



COURT OF MAGISTRATES(MALTA)

As a Court of Crimina Judicature

MAGISTRATE

DR. CAROLINE FARRUGIA FRENDO

*B.A. (Legal and Humanistic Studies), LL.D.,
M.Juris (International Law), Dip. Trib. Eccl. Melit.*

Case Number: 329/22 CFF

The Police
(Inspector Andy Rotin)

vs

Lamin Jabbi

Today, the 16th of May, 2023

The Court;

Having seen the charges brought against:

Lamin Jabbi of 30 years, son of Ousman and Fatou Jabbi, born in Gao, Mali on the 18th of February, 1993, residing at the Marsa Open Centre in Xatt il-Mollijiet and holder of Identity Card number 9001007A and Police Number 13W-001;

Charged with having on the twenty-eight (28) of February 2022 at around the hours of ten-thirty (10:30hrs) in the morning and/or any time before at the Marsa Open Centre in Xatt il-Mollijiet, Marsa or/and any other whereabouts within the Maltese Islands:

1. Without the intent to kill or to put the life in manifest jeopardy, caused grievous bodily harm with arms improper on the person of Ibrahim Hasem of fourteen (14) years old, as certified by Dr Danielle Laurette Agius (Med. Reg. No. 3939);
2. For having on the same date, time, place and circumstances wilfully disturbed the public peace and order; and

3. As well as being accused as being a recidivist according to judgments issued by the Court of Magistrates (Malta) which judgments have become absolute.

Having seen the request by the prosecution, where it deems it expedient, in order to provide for the safety of Ibrahim Hasem or for the purpose of providing for the safety of other individuals or for the keeping of the public peace or for the purpose of protecting the injured person or other individuals from harassment or other conduct which will cause a fear of violence, issue a protection order against the accused according to Art. 412C of Chapter 9 of the Laws of Malta and if the accused is found guilty the Court may, where it deems it expedient, for the purpose of providing for the safety of the injured person and other individuals apply Art, 382A, 383, 384, 385 u 412D of Chapter 9 of the Laws of Malta;

Having seen the request by the prosecution that in case of a guilty plea, to apply section 533 of Chapter 9 of the Laws of Malta with regards to any expenses incurred by the Experts appointed by the Court;

Having seen all documentation;

Having heard the accused during the sitting dated 16th of May 2023 register a guilty plea to the charges brought against him.

The Court warned the accused about the legal consequences of such guilty plea registered by him and after allowing him a period of time to withdraw his guilty plea and after having explained the effects of such guilty plea and after having given him time to speak again to his legal counsel, the accused once again confirmed his guilty plea.

Considered

In view of the accused's guilty plea the Court finds the accused guilty of the charges brought against him. Regarding punishment, the court is taking into consideration the guilty plea at this stage of the proceedings, and in view of this the Court is of the opinion that an effective prison term is to be applied in the circumstances.

Decide

Therefore, the Court after having seen Articles 49, 50, 214, 214, 338(dd), 382A, 383, 384, 385, 412C and 533 of Chapter 9 of the Laws of Malta finds the accused Lamin Jabbi guilty of all the charges brought against him, and condemns him to a period of effective imprisonment of one (1) year and six (6) months, out of which the time that the accused spent in preventive arrest is to be deducted and orders that a scanned copy of the process together with this judgment are to be sent to the Attorney General according to Article 392A of Chapter 9 of the Laws of Malta.

Dr. Caroline Farrugia Frendo LL.D.
Magistrat

Brittany-Ann Vella
Deputat Registratur