



In the Criminal Court

Onor. Madame Justice Consuelo Scerri Herrera, LL.D., Ph.D.

Bill of Indictment number: 32/2023

The Republic of Malta

Vs

Roddy Swinton Williams

Today, 26th of June 2024

The Court,

Having seen the bill of indictment number **32/2023** brought against **RODDY SWINTON WILLIAMS**, [43 years old, son of Ivon Abba and Lina Bambodte, born in Victoria Mahe, Seychelles, on the 19th of June 1980, residing at Correctional Services Agency, holder of Seychelles Passport number N0046306 and Maltese Residence Permit number 143177A],, **wherein the Attorney General in the bill of indictment premised:**

FIRST (1st) COUNT:

Attempted Homicide of wife Natalie Williams

The Facts of the Case:

That on Friday the twenty-seventh (27th) of October of the year two thousand and seventeen (2017), **Natalie Williams** was on her way to work in the morning when she received a message in Maltese saying, *"Hi it's Audrey can you call this number?"*. **Natalie Williams** called back on the mentioned number and surprisingly the person answering the call was a certain **Roddy Swinton Williams** herein after referred to as the accused, whereby he asked her to meet in person. At first, she refused but has later on changed her mind and decided to meet him. She was afraid that if she kept on insisting not to meet him, something terrible would happen to her or her family. **Natalie Williams** had gone through a lot of suffering in her marriage with the accused. **Roddy Swinton Williams** had in the past threatened her life and that of her family. She feared him and was also concerned about the safety of her family. **Natalie Williams** thought that meeting the accused would somehow be beneficial in having a peaceful ending to their marriage.;

That **Natalie Williams** agreed to meet **Roddy Swinton Williams** in Xgħajra near the *'ċimiterju tal-pesta'* after work. She left work at circa four (4)p.m. and took the bus from Żejtun to Paola and from Paola to Xgħajra. She got off at a bus stop in Xgħajra and eventually met the accused. They started making their way towards Ricasoli Kalkara, close to the sea. Initially, they were having a decent conversation however it quickly took a turn for the worse. They started arguing and **Roddy Swinton Williams** started calling her a 'whore' and eventually pushed her into the sea. **Roddy Swinton Williams** had subsequently helped her out of the water and started pushing **Natalie Williams** towards the inside of a nearby cave whilst telling her *"you better walk. You better don't piss me off"*. She was afraid of **Roddy Swinton Williams's** actions and felt the need to abide by his orders because she was afraid that he might hit her as it was not the first time that she endured his fists. She couldn't run away from him because her shoes were wet, and she didn't even have the strength to do so. She pleaded with him to let her go but instead of doing so, he kept on pushing her inside the cave.;

That once they got inside the cave, the accused kept on pressuring her to get further inwards. Initially **Natalie Williams** could still see her surroundings however the further they got in, the darker it got. They passed from a tiny corridor which was narrow and had to crouch until they got inside a small hole. The conditions inside the cave were inhumane, and detrimental for her as it transpires that she also suffered from asthma. There was no light and she was feeling very cold. Once they reached that tiny hole **Roddy Swinton Williams** started hitting his fists on the walls and crying and told her to calm him down. She immediately complied to his request and started to hold his hand. Soon after he demanded her to have sexual intercourse with him

whereby she refused. The accused insisted and told her that he had the right to have sex with her since she was still his wife. **Natalie Williams** was petrified of the accused, she was trapped, alone and helpless. She was terrified that if she physically resisted the advances of **Roddy Swinton Williams**, he would become violent and hurt her or her family. Thus, she had no other option but to succumb to his demand;

It also transpires that the accused **Roddy Swinton Williams** went outside the cave on more than one occasion. With him he took **Natalie Williams's** mobile phone, credit cards and money, thus leaving **Natalie Williams** alone, forsaken in a dark cave without any source of light or device to help herself out or to be able to request for help;

Natalie Williams ended up being unlawfully detained, cramped up in a cave under awful conditions for nearly four (4) days. It was the accused responsibility to take care of her during such time and he failed to do so. That considering all the anguish that **Natalie Williams** had to endure during those four (4) days, her health deteriorated in such a way that she ended up unconscious. Thus, due to his behaviour and failure to take action, the accused put **Natalie Williams's** life in manifest jeopardy with risk of loss of life. Ultimately, it was only due to the arrest of the accused that the police managed to locate the whereabouts of **Natalie Williams**.

