



CRIMINAL COURT

HON. MADAME JUSTICE NATASHA GALEA SCIBERRAS B.A., LL.D

Bill of Indictment No: 19/2022

THE REPUBLIC OF MALTA

VS

Jesper Gejl KRISTIANSEN

Today, 20th February 2024

The Court,

Having seen the Bill of Indictment against **Jesper Gejl KRISTIANSEN**, aged 32 years, son of Bjahrne Gejl and Charlotte Kristiansen, born in the Kingdom of Denmark on twelfth (12th) June of the year nineteen ninety (1990), temporarily residing at Corradino Correctional Facility, Paola, holder of Danish passport number 211428434, in terms of which he is being accused by the Attorney General, in the name of the Republic of Malta:

THE FIRST (I) COUNT

Complicity in wilful homicide of Christian Pandolfino and Ivor Piotr Maciejowski

The Facts:

Whereas on the eighteenth (18th) of August of the year two thousand and twenty (2020) at about half past ten in the evening (22:30 hrs), the Homicide Squad

within the Malta Police Force was informed through the Police Control Room that a shooting incident had occurred at the address '22, Locker Street, Sliema'. At that point in time, the information was that three (3) male persons had allegedly been seen entering the aforementioned residence and, subsequently to that fact, gunshots were heard coming from inside the concerned residence. Immediately after these gunshots were heard, the three (3) male persons were allegedly seen leaving the area in a white vehicle, with a license plate 'JET 082';

Whereas officers from various branches of the Malta Police Force reported immediately at the address, whereby from a preliminary stage of the investigation it resulted that the persons living in the residence, Christian PANDOLFINO and Ivor Piotr MACIEJOWSKI, were shot dead inside same residence. Christian PANDOLFINO was found lying on the floor, at the entrance of said residence, specifically on the ground floor, whilst Ivor Piotr MACIEJOWSKI was found lying dead near the stairs between the ground floor and the first floor level of the residence. At that stage it was also noted that the victims have had jewellery snatched from their physical persons, as there were other parts of such jewellery scattered near and around the bodies. Even at that stage, the evidence was indicating that the crime in question was that of an armed robbery which for some reason escalated into a double homicide;

Whereas further investigations discovered that the main door of the residence had visible marks of a recent break-in, suggesting that the perpetrators had gained access to the residence by forcing the door open. Preliminary evidence also indicated that once inside, the perpetrators must have somehow immediately encountered Christian PANDOLFINO near the entrance, who was then shot five (5) times. It appeared that the perpetrators then proceeded upstairs and shot MACIEJOWSKI dead with a single (1) shot close to the forehead. From the available evidence at that stage, it seemed that MACIEJOWSKI was rushing to proceed downstairs after hearing the commotion (including the gunfire aimed at Christian PANDOLFINO) and ended up getting shot by the perpetrators;

Whereas the investigators proceeded to interview various neighbors and witnesses who were in the area at the time, and it was further established that two (2) males were seen proceeding to the targeted residence and gaining entry, and soon afterwards gunfire was heard. Momentarily afterwards, one (1) of the perpetrators was seen proceeding outside again, and approached the car from

where a third (3rd) male looking person came out. The third person accompanied the other perpetrator directly back inside the targeted residence that was being robbed. After some time, all three (3) persons were seen leaving together, one (1) of them carrying what looked like being a brown bag, towards the same white vehicle in which they had arrived with on the scene. One of such witnessed further stated that he came out of his residence after hearing gunfire and noticed the three (3) men leaving in a white vehicle. At that stage, the information investigators had was that this vehicle was likely to be some sort of *Volkswagen* crossover, with the registration number 'JET 082', and this vehicle was seen leaving the crime scene through Tigne Street, Sliema;

Whereas a criminal inquiry was immediately opened and various experts were appointed for the preservation and examination of evidence. It was determined at an early stage that the cartridges possibly used by the concerned firearms were of nine millimeter (9mm) calibre and possibly compatible with the ammunition that is used for a *Glock* semi-automatic pistol. After the forensic experts concluded their preliminary inquiries, the investigators and other court-appointed experts proceeded inside the house in search of the CCTV recording system, which was located and preserved for further analysis.

Whereas upon permission of the inquiring magistrate, the investigators spoke to the court appointed expert in regards to the CCTV footage whereby the investigators were informed that the footage showed Christian PANDOLFINO, returning home on his quadbike at ten (10) minutes past ten in the evening (22:10hrs). The suspect white vehicle was observed on the CCTV footage scouting the area, stopping at upper Locker Street, some eighty (80) meters from the targeted residence. A tall male person, followed by a shorter and stocky male, wearing distinguishable clothing, proceeding from the white suspect vehicle and entering the targeted residence. After a while, the stocky person with the distinguishable clothing, was observed coming out and walking towards the suspect vehicle and proceeding to the targeted residence again together with the third (3rd) suspect. Then all three (3) suspects were recorded leaving together, one of them holding a small bag and fleeing in the said white suspect vehicle towards Tigne Street;

Whereas from further enquires it resulted that registration number plates 'JET 082' were reported to having been stolen on the third (3rd) of August of the same

year two thousand and twenty (2020) from a parking area in St. Julian's from a vehicle of the make *Seat Cordoba*. With the assistance of other authorities, the investigators were informed that on the fourteenth (14th) of August of the same year two thousand and twenty (2020), the said number plates 'JET 082' were recorded on a vehicle of the make *Peugeot 107*. It was established that after the homicidal armed robbery, the white suspect vehicle proceeded through the localities of Sliema, Kappara, Santa Venera, Msida and Pieta, arriving at the final destination minutes after the concerned incident;

