



**MALTA**

**COURT OF MAGISTRATES (MALTA)  
as a Court of Criminal Judicature**

**MAGISTRATE DR. NADIA H. VELLA  
B.A., LL.D., Dip. Trib. Eccl. Melit.,**

Sitting of the 3<sup>rd</sup> October 2024

Case number 5427/2023

**Police  
(Inspector J. Piscopo)**

**vs.**

**Michael Leonard Paul Hammond**  
holder of Identity Card numbered 223401L

The Court,

Having seen the charges brought against the accused Michael Leonard Paul Hammond, born in England on the 20<sup>th</sup> June 1977, residing at 103, Rose, Fl 6, Triq Is- Sajjed, San Pawl il- Baħar, holder of Identity Card numbered 223401L,

Accused that on the 19<sup>th</sup> of November 2022 at about 17.00hrs and the previous days and months in the Maltese Islands, here the several acts committed by the offender, even if at different times, constitute violations of the same provision of the law, and are committed in pursuance of the same designence:

1. Attempted to use force with intent to insult, annoy or hurt Sarah Elizabeth White.
2. Uttered insults and threats not otherwise provided for in the Criminal Code to the detriment of Sarah Elizabeth White, or if provoked, went beyond the limited warranted by the provocation;
3. By means of an electronic communications network or apparatus threatened the commission of any crime or made any other improper use thereof;

The Court was also requested that upon the finding of guilt of the accused to issue a protection order for Sarah Elizabeth White in terms of Article 383 of Chapter 9;

Having seen Article 339(1)(d), Article 339(1)(e) of Chapter 9 and Article 49(a)(b)(c) of Chapter 399 of the Laws of Malta;

Having seen the documents exhibited by the Prosecution namely the relative police report<sup>1</sup>; affidavit of PC758 Andy Borg<sup>2</sup>; risk assessment carried out for the alleged injured party Sarah Elizabeth White<sup>3</sup>;

Having heard the testimony of the alleged injured party<sup>4</sup>;

Having seen that the parties were given the faculty to present written notes of submissions, whereby both parties failed to file such notes;

Having seen that the case was adjourned for today for judgement;

### **Considers:**

Since the accusations are tied to a specific date and time namely the 19th of November 2022 and the previous days and months, the Court is limited to examine the facts that occurred on this date and the previous days and months only.

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<sup>1</sup> Bearing reference number GHQ/GBDV/1888/2022;

<sup>2</sup> Marked Doc. JG1, fol. 16;

<sup>3</sup> Marked Doc. JG2, fol. 18;

<sup>4</sup> The testimony was given through video-conferencing on the 11<sup>th</sup> of June 2024, fol. 37;

Ms. White testified primarily about incidents that took place on the 28th November 2022 and on the 7th of December 2022, both dates have no relevance to the present accusations whatsoever; She also testified about an incident that occurred in October 2022, however this was an incident where the accused allegedly attacked her boyfriend, not herself, therefore also not relevant to the current accusations;

Regarding other dates she testified: *“There were multiple incidents of stalking and harassment from Michael. He was following me” “It was escalating to stalking and harassment at home. The whole during October, November and December was a really horrible period. Harassment and stalking. Lots and lots of incidents of Michael coming to my house persistently. In October he had no reason to be there.”*

Ms. White reported that on the 19th of November 2022 at 14:00hrs, Michael Leonard Paul Hammond, when picking up his daughter, he spent an hour asking her questions as to where she had been and what she was doing, He started getting very angry because the daughter had slept out of the house due to a playdate and he started calling her “a fucking evil cunt”, “a nasty piece of fucking work” and also told her that she has a “massive problem with him”. Later Michael phoned her to demand where he was to drop off the child, and he started hurling more insults and threats at her such as “I’ll come to your door and burst that fucking thing down, I can do what I want whenever I want.”

This report was confirmed under oath by the Police officer taking the report namely PC758 Andy Borg from the GBDV Unit<sup>5</sup>.

However the alleged injured party Sarah Elizabeth White could not recall this particular police report. She mentions how throughout October, November and December 2022, was a horrible period of harassment and stalking, lot and lots of incidents when Michael would go to her house, when he had no reason to do so, since their daughter was not even in Malta at that time. These statements are not sufficient for the Court to find guilt of the particular accusations brought against the accused. The alleged injured party did not recall anything about the particular incident which is the merits of this case.

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<sup>5</sup> Affidavit exhibited and marked JG1, fol. 11;

**Decides:**

Hence for the aforementioned reasons, the Court hereby finds the accused Michael Leonard Paul Hammond holder of Identity Card numbered 223401L **not guilty** of the charges brought against him and is hereby acquitting him therefrom.

**Dr. Nadia H. Vella**

Magistrate

**Naomi Bonello**

Deputy Registrar