The Consequences:

That by committing the above-mentioned acts with criminal intent, the accused **Roddy Swinton Williams** became guilty of **attempted wilful homicide**, namely that during the days between the twenty-seventh (27th) and the thirtieth (30th) of October two thousand and seventeen (2017), in Ricasoli, Kalkara, and on these Islands, maliciously, with intent to kill another person (his wife **Natalie Williams**) or to put the life of such other person in manifest jeopardy, the accused **Roddy Swinton Williams** manifested such intent by overt acts followed by a commencement of the execution of the crime, when he placed such person (**Natalie Williams**) in a dark and secluded place for several days **which crime was not completed in consequence of some accidental cause independent of the will of the accused Roddy Swinton Williams;**

Additionally, the accused **Roddy Swinton Williams**, in the light of the facts and circumstances mentioned in this count of this bill of indictment during the days between the twenty-seventh (27th) and the thirtieth (30th) of October two thousand and seventeen (2017), rendered himself a recidivist, after being found guilty by virtue

of the following judgment delivered by the Court of Magistrates of Malta, which judgement have become res judicata and cannot be changed, namely:

In the judgment delivered by the Court of Magistrates (Malta) as a Court of Criminal Judicature on the ninth (9) of April of the year two thousand and eleven (2011) per Magistrate Dr Doreen Clarke, in the names: The Police (Inspector Jesmond Borg) versus William Roddy Swinton;

The Accusation:

Wherefore, the Attorney General, in the name of the Republic of Malta, on the basis of the facts and circumstances narrated above in this count of this bill of indictment, accuses **Roddy Swinton Williams** of being guilty of **attempted wilful homicide**, namely that during the days between the twenty-seventh (27th) and the thirtieth (30th) of October two thousand and seventeen (2017), in Ricasoli, Kalkara, and on these Islands, maliciously, with intent to kill another person (his wife **Natalie Williams**) or to put the life of such other person in manifest jeopardy, the accused **Roddy Swinton Williams** manifested such intent by overt acts followed by a commencement of the execution of the crime, when he placed such person (**Natalie Williams**) in a dark and secluded place for several days **which crime was not completed in consequence of some accidental cause independent of the will of the accused Roddy Swinton Williams;**

Additionally, the accused **Roddy Swinton Williams**, in the light of the facts and circumstances mentioned in this count of this bill of indictment during the days between the twenty-seventh (27th) and the thirtieth (30th) of October two thousand and seventeen (2017), rendered himself a recidivist, after being found guilty by virtue of the following judgment delivered by the Court of Magistrates of Malta, which judgement have become res judicata and cannot be changed, namely:

In the judgment delivered by the Court of Magistrates (Malta) as a Court of Criminal Judicature on the ninth (9) of April of the year two thousand and eleven (2011) per Magistrate Dr Doreen Clarke, in the names: The Police (Inspector Jesmond Borg) versus William Roddy Swinton;

The Punishment Demanded: -

Wherefore, the Attorney General, in the name of the Republic of Malta, demands that the accused **Roddy Swinton Williams** be proceeded against according to law, and that he be sentenced to the punishment of **imprisonment for a term from eight (8) years to forty (40) years with solitary confinement for not more than twelve terms** as is stipulated and laid down in articles 17, 31, 41(1)(a), 49, 50, 211(1)(2), and 533 of the Criminal Code, Chapter 9 of the Laws of Malta, or to any other punishment applicable according to law to the declaration of guilt of the accused.

Second (2nd) Count:

Engaged in a non-consensual carnal knowledge with his wife Natalie Williams

The Facts of the Case:

That in the same facts, circumstances, time and place as indicated in the First Count of this Bill of Indictment and more accurately, between the twenty-seventh (27th) and the thirtieth (30th) of October two thousand and seventeen (2017) in Ricasoli, Kalkara, and on these Islands, the accused **Roddy Swinton Williams** had repeatedly engaged in non-consensual carnal knowledge on his wife **Natalie Williams**.