Whereas on the twentieth (20th) day of August of the same year two thousand and twenty (2020) a white *Volkswagen Tiguan* in the parking area situated in Pieta, in the vicinity of St. Luke's Hospital, was located by a CID patrol. At the time of this discovery, this *Volkswagen Tiguan* (that looked closely identical of the suspect white vehicle, even by certain features and marks of the particular model) had license plates 'CCB 042'. According to the available information at that time, these particular licence plates had also been reported as stolen. The same forensic team as appointed by the Inquiring Magistrate were called on site where the *Volkswagen Tiguan* was discovered and a search was executed on said vehicle. From this search, a brown female handbag was discovered, containing, amongst others, several items connected with Paula PANDOLFINO, who happens to be the sister of the aforementioned victim Christian PANDOLFINO, as well as other items similar to items which were noticed in the residence where the homicidal incident occurred;

Whereas most significantly, the licence plates 'JET 082' which were used during the commission of the voluntary homicide were found folded in said vehicle, further confirming that this was the same *Volkswagen Tiguan* that was used in the homicidal armed robbery. Furthermore, several items were found inside the back storage of the vehicle. These items consisted of wigs, clothes, masks, gloves and realistic firearm imitations that at stage were deemed to have been procured or used for the purposes of the armed robbery. Consequently, all these above mentioned items were preserved and the vehicle was taken into custody for further forensic examination.

Whereas from examination of further CCTV footages obtained from the parking area where the abovementioned *Volkswagen Tiguan* was found by the Police, it was observed that on the night of the homicidal armed robbery no cars came out

of the said parking area for a long time but eventually three (3) persons fitting the description as those seen on the CCTV in the area where the armed robbery occurred, were observed. A trail of CCTV footage from different cameras was followed and examined by the investigators, where the same three (3) persons were practically followed via CCTV footage up to the bus stop in Marina Street, Msida. Once in Marina Street, one of the perpetrators, precisely the one identified as having a 'stocky' build, entered the establishment Dolce Sicilia in the area and asked for access to the establishment's wireless internet (wifi), and such process was even caught on the establishment's security cameras, granting the investigators a much closer and illuminated look at the 'stocky' perpetrator. Eventually, these three (3) persons were observed via CCTV footage stopping at the bus stop in said Marina Street. At that stage, it was closely observed that one (1) of these three (3) persons had an elbow support sleeve;

Whereas further enquiries lead to police intelligence that a certain person who fitted closely the physical description of the tall person seen in the CCTV footage was observed in a different location two (2) days before the incident wearing an elbow support sleeve and driving a *Peugot 106* identical to the one ascertained in data provided to the investigators by other governmental authorities. This gave the investigators a strong hypothesis that this person must be further closely investigated. At that stage, the other two (2) perpetrators could not be fully identified, although investigators took careful note of the clothes they were observed wearing in the CCTV footage being investigated.

Whereas following further investigations, lead to the identification of one of the co-perpetrators (precisely the person who stayed in the *Volkswagen Tiguan* during the shooting),

Whereas from the footages seized by the police it transpired that two of the perpetrators, one with distinguishable clothing, proceeded to the targeted residence, and whilst the other perpetrator remained in the car, whereby gunfire shots were heard by one of the neighbours. Momentarily afterwards, one of the perpetrators, came out of the targeted residence and proceeded to the vehicle, and soon is seen coming back with the other perpetrator to the targeted residence. The two are seen entering the residence and after a while the three of them are seen heading out towards the vehicle the area;

Whereas following further investigations furthermore it also transpired that all three of them drove off from the area by means of the *Volkswagen Tiguan* which they had used to arrive at the crime scene, and eventually parked in that very place where the vehicle was in due course found by the investigators. Once the *Volkswagen Tiguan* was parked they changed some of the clothes they were wearing whilst committing the homicidal robbery, the perpetrators proceeded to change the number plates from those 'JET 082' to those 'CCB 042'. As soon as they were done, all three (3) perpetrators then proceeded on foot towards the Msida waterfront stopping at the bus stop, whereby they eventually ordered a taxi and were transported to one of the perpetrators' abode in Sliema;

Whereas further enquires revealed that the third perpetrator was Danish national Jesper **Gejl KRISTIANSEN**, who resided in Gżira, Malta. On the twenty seventh (27th) of August of two thousand and twenty (2020), the Inquiring Magistrate was requested to issue a search and arrest warrant against **Jesper Gejl KRISTIANSEN** and a Schengen Information System (SIS) Alert was issued so that **KRISTIANSEN** will be denied from exiting Maltese territory. Investigators also communicated with their Danish counterparts where further information and intelligence on **KRISTIANSEN** was exchanged;

Whereas investigators managed to trace **KRISTIANSEN**'s social contacts in Malta, and searches in different addresses were made, with negative results. Upon further enquiries, where it was eventually established that **KRISTIANSEN** had made his way to the airport from where he left the Maltese islands to an unknown destination.. In due course, investigators then learnt that **KRISTIANSEN** had left to Barcelona, Spain with an airline ticket that was booked on the twenty seventh (27th) of August of two thousand and twenty (2020), and this precisely after the arraignment of the co-perpetrator who was second to be arrested by the Maltese authorities.

Whereas furthermore investigators received confirmation that **KRISTIANSEN**'s cellphone number. That from further investigation it was established from the CCTV footage of the establishment *Dolce Sicilia* that the depicted person was the same **KRISTIANSEN**. In due course, investigators also received confirmation from taxi service provider BOLT that on the eighteenth (18th) of August of that year, after the homicidal robbery occurred, a taxi was booked by Jesper **KRISTIANSEN**, via a particular cellphone number and the destination was the

residential address of the co-perpetrator who was eventually second to be arrested.

