



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

**Today, 19<sup>th</sup> June 2023**

**Police  
(Inspector Zachary Zammit  
Inspector Gabria Gatt)**

**vs**

**Baba Njie  
(Gambian Passport no. PC599910)**

**The Court,**

After having seen the charges brought against Baba Njie, holder of Gambian Passport number PC599910.

Being charged with, on the 13<sup>th</sup> of June 2023 between around 19:30hrs and 20:00hrs, in the area of Triq Marguerite Mangion, St. Julian's, Malta:

1. Having reviled, or threatened, or caused a bodily harm to the person of PC 1461 Alfred Bray, person lawfully charged with a public duty, while in the act of discharging his duty or because of him having discharged such duty, or with intent to intimidate or unduly influence him in the discharge of such duty. Art. 95 Cap. 9 of the Laws of Malta;
2. Having without intent to kill or to put the life of PC 1461 Alfred Bray in manifest jeopardy, caused harm to their body or health, which injuries are of a slight nature as certified by Dr. Emanuel Gatt, at Mosta Health Centre, as he was carrying out his role as public officer or was lawfully charged with a public duty or is or was an officer or employee of a body corporate established by law and the offence was committed because of that person having exercised his functions. Art. 214, 221 (1), 222 (1)(c) Cap. 9 of the Laws of Malta

3. Having assaulted or resisted by violence or active force not amounting to public violence, any person lawfully charged with a public duty, i.e. PC 1461 Alfred Bray when in the execution of the law or of a lawful order issued by a competent authority. Art. 96 (a) Cap. 9 of the Laws of Malta
4. Having disobeyed the lawful orders of any authority or of any person entrusted with a public service, or hinders or obstructs such person in the exercise of his duties, or otherwise unduly interferes with the exercise of such duties, either by preventing other persons from doing what they are lawfully enjoined or allowed to do, or frustrating or undoing what has been lawfully done by other persons, or in any other manner whatsoever, unless such disobedience or interference falls under any other provision of this Code or of any other law. Art. 338 (ee) Cap. 9 of the Laws of Malta
5. Having through imprudence, negligence or unskilfulness 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 Cleaven Sultana and/or any other entities and/or any other persons. Art. 328 (d) Cap. 9 of the Laws of Malta

The Court is requested to order that in addition to any punishment to which the accused may be sentenced, to make restitution to the injured party of any loss or damages or other injury or harm suffered through the offence.

After having seen all the documents presented in the acts of the proceedings.

After having seen that the accused registered a guilty plea to all the charges brought against him during the sitting of the 15th June 2023.

After having heard submissions of both parties regarding the punishment.

### **Considered**

Whereas during the sitting held on the 15<sup>th</sup> June 2023, in the presence of his Lawyer, the accused pleaded guilty to all the charges brought against him, notwithstanding the fact that the Court warned him in the most solemn manner of the legal consequences of his guilty plea, and after having given him sufficient time within which to reconsider and withdraw his guilty plea.

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

Having heard the guilty plea of the accused to all the charges brought against him, 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 his clean conviction sheet.

### **Decide**

For the said reasons the Court, after having seen articles 7, 31, 95, 96(a), 214, 221(1), 222(1)(c), 328(d) and 338(ee) of Chapter 9 of the Laws of Malta, **finds the accused Baba Njie guilty** to all charges brought against him and condemns him to **six (6) months effective imprisonment and also to the payment of a fine (multa) for the sum of four thousand Euro (€ 4,000).**

Also in terms of **Article 412C** of Chapter 9 of the Laws of Malta, the Court is issuing a **Protection Order** against the accused for a period of **one (1) year** from today for the protection of **PC 1461 Alfred Bray**. The Court explained to the accused **Baba Njie** in plain language, his 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.

In terms of Article 392A(2) of Chapter 9 of the Laws of Malta, the Court is ordering that within six (6) working days, the Attorney General shall be given access to a scanned copy of the records, together with access to a scanned copy of the judgment.

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