That the accused **Roddy Swinton Williams** and **Natalie Williams** met in Xghajra in order to discuss their separation. **Natalie Williams** thought that meeting the accused would be beneficial in having an amicable ending to their marriage. She was oblivious to the fact that the accused had other plans lined up for her;

That the accused pushed **Natalie Williams** inside a cave leaving her forsaken and abandoned in the dark for nearly four (4) days. During such time the accused demanded **Natalie Williams** to have sexual intercourse with him. The accused insisted that he had the right to have sex with her because she was still his wife. That the accused raped his wife **Natalie Williams** on four (4) separate occasions. That during the time she was held captive inside the cave she never consented to have sexual intercourse with the accused **Roddy Swinton Williams**. **Natalie Williams** was trapped, alone and helpless and she was terrified that if she physically resisted his advances, he would become violent and hurt her or her family members;

The Consequences:

That therefore, with his acts, **Roddy Swinton Williams** became guilty of aggravated rape namely that between the twenty-seventh (27th) and the thirtieth (30th) of October two thousand and seventeen (2017), in Ricasoli, Kalkara and on these Islands, by means of several acts committed by the accused **Roddy Swinton Williams**, even if at different times, which constituted violations of the same provision of the law, and were committed in pursuance of the same design, by violence, had carnal knowledge on the person of **Natalie Williams** which crime is aggravated in view of the fact that the accused **Roddy Swinton Williams** was married to **Natalie Williams**;

Additionally, the accused **Roddy Swinton Williams**, in the light of the facts and circumstances mentioned in this count of this bill of indictment during the days between the twenty-seventh (27th) and the thirtieth (30th) of October two thousand and seventeen (2017), rendered himself a recidivist, after being found guilty by virtue of the following judgment delivered by the Court of Magistrates of Malta, which judgement have become res judicata and cannot be changed, namely:

In the judgment delivered by the Court of Magistrates (Malta) as a Court of Criminal Judicature on the ninth (9) of April of the year two thousand and eleven (2011) per Magistrate Dr Doreen Clarke, in the names: The Police (Inspector Jesmond Borg) versus William Roddy Swinton.

The Accusation:

Therefore the Attorney General, in the name of the Republic of Malta and on the basis of the facts and circumstances narrated above in this count of this bill of indictment, accuses **Roddy Swinton Williams** of being guilty of aggravated rape namely that between the twenty-seventh (27th) and the thirtieth (30th) of October two thousand and seventeen (2017), in Ricasoli, Kalkara and on these Islands, by means of several acts committed by the accused **Roddy Swinton Williams**, even if at different times, which constituted violations of the same provision of the law, and were committed in pursuance of the same design, by violence had carnal knowledge on the person of **Natalie Williams** which crime is aggravated in view of the fact that the accused **Roddy Swinton Williams** was married to **Natalie Williams**;

Additionally, the accused **Roddy Swinton Williams**, in the light of the facts and circumstances mentioned in this count of this bill of indictment during the days

between the twenty-seventh (27th) and the thirtieth (30th) of October two thousand and seventeen (2017), rendered himself a recidivist, after being found guilty by virtue of the following judgment delivered by the Court of Magistrates of Malta, which judgement have become res judicata and cannot be changed, namely:

In the judgment delivered by the Court of Magistrates (Malta) as a Court of Criminal Judicature on the ninth (9) of April of the year two thousand and eleven (2011) per Magistrate Dr Doreen Clarke, in the names: The Police (Inspector Jesmond Borg) versus William Roddy Swinton.

The Punishment Demanded: -

Consequentially, the Attorney General humbly asks that the accused **Roddy Swinton Williams** be proceeded against according to law, and that he be sentenced to the punishment of **imprisonment for a term of four (4) years to forty (40) years** as laid down in Articles 18, 31, 49, 50, 198, 202(h)(i) and 533 of Chapter 9 of the Laws of Malta, or to any other punishment applicable and according to law to the declaration of guilt of the accused.

Third (3rd) Count:

Unlawfully Arrested, detained or confined his wife Natalie Williams

The Facts of the Case:

That in the same facts, circumstances, time and place as indicated in the previous Counts of this Bill of Indictment and more accurately, between the twenty-seventh (27th) and the thirtieth (30th) of October two thousand and seventeen (2017) in Ricasoli, Kalkara, and on these Islands, the accused **Roddy Swinton Williams** unlawfully arrested, detained or confined his wife **Natalie Williams**.