Whereas the inquiring magistrate issued a European Arrest Warrant against accused **Jesper Gejl KRISTIANSEN**. He was eventually arrested by the Spanish authorities and extradited back to Malta. The accused **Jesper Gejl KRISTIANSEN** was interviewed by the investigators on the nineteenth (19th) of November of the year two thousand and twenty (2020), however, the accused chose not to answer any of the questions brought forward by the investigators or cooperate with the investigations;

Whereas in consideration of all the above, it became abundantly clear that the accused **Jesper Gejl KRISTIANSEN** voluntarily and intentionally involved himself in the homicide of Christian PANDOLFINO and Ivor Piotr MACIEJOWSKI, and he did so:

- i. By joining said co-perpetrators and actually partaking in the ‘recruitment’ of one of other two co-perpetrators to participate in an unlawful ‘job’, therefore increasing not only their manpower but by extension also their general volition to make their way towards the targeted residence for their nefarious purposes;
- ii. By failing to desist from taking part in the unlawful activity even when being fully aware of the presence and possible use of firearms for the execution of the so called ‘job’, when in fact such use of firearms materialized, leaving two (2) persons dead in their own abode;
- iii. By breaking into and entering the targeted residence with another armed co-perpetrator, and also engaged in a confrontation which involved the use of firearms that ultimately resulted in the murder of Christian PANDOLFINO and Ivor Piotr MACIEJOWSKI;
- iv. By leading one of the co-perpetrators inside the targeted residence where the double homicide occurred, and this after the gunshots occurred inside the targeted residence;

- v. By leaving the crime scene and subsequently fleeing the area together with the other co-perpetrators, and this also when instructed to by one of the co-perpetrators;
- vi. By assisting a co-perpetrator in necessary procedures to disguise evidence and any *corpus delicti* such as the getaway vehicle of the make *Volkswagen Tiguan* and by procuring a means of transport for the perpetrators to be transported to one of the perpetrators' abode;
- vii. By deciding to evade justice and leave Maltese territory as soon as he realised that the Maltese authorities had arrested his two (2) co-perpetrators;

The Consequences:

Therefore, with his own actions, the accused **Jesper Gejl KRISTIANSEN** is guilty of complicity in wilful homicide, meaning that on the eighteenth (18) of August of the year twenty-twenty (2020), in Sliema, Malta, maliciously, with intent to kill or to put the lives of Christian PANDOLFINO and Ivor Piotr MACIEJOWSKI in manifest jeopardy, caused the death, of the same Christian PANDOLFINO and Ivor Piotr MACIEJOWSKI, and this by the following acts: by instigating the commission of the crime by means of promises, machinations, and by giving instructions for the commission of the crime; by procuring the weapons, instruments or other means used in the commission of the crime, knowing that they are to be so used; by knowingly aiding or abetting in any way whatsoever the perpetrator or perpetrators of the crime in the acts by means of which the crime is prepared or completed; and finally also by inciting or strengthening the determination of the other co-perpetrators to commit the crime, or by promising to give assistance, aid or reward after the fact;

The Accusation:

Therefore, the Attorney General, on behalf of the Republic of Malta, in light of the circumstances, timeframe, reasoning and facts which have already been mentioned above in this bill of indictment, accuses the mentioned **Jesper Gejl KRISTIANSEN**, as guilty of complicity wilful homicide, on the eighteenth (18) of August of the year twenty-twenty (2020), in Sliema, Malta, maliciously, with

intent to kill or to put the lives of Christian PANDOLFINO and Ivor Piotr MACIEJOWSKI in manifest jeopardy, caused the death, of the same Christian PANDOLFINO and Ivor Piotr MACIEJOWSKI and this by instigating the commission of the crime by means of promises, machinations, and by giving instructions for the commission of the crime; by procuring the weapons, instruments or other means used in the commission of the crime, knowing that they are to be so used; by knowingly aiding or abetting in any way whatsoever the perpetrator or perpetrators of the crime in the acts by means of which the crime is prepared or completed; and finally also by inciting or strengthening the determination of the other co-perpetrators to commit the crime, or by promising to give assistance, aid or reward after the fact;

The Requested Punishment:

As a consequence of the above, the Attorney General is requesting that the aforementioned **Jesper Gejl KRISTIANSEN** is, according to the law, **sentenced to life imprisonment** in accordance with the content of articles **17, 31, 42(b)(c)(d)(e), 211 and 533 of the Criminal Code**, Chapter 9 of the Laws of Malta, or for any other sentence according to law that can be given to the aforementioned accused.

THE SECOND (II) COUNT

Theft accompanied by Wilful Homicide, aggravated by 'Violence', 'Means', 'Amount', 'Place' and 'Time'

The Facts:

Whereas owing to the nature of the circumstances which took place on the eighteenth (18th) of August of the year two thousand and twenty (2020) and in the subsequent days afterwards, as indicated in the First (I) Count of this Bill of Indictment, it clearly resulted that the accused **Jesper Gejl KRISTIANSEN** involved himself and participated in what turned out to be a homicidal armed robbery at the targeted residence in the address '22, Locker Street, Sliema', and made off with an amount of jewellery together with the other co-perpetrators.

Whereas in the course of investigations, it resulted that the accused **Jesper Gejl KRISTIANSEN** participated in the theft of the concerned jewellery which involved the external breaking into a dwelling-place whilst accompanied by two

(2) other persons, doing so whilst being armed and making use of a disguise of garment and/or appearance and of masks, and such theft eventually leading to the homicide of two (2) persons that is, the homicide of Christian PANDOLFINO and Ivor Piotr MACIEJOWSKI.

Whereas in the course of the investigations, it resulted that the accused **Jesper Gejl KRISTIANSEN** joined and assisted one of the co-perpetrators in the breaking in of the targeted residence, participated in the violence that erupted upon break and entry of said targeted residence, summoned the third co-perpetrator to join him and enter back the targeted residence, and eventually fled the scene with other co-perpetrators and the res furtiva, including the jewellery concerned with this case.

