



COURT OF MAGISTRATES (MALTA)
AS A COURT OF CRIMINAL JUDICATURE
Magistrate Dr. Astrid May Grima B.A. LL.D. Adv. Trib. Eccles. Melit.

Today, 13th March 2023

The Police
(Inspector Ian Vella)

Versus

Riccarda Aigbe
(289916A)

The Court,

Having seen the accusations being brought against **Riccarda Aigbe**, daughter of Raoul Proche' and Gertrude nee' Klingenbrunner, born in Wein Austria on the 17th of June 1981, currently homeless, holder of Maltese Residence Permit: 289916A and Austrian Passport No. U5326218.

Being charged with having on the 9th November 2022 between nine o'clock and half past nine o'clock (09:00am - 09:30am) in 16, Insidea Street, Santa Venera, Malta and on these Islands;

1. Committed theft of a mobile phone and money which value exceeds two hundred and thirty-two euro and ninety-four cents (€232.94) but does not exceed two thousand and three hundred and twenty-nine euro and thirty-seven cents (€2,329.37) to the detriment of Francis Vella and this is in violation of articles 261 (c), 261(d), 261(e), 267, 268(b), 269(g), 279(a), 280 and 281(b) of the Criminal Code of the Laws of Malta.
2. Also for leading an idle and vagrant life in violation of article 338(w) of the Chapter of the Laws of Malta;

The Court is kindly requested that in addition to inflicting the punishment established by the Law, if it deems fit to provide for the safety of Francis Vella or any other individuals to maintain public order, or for the purpose of their protection from harassment or other behaviour that causes fear of violence and this according to *article 412 C of Chapter 9 of the Laws of Malta*.

The Court is kindly request that in addition to inflicting the punishment established by the Law, if it deems it appropriate to provide for the safety of Fracis Vella by makign an Order of Restrain against the defendant and this in accordance with *Article 382A of Chapter 9 of the Laws of Malta*.

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

Having seen that the accused registered a guilty plea to all the charges brought against her during the sitting of the 9th of March 2023.

Having heard the submissions of both parties regarding the punishment.

Considers

Whereas during the sitting held on the 9th of March 2023, in the presence of her Lawyer, the accused plead guilty to the charges brought against her, notwithstanding the fact that the Court warned her in the most solemn manner of the legal consequences of her guilty plea, and after having given her sufficient time within which to reconsider and withdraw her guilty plea.

Having heard the accused reiterate her guilty plea, after the court warned her of the punishment and consequences such an admission entailed.

Having heard the guilty plea of the accused to the charges brought against her, the Court has no alternative but to declare the accused guilty of the said charges.

Considers

The guilty plea of the accused at the initial stages of these proceedings and her clean conviction sheet.

Decide

For the said reasons the Court, after having seen Article 7, 261(c)(d)(e), 267, 268(b), 269(g), 279 (a), 280, 281(b) and 338(w) of Chapter 9 of the Laws of Malta, **finds the accused guilty** all charges brought against her and condemns her to **one (1) year imprisonment**, whereas by application of **Article 28A** of Chapter 9 of the Laws of Malta, **the said term of one (1) year imprisonment is being suspended for a period of three (3) years from today.**

In terms of **Article 28A(4)** of Chapter 9 of the Laws of Malta, the Court explained to the accused in plain language her liability under **Article 28B** of Chapter 9 of the Laws of Malta, if during the operational period of this suspended sentence she commits an offence punishable with imprisonment.

Also in terms of **Article 412C** of Chapter 9 of the Laws of Malta, the Court is issuing a **Protection Order** against the accused **Riccarda Aigbe** for a period of **one (1) year** from today for the protection of **Francis Vella**. The Court explained to the accused in plain language, her liabilities according to the conditions imposed by the Protection Order, which decree is being attached to this judgement, also forming an integral part of the same judgement.

The Court is ordering that a copy of this Judgement together with the Protection Order Decree is notified to the Commissioner of Police.

Dr. Astrid May Grima B.A. LL.D. Adv. Trib. Eccles. Melit.
Magistrate