That **Natalie Williams** thought that meeting the accused **Roddy Swinton Williams** on the twenty-seventh (27th) of October two thousand and seventeen (2017) would be beneficial in having an amicable ending to her marriage but what happened was the complete opposite. That due to **Roddy Swinton Williams's** actions **Natalie Williams**

ended up being unlawfully detained and cramped up in a cave under awful conditions for nearly four (4) days. That during those four (4) days the accused **Roddy Swinton Williams** had on four (4) separate occasions raped **Natalie Williams** and had repeatedly threatened her life and that of her family;

That the accused **Roddy Swinton Williams** went outside the cave on more than one occasion, taking with him all **Natalie Williams's** belongings including her mobile phone, credit cards, money and the only source of light they had and thus leaving her forsaken in a dark cave without any device to help herself out or to be able to request for help;

Natalie Williams tried her luck to escape but she did not manage. She did not have any light and no sense of direction. She felt disoriented. She tried to feel her surroundings but was scared that debris from the cave would collapse upon her. She felt like she was buried alive, as if it was her own grave. She begged him to let her go but he refused. The only time she made it out of the cave was when the police eventually found her;

The Consequences:

That by committing the above-mentioned acts with criminal intent, the accused **Roddy Swinton Williams** became guilty of having during the days between the twenty-seventh (27th) and the thirtieth (30th) of October two thousand and seventeen (2017), in Ricasoli, Kalkara, and on these Islands, without a lawful order from the competent authorities, and saving the cases where the law authorises private individuals to apprehend offenders, arrested, detained or confined a person namely **Natalie Williams** against the will of the same which crime was aggravated because it was committed as a means of compelling his wife **Natalie Williams** to do an act or to submit to treatment injurious to the modesty of that person's sex;

Additionally, the accused Roddy Swinton Williams, in the light of the facts and circumstances mentioned in this count of this bill of indictment during the days between the twenty-seventh (27th) and the thirtieth (30th) of October two thousand and seventeen (2017), rendered himself a recidivist, after being found guilty by virtue of the following judgment delivered by the Court of Magistrates of Malta, which judgement have become res judicata and cannot be changed, namely:

In the judgment delivered by the Court of Magistrates (Malta) as a Court of Criminal Judicature on the ninth (9) of April of the year two thousand and eleven (2011) per

Magistrate Dr Doreen Clarke, in the names: The Police (Inspector Jesmond Borg) versus William Roddy Swinton;

The Accusation:

Wherefore, the Attorney General, in the name of the Republic of Malta, on the basis of the facts and circumstances narrated above in this count of this bill of indictment, accuses **Roddy Swinton Williams** of being guilty of having during the days between the twenty-seventh (27th) and the thirtieth (30th) of October two thousand and seventeen (2017), in Ricasoli, Kalkara, and on these Islands, without a lawful order from the competent authorities, and saving the cases where the law authorises private individuals to apprehend offenders, arrested, detained or confined a person, namely **Natalie Williams**, against the will of the same which crime was aggravated because it was committed as a means of compelling his wife **Natalie Williams** to do an act or to submit to treatment injurious to the modesty of that person's sex;

Additionally, the accused **Roddy Swinton Williams**, in the light of the facts and circumstances mentioned in this count of this bill of indictment during the days between the twenty-seventh (27th) and the thirtieth (30th) of October two thousand and seventeen (2017), rendered himself a recidivist, after being found guilty by virtue of the following judgment delivered by the Court of Magistrates of Malta, which judgement have become res judicata and cannot be changed, namely:

In the judgment delivered by the Court of Magistrates (Malta) as a Court of Criminal Judicature on the ninth (9) of April of the year two thousand and eleven (2011) per Magistrate Dr Doreen Clarke, in the names: The Police (Inspector Jesmond Borg) versus William Roddy Swinton;

The Punishment Demanded: -

Wherefore, the Attorney General, in the name of the Republic of Malta, demands that the accused **Roddy Swinton Williams** be proceeded against according to law, and that he be sentenced to the punishment of **imprisonment for a term from thirteen (13) months to four (4) years** as is stipulated and laid down in articles 17, 31, 49, 50, 86, 87(1)(g)(h), 202(h) and 533 of the Criminal Code, Chapter 9 of the Laws of Malta, or to any other punishment applicable according to law to the declaration of guilt of the accused.