Whereas the total value of the amount of jewellery stolen from the targeted residence where the homicidal robbery took place was confirmed at a subsequent stage of the investigation that it exceeded the amount of two thousand and three hundred and twenty-nine euros and thirty-seven cents (€2,329.37). This theft took place at a time after ten o' clock in the evening (22:00 hrs / 10 pm) during August in Malta, therefore occurring at night, that is to say between sunset and sunrise.

The Consequences:

Therefore, with this own actions, **Jesper Gejl KRISTIANSEN** is guilty for having, on the same date, during the same time, at the same place, and in the same circumstances as those explained in the previous First (I) Count and this Count, committed theft of jewellery and/or other items, which theft was accompanied with wilful homicide hence therefore aggravated by 'Violence', and also aggravated by 'Means', by 'Amount' that exceeds the amount of two thousand and three hundred and twenty-nine euros and thirty-seven cents (€2,329.37), by 'Place' and by 'Time' to the detriment of Christian PANDOLFINO, Ivor Piotr MACIEJOWSKI and/or other persons and/or entity or entities.

The Accusation:

Therefore, the Attorney General, on behalf of the Republic of Malta, in light of the circumstances, timeframe, reasoning and facts which have already been mentioned above in this Bill of Indictment, accuses the mentioned **Jesper Gejl KRISTIANSEN**, guilty for having on the eighteenth (18) of August of the year

twenty-twenty (2020), in Sliema, Malta, committed theft of jewellery and/or other items, which theft was accompanied with wilful homicide hence therefore aggravated by ‘Violence’, and also aggravated by ‘Means’, by ‘Amount’ that exceeds the amount of two thousand and three hundred and twenty-nine euros and thirty-seven cents (€2,329.37), by ‘Place’ and by ‘Time’ to the detriment of Christian PANDOLFINO, Ivor Piotr MACIEJOWSKI and/or other persons and/or entity or entities

The Requested Punishment:

As a consequence of the above, the Attorney General is requesting that the aforementioned **Jesper Gejl KRISTIANSEN** is, according to the law, **sentenced to life imprisonment**, in accordance with the content of articles **17, 31, 211, 261(a)(b)(c)(e)(f), 262(1)(a)(b), 263(a)(b), 264(1), 267, 269(g), 270, 272, 272A, 275, 276, 277, 278, 279(b), 280, 280(1)(2) and 533 of the Criminal Code**, Chapter 9 of the Laws of Malta, or for any other sentence according to law that can be given to the aforementioned accused.

THE THIRD (III) COUNT

Use of an identification number other than that allotted by the police or by an Authority in relation to a particular motor vehicle

The Facts:

Whereas owing to the nature of the circumstances which took place on the eighteenth (18th) of August of the year two thousand and twenty (2020) and in the subsequent days afterwards, as indicated in the First (I) and subsequent Counts of this Bill of Indictment, it resulted that the perpetrators were using a stolen vehicle registration number plate, ‘JET 082’, that was reportedly stolen from a *Seat Cordoba* whilst parked in St. Julian’s on the third (3rd) of August of the same year two thousand and twenty (2020). These registration plates, which were registered on that particular *Seat Cordoba* from which they were lifted and stolen, ended up on the white *Volkswagen Tiguan* that was driven by one of the perpetrators and used by himself and the other perpetrators not only to arrive on the scene of the homicidal armed robbery, but also to flee from the area once the criminal act was done. This was amply confirmed by eyewitness accounts and CCTV footage examined by the investigators;

Whereas these vehicle registration number plates ‘JET 082’ were eventually found bent and discarded in the back storage of the same aforementioned white *Volkswagen Tiguan*, thus validating the observations of eyewitness accounts in this regard. Furthermore, even from facts established in the course of the investigation, in particular subsequently to the arrest of the mentioned ‘tall’ co-perpetrator, there was little doubt that the accused **Jesper Gejl KRISTIANSEN**, on the night of the homicidal armed robbery, boarded and therefore made use of the white *Volkswagen Tiguan* whilst it was bearing the stolen registration number plates ‘JET 082’. It was established in the course of the investigations that the concerned Volkswagen Tiguan was registered with the Maltese authorities as bearing vehicle registration number ‘CRS 240’;

The Consequences:

Therefore, with his own actions, the accused **Jesper Gejl KRISTIANSEN** is guilty of having made use of an identification number, specifically ‘JET 082’ and ‘CCB 042’ respectively, other than that allotted by the police or by an Authority in relation to a particular motor vehicle, specifically the *Volkswagen Tiguan*, which was registered with the relevant authorities with the vehicle registration number ‘CRS 240’;

The Accusation:

Therefore, the Attorney General, on behalf of the Republic of Malta, in light of the circumstances, timeframe, reasoning and facts which have already been mentioned above in this Bill of Indictment, accuses the mentioned **Jesper Gejl KRISTIANSEN**, of having, made use of an identification number (‘JET 082’ and ‘CCB 042’) other than that allotted by the police or by an Authority in relation to a particular motor vehicle, and therefore on the eighteenth (18th) of August of the year two thousand and twenty (2020), in Sliema, and in the preceding days, made use of an identification number other than that allotted by the police or by an Authority in relation to a particular motor vehicle;

The Requested Punishment:

As a consequence of the above, the Attorney General is requesting that the aforementioned **Jesper Gejl KRISTIANSEN** is, according to the law, **sentenced to a term of imprisonment not exceeding six (6) months or to a fine (multa)**

not exceeding one thousand and two hundred euros (€1,200), or to both such term not exceeding six (6) months and fine (multa) not exceeding one thousand and two hundred euros (€1,200), and this in accordance with the content of **Articles 17, 31, and 533 of the Criminal Code**, Chapter 9 of the Laws of Malta, and in accordance with the contents of **Articles 2 and 15(1A) of the Traffic Regulation Ordinance**, Chapter 65 of the Laws of Malta, or for any other sentence according to law that can be given to the aforementioned accused.

