hemmekk fin-nofs.

Qorti: Ix-xhud indika lil imputat.

Avu: U x`rajt u smajt fuq ic-CD?

Xhud: Smajtu jghidilha certu li aqqas hi ma hadet pjacir bihom l-affarijiet, ic-CD fih li kemm ghandek patata sabiha u affarijiet hekk qalilha.

Avu: X`kien il-kliem li intqal Michael?

Xhud: Kemm ghandek patata sabiha u m`ghogbitiex u rega qalilha darbohra zgur mir-recordings li ghandi jiena.

Qorti: Naraw ir-recordings, igifieri inti li rajt mir-recordings mhux ghax rajtu int?

Xhud: Jiena bil-malti kelli ohti hazin hafna,

Qorti: Le le int l-incident ma rajtux inti li taf ghax rajt ir-recording?

Xhud: Jiena mir-recording hi tafu mhux jiena fhimt ghax lilha qal.

Jigi ikkonstata li meta intwerea s-CD Dok A ma setghax jinstma ebda kliem.

Rachel Hodgkins xehdet bil-lingwa Ingliza fl-14 ta' Marzu 2023

Avu: What can you tell us about a particular episode that occurred between you and Dominic if you are recognizing him?

Wit: I think it was beginning of October 4th I was standing and turned around and he said how nice is patata looks today.

Adv: And where were you serving?

Wit: Behind the bar I was serving.

Pros: Do you recognize here in this room today?

Wit: Yes yes.

Pros: Who?

Wit: Dominic Chircop the President there he is.

Court: The witness indicated the accused.

Pros: From where do you recognize him?

Wit: He is the President of the kazin where i work.

Pros: And is there particular incident you have been asked to give evidence about today?

Wit: Because what happened that day when he spoke to me.

Pros: Firstof all which day was it?

Wit: The 4th of October.

Pros: And what happened?

Wit: I was serving him when I turned round to put money in the cash he told me you have a very nice patata today in maltese he said it.

Pros: Do you remembe the time of accident?

Wit: Mid morning at that time I was shocked cause I didnt expect it from him you know.

Pros: How long have you been residing in Malta?

Wit: 32 years.

Pros: And how do you communicate with the people around you which language do they use?

Wit: Both Maltese and English.

Court: Do you understabnd Maltese?

Wit: Most of it yes.

Pros: How did you feel during this incident?

Wit: Shocked uu cause I Didn`t expect that from him you know I was like I said sorry and he ssaïd it again.

Pros: How many similar incidents were there?

Wit: I don`t know if he said something and I didn`t hear him I don`t hear everything what he says I don`t feel comfortable now you know when he said that to me now.

Pros: No more questions.

Court: Kontro Ezami?

Adv: Le.

Domenic Chircop ghazel li ma jixhidx.

Ikkunsidrat

Illi sfortunatament l-apparat li kien hemm fl-awla kien tali li ma setawx jinstemghu il-kliem li inghad.

Illi sfortunatament ukoll x-xhud Rachel Samantha Hodgkins la indikat id-data preciza tal-incident u lanqas ma indikat il-lokalita' tal-incident. Din kienet tkun l-ahjar prova kif rikjest fil-kamp kriminali.

Decide

Ghaldaqstant, ghal dawn il-motivi kollha wara li rat l-Artikolu 251A(a)(b) tal-Kap 9 tal-Ligijiet ta' Malta ma ssibx Domenic Chircop hati tal-imputazzjoni dedotta kontrih u konsegwentement tilliberah minn kull htija u piena.

Dr. Yana Micallef Stafrace LL.D.

Magistrat

Doris Serpina Sciberras

Deputat Registratur