Fourth (4th) Count:

Caused his wife Natalie Williams to fear that violence will be used against her and her family

The Facts of the Case:

That in the same facts, circumstances, time and place as indicated in the previous Counts of this Bill of Indictment and more accurately, between the twenty-seventh (27th) and the thirtieth (30th) of October two thousand and seventeen (2017) in Ricasoli, Kalkara, and on these Islands, the accused **Roddy Swinton Williams** caused his wife **Natalie Williams** to fear that violence will be used against her and her family;

That during the period mentioned in the previous counts **Natalie Williams** was petrified that the accused **Roddy Swinton Williams** would do something that might cause harm to her or her family. During this period the accused constantly threatened her, and she felt the need to oblige to his demands in order for her to stay alive. She was afraid to offer resistance or to defy him because she was scared that he might become violent and hurt her. One of the few times she tried to resist him, the accused picked up a piece of glass and put it on her throat and told her to apologize or else he would slash her neck and bury her. He even threatened that he will kill all her family and that she would be the last one to go. She even had to succumb to his sexual advances in order to keep herself safe;

The Consequences:

That by committing the above-mentioned acts with criminal intent, the accused **Roddy Swinton Williams** became guilty of having during the days between the twenty-seventh (27th) and the thirtieth (30th) of October two thousand and seventeen (2017), in Ricasoli, Kalkara, and on these Islands, pursued a course of conduct that caused his wife **Natalie Williams** to fear that violence will be used against her or her property or against the person or property of any of her ascendants, descendants, brothers or sisters or any person mentioned in article 222(1);

Additionally, the accused Roddy Swinton Williams, in the light of the facts and circumstances mentioned in this count of this bill of indictment during the days

between the twenty-seventh (27th) and the thirtieth (30th) of October two thousand and seventeen (2017), rendered himself a recidivist, after being found guilty by virtue of the following judgment delivered by the Court of Magistrates of Malta, which judgement have become res judicata and cannot be changed, namely:

In the judgment delivered by the Court of Magistrates (Malta) as a Court of Criminal Judicature on the ninth (9) of April of the year two thousand and eleven (2011) per Magistrate Dr Doreen Clarke, in the names: The Police (Inspector Jesmond Borg) versus William Roddy Swinton;

The Accusation:

Wherefore, the Attorney General, in the name of the Republic of Malta, on the basis of the facts and circumstances narrated above in this count of this bill of indictment, accuses **Roddy Swinton Williams** of being guilty of having during the days between the twenty-seventh (27th) and the thirtieth (30th) of October two thousand and seventeen (2017), in Ricasoli, Kalkara, and on these Islands, pursued a course of conduct that caused his wife **Natalie Williams** to fear that violence will be used against her or her property or against the person or property of any of her ascendants, descendants, brothers or sisters or any person mentioned in article 222(1);

Additionally, the accused **Roddy Swinton Williams**, in the light of the facts and circumstances mentioned in this count of this bill of indictment during the days between the twenty-seventh (27th) and the thirtieth (30th) of October two thousand and seventeen (2017), rendered himself a recidivist, after being found guilty by virtue of the following judgment delivered by the Court of Magistrates of Malta, which judgement have become res judicata and cannot be changed, namely:

In the judgment delivered by the Court of Magistrates (Malta) as a Court of Criminal Judicature on the ninth (9) of April of the year two thousand and eleven (2011) per Magistrate Dr Doreen Clarke, in the names: The Police (Inspector Jesmond Borg) versus William Roddy Swinton;

The Punishment Demanded: -

Wherefore, the Attorney General, in the name of the Republic of Malta, demands that the accused **Roddy Swinton Williams** be proceeded against according to law, and that he be sentenced to the punishment of **imprisonment for a term between seven (7) months and three (3) years** as is stipulated and laid down in articles 17, 31, 49, 50, 251B, 251H(a)(h) and 533 of the Criminal Code, Chapter 9 of the Laws of Malta, or to any other punishment applicable according to law to the declaration of guilt of the accused.