THE FOURTH (IV) COUNT

Knowingly received or purchased property which has been stolen, misapplied or obtained by means of an offence committed in Malta, or has knowingly taken part, in any manner whatsoever, in the sale or disposal of same property

The Facts:

Whereas owing to the nature of the circumstances which took place on the eighteenth (18th) of August of the year two thousand and twenty (2020) and in the subsequent days afterwards, as indicated in the First Count of this Bill of Indictment (I) and subsequent Counts of this Bill of Indictment, it became manifestly clear during the investigation that the accused **Jesper Gejl KRISTIANSEN** had knowingly taken part in the use and disposal of a property which has been stolen or obtained by means of any offence, specifically the white *Volkswagen Tiguan* that was used by the perpetrators to reach Locker Street in Sliema where the targeted residence was situated;

Whereas this is being stated even in view of the vast amount of evidence the investigators accumulated that shows that the accused **Jesper Gejl KRISTIANSEN** rode in this *Volkswagen Tiguan* with the other perpetrators during the commission of the crimes in question (and this includes CCTV footage, DNA results, fingerprint examinations and information retrieved in the course of the investigation), and it is an irrefutable fact that the concerned *Volkswagen Tiguan* was the same one as that which had been reported stolen by Malcolm Fava. On the fourteenth (14th) of September of the year two thousand and eighteen (2018), Malcolm Fava had attended at the Sliema Police Station to report that his vehicle had been stolen, that was essentially the same *Volkswagen Tiguan* which at that time displayed the vehicle registration number plates ‘CRS

240’, whereby the investigation at that time proved to be fruitless and no progress was made in the tracing back of said vehicle *Volkswagen Tiguan*;

Whereas furthermore, it has also resulted during the investigation that the accused **Jesper Gejl KRISTIANSEN** helped the other perpetrators ‘disguise’ the getaway vehicle *Volkswagen Tiguan* by changing the vehicle registration number plates from ‘JET 082’ to ‘CCB 042’, prior to abandoning (which is a form of disposal) said vehicle in Pieta, and therefore involved himself in the use of an incorrect identification number for the purposes of avoiding as much as possible their detection and apprehension, including that of the vehicle;

Whereas ultimately it resulted that the accused **Jesper Gejl KRISTIANSEN** has knowingly taken part, in any manner whatsoever, in the disposal of the vehicle *Volkswagen Tiguan*, and this by helping one of the co-perpetrators to change the vehicle registration number plate as part of a disguise before abandoning such vehicle, hence before disposing of such vehicle. This vehicle in question, the *Volkswagen Tiguan* which was being used by the perpetrators in this case, had been stolen, and this as reported by its legitimate owner Malcolm Fava.

The Consequences:

Therefore, with this own actions, **Jesper Gejl KRISTIANSEN** is guilty for knowingly taking part, in any manner whatsoever, in the disposal of property, precisely the vehicle *Volkswagen Tiguan*, which has been stolen, misapplied or obtained by means of any offence;

The Accusation:

Therefore, the Attorney General, on behalf of the Republic of Malta, in light of the circumstances, timeframe, reasoning and facts which have already been mentioned above in this bill of indictment, accuses the mentioned **Jesper Gejl KRISTIANSEN**, guilty of knowingly receiving or purchasing property which has been stolen, misapplied or obtained by means of any offence, precisely the vehicle of the make *Volkswagen Tiguan*, or has knowingly taken part, in any manner whatsoever, in the sale or disposal of the same *Volkswagen Tiguan*, and therefore for having, on the eighteenth (18th) of August of the year two thousand and twenty (2020) and in the past days and/or weeks, in the Maltese islands, with

several acts committed at different times and which constitute violations of the same provision of the law, and committed in pursuance of the same design, knowingly received or purchased property, that is a vehicle of the make *Volkswagen Tiguan*, which had been stolen, or obtained by means of any offence, whether committed in Malta or abroad, or, knowingly took part, in any manner whatsoever, in the sale or disposal of the same vehicle of make *Volkswagen Tiguan*.

The Requested Punishment:

As a consequence of the above, the Attorney General is requesting that the aforementioned **Jesper Gejl KRISTIANSEN** is, according to the law, **sentenced to a term of imprisonment from thirteen (13) months to seven (7) years, and this** in accordance with the content of Articles **17, 18, 31, 261(c), 267, 279(b), 334(a) and 533 of the Criminal Code**, Chapter 9 of the Laws of Malta, or for any other sentence according to law that can be given to the aforementioned accused.