Fifth (5th) Count:

Caused slight bodily harm on the person of Owen Vella, who is Natalie Williams' son

The Facts of the Case:

That **Natalie Williams** had been missing for a few days, and a lot of efforts were being carried out by the Police and her family in order to find her. **Owen Vella**, Natalie Williams' son had suspected that the accused **Roddy Swinton Williams** was somehow involved in his mother's disappearance. That on the thirtieth (30th) of October two thousand and seventeen (2017) **Owen Vella** happened to be outside his residence in Triq is-Salvatur Kalkara to walk his dog and coincidentally saw the accused **Roddy Swinton Williams** walking right in front of his home. **Owen Vella** called him out and when the accused saw him, he tried to flee. **Owen Vella** ran after him and managed to lay hold of him. They ended up having an altercation and ultimately Owen Vella succeeded in restraining the accused. The accused supplicated **Owen Vella** to release him so that he could give him information about his mother. **Roddy Swinton Williams** kept on struggling to get away but with the help from Owen Vella's neighbor **Glenn Abela**, they managed to tie him up and detain him until the Police arrived. Consequently, due to this altercation **Owen Vella** suffered slight injuries that consisted mainly of scratches, bruises, and abrasions.

The Consequences:

That by committing the above-mentioned acts with criminal intent, the accused **Roddy Swinton Williams** became guilty of having on the thirtieth (30th) of October

two thousand and seventeen (2017), in Triq is-Salvatur, Kalkara, caused slight bodily harm on the person of **Owen Vella**, who is Natalie Williams' son;

Additionally, the accused Roddy Swinton Williams, in the light of the facts and circumstances mentioned in this count of this bill of indictment during the thirtieth (30th) of October two thousand and seventeen (2017), rendered himself a recidivist, after being found guilty by virtue of the following judgment delivered by the Court of Magistrates of Malta, which judgement have become res judicata and cannot be changed, namely:

In the judgment delivered by the Court of Magistrates (Malta) as a Court of Criminal Judicature on the ninth (9) of April of the year two thousand and eleven (2011) per Magistrate Dr Doreen Clarke, in the names: The Police (Inspector Jesmond Borg) versus William Roddy Swinton;

The Accusation:

Wherefore, the Attorney General, in the name of the Republic of Malta, on the basis of the facts and circumstances narrated above in this count of this bill of indictment, accuses **Roddy Swinton Williams** of being guilty of having on the thirtieth (30th) of October two thousand and seventeen (2017), in Triq is-Salvatur, Kalkara, caused slight bodily harm on the person of **Owen Vella**, who is Natalie Williams' son;

Additionally, the accused **Roddy Swinton Williams**, in the light of the facts and circumstances mentioned in this count of this bill of indictment during the thirtieth (30th) of October two thousand and seventeen (2017), rendered himself a recidivist, after being found guilty by virtue of the following judgment delivered by the Court of Magistrates of Malta, which judgement have become res judicata and cannot be changed, namely:

In the judgment delivered by the Court of Magistrates (Malta) as a Court of Criminal Judicature on the ninth (9) of April of the year two thousand and eleven (2011) per Magistrate Dr Doreen Clarke, in the names: The Police (Inspector Jesmond Borg) versus William Roddy Swinton;

The Punishment Demanded: -

Wherefore, the Attorney General, in the name of the Republic of Malta, demands that the accused **Roddy Swinton Williams** be proceeded against according to law, and that he be sentenced to the punishment of **imprisonment for a term not exceeding nine (9) months** as is stipulated and laid down in articles 17, 31, 49, 50, 214, 215, 221, 222(1)(a) and 533 of the Criminal Code, Chapter 9 of the Laws of Malta, or to any other punishment applicable according to law to the declaration of guilt of the accused.