THE FIFTH (V) COUNT

Unlawful detention and confinement of Christian PANDOLFINO and Ivor Piotr MACIEJOWSKI against their will whilst subjected to bodily harm with the object of extortion of money or effects

The Facts:

Whereas owing to the nature of the circumstances which took place on the eighteenth (18th) of August of the year two thousand and twenty (2020) and in the subsequent days afterwards, as indicated in the First (I) Count of this Bill of Indictment and subsequent Counts to that, it clearly resulted that **Jesper Gejl KRISTIANSEN**, whilst participating in the homicidal armed robbery at the targeted residence in the address '22, Locker Street, Sliema', he came in very close contact and proximity with one of the victims, Christian PANDOLFINO, precisely in the hallway immediately after breaking into the targeted residence;

Whereas in view of the facts as established by the whole investigation, it became abundantly clear that **Jesper Gejl KRISTIANSEN** participated in the unlawful and unauthorised detention and confinement, even if instantaneous, of Christian PANDOLFINO against his will and in his own residence, before proceeding to

the slaying of the latter. The same could be said with respect to the other victim Ivor Piotr MACIEJOWSKI. In order to have successfully executed this, **Jesper Gejl KRISTIANSEN**, alongside with the other perpetrator present with him in the targeted residence during the confrontation, detained and/or confined the abovementioned victims;

Whereas it became abundantly clear from all the circumstances and evidence that the investigators encountered in this case, that such detention and confinement of the above mentioned victims Christian PANDOLFINO and Ivor Piotr MACIEJOWSKI was made by **Jesper Gejl KRISTIANSEN** principally for the purpose of extorting money or effects, and also, during such detention and/or confinement, these victims were mercilessly subjected to bodily harm of deadly proportions. Therefore, in those circumstances, **Jesper Gejl KRISTIANSEN** was responsible for having without a lawful order from the competent authorities, and saving the cases where the law authorizes private individuals to apprehend offenders, arrested, detained or confined Christian PANDOLFINO and/or Ivor Piotr MACIEJOWSKI against their will, during which arrest, detention or confinement, Christian PANDOLFINO and/or Ivor Piotr MACIEJOWSKI was/were subjected to bodily harm, or threatened with death and/or with the object of extorting money or effects, or of compelling them to agree to any transfer of property belonging to such person/s;

The Consequences:

Therefore, with this own actions, the accused **Jesper Gejl KRISTIANSEN** is guilty of having, without a lawful order from the competent authorities, and saving the cases where the law authorizes private individuals to apprehend offenders, arrested, detained or confined Christian PANDOLFINO and/or Ivor Piotr MACIEJOWSKI against their will, during which arrest, detention or confinement, Christian PANDOLFINO and/or Ivor Piotr MACIEJOWSKI was/were subjected to bodily harm, or threatened with death and/or with the object of extorting money or effects, or of compelling them to agree to any transfer of property belonging to such person/s;

The Accusation:

Therefore, the Attorney General, on behalf of the Republic of Malta, in light of the circumstances, timeframe, reasoning and facts which have already been

mentioned above in this bill of indictment, accuses the mentioned **Jesper Gejl KRISTIANSEN**, of having, without a lawful order from the competent authorities, and saving the cases where the law authorizes private individuals to apprehend offenders, arrested, detained or confined Christian PANDOLFINO and/or Ivor Piotr MACIEJOWSKI against their will, during which arrest, detention or confinement, Christian PANDOLFINO and/or Ivor Piotr MACIEJOWSKI was/were subjected to bodily harm, or threatened with death and/or with the object of extorting money or effects, or of compelling them to agree to any transfer of property belonging to such person/s;

The Requested Punishment:

As a consequence of the above, the Attorney General is requesting that the aforementioned **Jesper Gejl KRISTIANSEN** is, according to the law, **sentenced to a term of imprisonment from thirteen (13) months to six (6) years**, in accordance with the content of articles **17, 31, 86, 87(1)(c)(e), 88 and 533 of the Criminal Code**, Chapter 9 of the Laws of Malta, or for any other sentence according to law that can be given to the aforementioned accused.

THE SIXTH (VI) AND FINAL COUNT

Possession of a firearm during the commission of an offence

The Facts:

Whereas owing to the nature of the circumstances which took place on the eighteenth (18th) of August of the year two thousand and twenty (2020) and in the subsequent days afterwards, as indicated in the First (I) and subsequent Counts of this Bill of Indictment, it clearly resulted that **Jesper Gejl KRISTIANSEN**, whilst making his way to the concerned targeted residence in the address ‘22, Locker Street, Sliema’, to participate in the homicidal armed robbery, had in his effective possession (within the concerned vehicle *Volkswagen Tiguan*), replicas of two particular firearms (*Thompson* submachine gun and *AK-47 Kalashnikov* assault rifle). From such circumstances, it appeared clearly that these items were intended by the perpetrators to provide some form of backup or serve as extra equipment specifically for the purposes of executing the armed robbery that resulted in the double homicide;

Whereas it became abundantly clear from all the circumstances and evidence available, that **Jesper Gejl KRISTIANSEN** was responsible of possessing a firearm imitation at the time when he was committing a crime against the person and of theft, that is the concerned homicidal armed robbery in Sliema

The Consequences:

Therefore, with this own actions, the accused **Jesper Gejl KRISTIANSEN** is guilty of having, at the time of committing crimes against the person and of theft, was in possession of a firearm imitation;

The Accusation:

Therefore, the Attorney General, on behalf of the Republic of Malta, in light of the circumstances, timeframe, reasoning and facts which have already been mentioned above in this Bill of Indictment, accuses the mentioned **Jesper Gejl KRISTIANSEN**, of having, on the eighteenth (18th) of August of the year two thousand and twenty (2020), in Sliema, whilst committing crimes against the person and of theft, had on his person an arms proper and/or ammunition and/or any imitation thereof, and this without otherwise proving that he was carrying the firerarm or arms proper for a lawful purpose;

The Requested Punishment:

As a consequence of the above, the Attorney General is requesting that the aforementioned **Jesper Gejl KRISTIANSEN** is, according to the law, **sentenced to a term of imprisonment not exceeding four (4) years**, and this in accordance with the content of **Articles 17, 31 64 and 533 of the Criminal Code**, Chapter 9 of the Laws of Malta, and also in accordance with the contents of **Articles 2 and 55, 56, 57 and 60 of the Arms Act**, Chapter 480 of the Laws of Malta, or for any other sentence according to law that can be given to the aforementioned accused.

Having seen the records of the case, including the records of the inquiry;

Having seen the joint application of the Attorney General and the accused Jesper Gejl KRISTIANSEN, filed by Dr. Kevin Valletta for the Attorney General on 8th February 2024, whereby the applicants, whilst declaring that they have reached an agreement in terms of Article 453A of the Criminal Code, requested this Court that in the event that the accused Jesper Gejl KRISTIANSEN admits to all the

accusations proffered against him in the Bill of Indictment, the punishment to be applied by this same Court, shall be that of a term of **forty (40) years effective imprisonment**, and this in addition to the payment of his share of the expenses incurred in connection with the employment of the Court experts, and other sanctions and consequences that are mandatorily prescribed by law upon conviction in terms of the provisions of the Criminal Code, Chapter 9 of the Laws of Malta and of the Arms Act, Chapter 480 of the Laws of Malta;

Having seen that during today's hearing, the accused Jesper Gejl KRISTIANSEN entered a guilty plea to the accusations proffered against him in the Bill of Indictment above cited;

Having seen that after the Court, in the most solemn manner, warned him of the legal consequences of such plea, ensured that he understood the consequences thereof and allowed him sufficient time to reconsider it and to retract it, the accused confirmed the said plea, and this in terms of Article 453(1) of the Criminal Code;

Thus, the Court finds Jesper Gejl KRISTIANSEN guilty:

- i. of complicity in wilful homicide, for having on eighteenth (18th) August of the year two thousand and twenty (2020), in Sliema, Malta, maliciously, with intent to kill or to put the lives of Christian PANDOLFINO and Ivor Piotr MACIEJOWSKI in manifest jeopardy, caused the death, of the same Christian PANDOLFINO and Ivor Piotr MACIEJOWSKI and this by instigating the commission of the crime by means of promises, machinations, and by giving instructions for the commission of the crime; by procuring the weapons, instruments or other means used in the commission of the crime, knowing that they were to be so used; by knowingly aiding or abetting in any way whatsoever the perpetrator or perpetrators of the crime in the acts by means of which the crime was prepared and completed; and finally also by inciting or strengthening the determination of the other co-perpetrators to commit the crime, or by promising to give assistance, aid or reward after the fact;

- ii. of having on eighteenth (18th) August of the year two thousand and twenty (2020), in Sliema, Malta, committed theft of jewellery and/or other items, which theft was accompanied with wilful homicide hence therefore aggravated by ‘Violence’, and also aggravated by ‘Means’, by ‘Amount’ that exceeds the amount of two thousand and three hundred and twenty-nine euros and thirty-seven cents (€2,329.37), by ‘Place’ and by ‘Time’ to the detriment of Christian PANDOLFINO, Ivor Piotr MACIEJOWSKI and/or other persons and/or entity or entities;
- iii. of having made use of an identification number (‘JET 082’ and ‘CCB 042’) other than that allotted by the police or by an Authority in relation to a particular motor vehicle, and therefore on the eighteenth (18th) of August of the year two thousand and twenty (2020), in Sliema, and in the preceding days, made use of an identification number other than that allotted by the police or by an Authority in relation to a particular motor vehicle;
- iv. of having, on the eighteenth (18th) of August of the year two thousand and twenty (2020) and in the past days and/or weeks, in the Maltese Islands, with several acts committed at different times and which constitute violations of the same provision of the law, and committed in pursuance of the same design, knowingly received or purchased property, that is a vehicle of the make *Volkswagen Tiguan*, which had been stolen, or obtained by means of any offence, whether committed in Malta or abroad, or, knowingly took part, in any manner whatsoever, in the sale or disposal of the same vehicle of make *Volkswagen Tiguan*;
- v. in light of the circumstances, timeframe, reasoning and facts which have already been mentioned above in the bill of indictment, of having without a lawful order from the competent authorities, and saving the cases where the law authorizes private individuals to apprehend offenders, arrested, detained or confined Christian PANDOLFINO and/or Ivor Piotr MACIEJOWSKI against their will, during which arrest, detention or confinement, Christian PANDOLFINO and/or Ivor Piotr MACIEJOWSKI was/were subjected to bodily harm, or threatened with death and/or with the object of extorting money or effects, or of compelling them to agree to any transfer of property belonging to such person/s;

- vi. of having on the eighteenth (18th) of August of the year two thousand and twenty (2020), in Sliema, whilst committing crimes against the person and of theft, had on his person an arms proper/and or ammunition and/or any imitation thereof, and this without otherwise proving that he was carrying the firearm or arms proper for a lawful purpose.

Considered that:

Having declared himself guilty before the constitution of the jury, the Court considers that the provisions of Article 492(1) of the Criminal Code are applicable in favour of the accused, so that the Court may, instead of the punishment of imprisonment for life, impose the punishment of imprisonment for a term from twelve to forty years.

Taking into consideration the serious nature of the accusations proffered against the accused, once the punishment agreed upon between the parties is indeed the maximum punishment which may be imposed by the Court in terms of the mentioned article, the Court considers that it should adhere to the agreement reached by the parties in terms of the joint application above referred to.

Thus, the Court after having seen articles 17, 18, 31, 42(b)(c)(d)(e), 64, 86, 87(1)(c)(e), 88, 211, 261(a)(b)(c)(e)(f), 262(1)(a)(b), 263(a)(b), 264(1), 267, 269(g), 270, 272, 272A, 275, 276, 277, 278, 279(b), 280(1)(2), 334(a) and 533 of the Criminal Code, Chapter 9 of the Laws of Malta, articles 2 and 15(1A) of the Traffic Regulation Ordinance, Chapter 65 of the Laws of Malta and articles 2, 55, 56, 57 and 60 of the Arms Act, Chapter 480 of the Laws of Malta, condemns the accused Jesper Gejl KRISTIANSEN to forty (40) years effective imprisonment, from which one must deduct the period of time during which he was kept in preventive custody in connection with these proceedings.