Sixth (6th) Count

Threatened persons lawfully charged with public duty

The Facts of the Case:

That on the thirtieth (30th) of October two thousand and seventeen (2017) the police received a call at Cospicua Police station that there was an argument at Triq is-Salvatur Kalkara. The Police immediately proceeded to the place and found out that the parties involved in the argument were **Owen Vella**, Natalie Williams's son and the accused **Roddy Swinton Williams**. The police intervened and proceeded with the arrest of **Roddy Swinton Williams**. During said arrest **Roddy Swinton Williams** started hurling insults at the police and threatened that he will kill them;

The Consequences:

That by committing the above-mentioned acts with criminal intent, the accused **Roddy Swinton Williams** became guilty of having on the thirtieth (30th) of October

two thousand and seventeen (2017), in Triq is-Salvatur, Kalkara, reviled or threatened, or caused a bodily harm to any person lawfully charged with a public duty while in the act of discharging their duty or because of having discharged such duty, or with intent to intimidate or unduly influence them in the discharge of such duty;

Additionally, the accused Roddy Swinton Williams, in the light of the facts and circumstances mentioned in this count of this bill of indictment during the thirtieth (30th) of October two thousand and seventeen (2017), rendered himself a recidivist, after being found guilty by virtue of the following judgment delivered by the Court of Magistrates of Malta, which judgement have become res judicata and cannot be changed, namely:

In the judgment delivered by the Court of Magistrates (Malta) as a Court of Criminal Judicature on the ninth (9) of April of the year two thousand and eleven (2011) per Magistrate Dr Doreen Clarke, in the names: The Police (Inspector Jesmond Borg) versus William Roddy Swinton;

The Accusation:

Wherefore, the Attorney General, in the name of the Republic of Malta, on the basis of the facts and circumstances narrated above in this count of this bill of indictment, accuses **Roddy Swinton Williams** of being guilty of having on the thirtieth (30th) of October two thousand and seventeen (2017), in Triq is-Salvatur, Kalkara, reviled or threatened, or caused a bodily harm to any person lawfully charged with a public duty while in the act of discharging their duty or because of having discharged such duty, or with intent to intimidate or unduly influence them in the discharge of such duty;

Additionally, the accused **Roddy Swinton Williams**, in the light of the facts and circumstances mentioned in this count of this bill of indictment during the thirtieth

(30th) of October two thousand and seventeen (2017), rendered himself a recidivist, after being found guilty by virtue of the following judgment delivered by the Court of Magistrates of Malta, which judgement have become res judicata and cannot be changed, namely:

In the judgment delivered by the Court of Magistrates (Malta) as a Court of Criminal Judicature on the ninth (9) of April of the year two thousand and eleven (2011) per Magistrate Dr Doreen Clarke, in the names: The Police (Inspector Jesmond Borg) versus William Roddy Swinton;

The Punishment Demanded: -

Wherefore, the Attorney General, in the name of the Republic of Malta, demands that the accused **Roddy Swinton Williams** be proceeded against according to law, and that he be sentenced to the punishment of **imprisonment for a term not exceeding one (1) year** as is stipulated and laid down in articles 7, 17, 31, 49, 50, 95, 339(1)(e) and 533 of the Criminal Code, Chapter 9 of the Laws of Malta, or to any other punishment applicable according to law to the declaration of guilt of the accused.

During the sitting of the 24th of June 2024, the Bill of Indictment was read out.

Having seen the joint application filed on the 20th of June, 2024 the Attorney General and the accused advised the court that they had reached an agreement in terms of article 453A(1) of the Criminal Code and jointly requested that, in the event that the accused pleads guilty to all the charges preferred against him in the Bill of Indictment, the punishment to be awarded by this court should consist of a term of imprisonment of fourteen (14) years together with a restraining order for the maximum period prescribed at law in terms of Article 382A and any other sanctions, punishment, expense and consequence relative to the accused admission of guilt in terms of the

Criminal Code, Chapter 9 of the Laws of Malta and Article 6 of the Protection of Minors (Registration) Act Chapter 518 of the laws of Malta.

In the sitting held on the 24th of June 2024 the court informed the accused that it was ready to accept the punishment proposed in the joint application presented before this court on the 20th of June 2024.

The accused, after being asked, in terms of article 450 of the Criminal Code, whether he is guilty of the offences charged in the indictment, stated that he is guilty of all those offences mentioned in all the Counts of the Bill of Indictment.

The court then, as required under article 453 of the Criminal Code, solemnly warned him of the legal consequences of such admission, explained the consequences of the request made by him jointly with the Attorney General, and allowed him a short time to retract his statement. The accused however persisted in his statement, which was then recorded in the acts of these proceedings.

The Court therefore, declares Roddy Swinton Williams guilty of the charges preferred against him in the bill of indictment, namely of the following of having on the Friday 27th October 2017:

1. Attempted Homicide of his wife Nathalie Williams.
2. Engaged in a nonconsensual carnal knowledge with his wife Natalie Williams.
3. Unlawfully arrested, detained or confined his wife, Natalie Williams.
4. Caused his wife Natalie Williams to fear that violence would be used against her and her family.
5. Caused slight bodily harm on the person of Owen Vella who is Natalies son.
6. Threatened persons lawfully charged with a public duty.

Having seen articles 17,31, 41 (1) (a), 49, 50, 86, 87 (1) (g) (h), 95 198, 202 (h) (i) , 214, 215, 221, 221 (1) (a) ,211 (1) (2), 251B, 251H (a) (h), 339 (1) e), 382A and 533 of the Criminal Code, and having reviewed the sanction requested by the parties in terms of article 453A of the Criminal Code, the Court is satisfied that the sanction requested is one which it would have been lawful for it to impose upon conviction for the offence

to which the accused has pleaded guilty and finds no cause to order the trial to be proceeded with for a reason referred to in article 453(2) of the Criminal Code, or for any other reason to reject the request.

The Court, therefore, as requested by the parties jointly, declares the accused Roddy Williams guilty of all charges and sentences him to a **term of imprisonment of fourteen (14) years;**

In terms of article 22 of the Criminal Code, any time prior to today during which the person sentenced was in prison for the offences for which he has today been convicted and sentenced, not being time in prison in execution of a sentence, shall count as part of the term of imprisonment under this sentence.

In terms of article 533 of the Criminal Code the court further sentences Roddy Swinton Williams to the payment to the Chief Executive Officer of Courts of the costs incurred in connection with the employment in the proceedings of all experts namely the following:-

1. The sum of €646.99 which were paid to Dr Richard Sladden as per Dok RS fol. 50 of the proceedings.
2. The sum of €825.76 which were paid to AIC Mario Cassar as per Dok MC fol. 79 of the proceedings.
3. The sum of €1370.70 which were paid to Dr Stephen Farrugia Sacco as per Dok SFS fol. 211 of the proceedings.
4. The sum of €255 which were paid to Dr Ethel Felice as per Dok EF fol. 411 of the proceedings.
5. The sum of €577.71 which were paid to PS 586 Mario Azzopardi and PC 813 Clinton Vella fol. 1022 of the proceedings.
6. The sum of €196.43 which were paid to PC 637 Kevin Manicolo as per Dok KM1 fol.1133 of the proceedings.

7. The sum of €286.70 which were paid to Dr Mario Scerri as per Dok MS1 fol. 1423 of the proceedings.
8. The sum of €323.70 which were paid to Dr Mario Scerri as per Dok MS2 fol. 1436 of the proceedings.
9. The sum of €413 which were paid to Dr Martin Bajada as per Dok MB fol. 1450 of the proceedings.
10. The sum of €3,334.68 which were paid to Dr Marisa Cassar as per Dok MC fol. 1486 of the proceedings.
11. The sum of €1,888 which were paid to Professor Saviour Formosa as per Dok SF1 fol. 1545 of the proceedings.
12. The sum of €2,634.59 which were paid to Engineer Mario Farrugia as per Dok MF fol. 2330 of the proceedings.

Thus, the accused has to pay the Director of Courts within sixty (60) days from when he is so summoned the **total sum of € 12,753.26** in default of which the sum of money that will still be due will be converted to a further term of imprisonment according to law. The court is not condemning the accused to the payment made to Dr Katya Vassallo as the amount is not specified in the acts of the proceedings.

In addition, in terms of section 382A (2) of the Criminal Code the court is also issuing a retraining order against the accused in favour of his wife Nathalie Williams and her son Owen Vella for the maximum period allowed by law for three years, and such period shall commence to run from the date of the remission of the punishment.

The court orders that a copy of this judgment is sent to the Director of the Criminal Court so that he may collect the expenses that the accused was condemned to pay to the Chief Executive Officer of Courts.

Dr Consuelo Scerri Herrera
Hon Madame Justice