Further condemns Jesper Gejl KRISTIANSEN to pay, to the Registrar, the costs incurred in connection with the employment in the proceedings of any expert or referee, including such experts as have been appointed in the examination of the proces verbal of the inquiry, namely, one-third of the costs incurred in connection with the appointment of PC 415 Randle Gili, which share amounts to the sum of

thirty-nine euro and thirty cents (€39.30)¹, the costs incurred in connection with the appointment of Dr. Mario Scerri, which amount to the sum of three hundred, ninety-nine euro and twenty-four cents (€399.24)², one-third of the costs incurred in connection with the appointment of Dr. Ali Sarfraz and Dr. Tiffany Buhagiar, which share amounts to the sum of five hundred, eighty-two euro and fifty-seven cents (€582.57)³, one-third of the costs incurred in connection with the appointment of Dr. Marisa Cassar, which share amounts to the sum of fifteen thousand, thirty-three euro and twenty cents (€15,033.20)⁴, the costs incurred in connection with the appointment of Dr. Marisa Cassar, which amount to the sum of three hundred, eighteen euro and sixty cents (€318.60)⁵, one-third of the costs incurred in connection with the appointment of PS 1147 Antoine Fenech and WPC 140 Christy Cremona, which share amounts to the sum of four hundred, ninety euro and thirteen cents (€490.13)⁶, one-third share of the costs incurred in connection with the appointment of WPS 293 Michelle Marie Camilleri, PS 1331 Darren Debattista and PS 1111 Braden Borg, which amounts to the sum of seven hundred, fifty euro and thirty-three cents (€750.33)⁷, one-third share of the costs incurred in connection with the appointment of PC 1525 Patrick Farrugia, which share amounts to the sum of one hundred, fifty one euro and eighty-five cents (€151.85)⁸, one-third of the costs incurred in connection with the appointment of Architect Nicholas Mallia, which share amounts to the sum of two hundred, sixty-nine euro and eight cents (€269.08)⁹, the costs incurred in connection with the appointment of expert Joseph Mallia, amounting to one thousand, three hundred, eighty four euro and seventy-nine cents (€1,384.79)¹⁰, one-third of the costs incurred in connection with the appointment of Dr. Martin Bajada, which share amounts to one thousand, four hundred, twenty-six euro and forty-three cents

¹ The total cost in connection with the appointment of the said expert amounts to one hundred and seventeen euro and ninety cents (€117.90). *Vide* a fol. 308 of the records of the proceedings.

² *Vide* a fol. 496 of the records of the proceedings.

³ The total cost in connection with the appointment of the said experts amounts to one thousand, seven hundred, forty-seven euro and seventy cents (€1747.70). *Vide* a fol. 507 and 527 of the records.

⁴ *Vide* report a fol. 538 of the records. The total costs incurred in connection with the report drawn up by the said expert amount to forty-five thousand, ninety-nine euro and sixty cents (€45,099.60).

⁵ *Vide* a fol. 1640A of the records.

⁶ The total cost incurred in connection with the appointment of the said experts amounts to one thousand, four hundred, seventy euro and forty cents (€1470.40). *Vide* a fol. 791 of the records.

⁷ The total cost incurred in connection with the appointment of the said experts amounts to two thousand, two hundred and fifty-one euro (€2,251). *Vide* a fol. 896 of the records.

⁸ The total cost incurred in connection with the appointment of the said expert amounts to four hundred, fifty-five euro and fifty-four cents (€455.54). *Vide* a fol. 1261 of the records.

⁹ *Vide* report a fol. 1643 of the records. The total costs incurred in connection with appointment of the said expert amount to eight hundred and seven euro and twenty-four cents (€807.24).

¹⁰ *Vide* a fol. 1723 of the records.

(€1,426.43)¹¹, one-third of the costs incurred in connection with the appointment of Vincent Ciliberti, which share amounts to the sum of three hundred, twenty-six euro and ninety-four cents (€326.94)¹², and one-third of the costs incurred in connection with the appointment of Francesco Zampa, which share amounts to the sum of five hundred and three euro and fifty-eight cents (€503.58)¹³. The total costs payable by Jesper Gejl KRISTIANSEN amount therefore to the sum of twenty-one thousand, six hundred, seventy-six euro and four cents (€21,676.04), which shall be paid by the said KRISTIANSEN within three (3) years from the date of this judgement. In default, the said expenses shall be converted into a term of imprisonment according to law.

In terms of Article 57 of the Arms Act, Chapter 480 of the Laws of Malta, the Court prohibits Jesper Gejl KRISTIANSEN from holding a license under this Act for a maximum period of five years, which term shall commence to run from the date of expiration or remission of the punishment imposed by this judgement.

In terms of Article 23 of the Criminal Code, orders the forfeiture of the instruments used or intended to be used in the commission of the crime, unless within fifteen days from the date of this judgement, the Attorney General files a note in the records of these proceedings, informing the Court that the said instruments or objects are required in connection with other proceedings.

Natasha Galea Sciberras
Judge

¹¹ The total cost incurred in connection with the appointment of the said expert amounts to four thousand, two hundred, seventy-nine euro and twenty-nine cents (€4,279.29). *Vide* a fol. 1312 of the records.

¹² The total cost incurred in connection with the appointment of the said expert amounts to nine hundred, eighty euro and eighty-two cents (€980.82). *Vide* a fol. 1506A of the records.

¹³ The total cost incurred in connection with the appointment of the said expert amounts to one thousand, five hundred and ten euro and seventy-three cents (€1,510.73). *Vide* a fol. 1754A and 1776A of the records.