



Court of Magistrates (Malta) as a Court of Criminal Judicature

THE POLICE (INSPECTOR DARRYL FARR) V. PATRICK BERNHAUSER (AUSTRIAN PASSPORT NO. 6711443)

MAGISTRATE: DR. VICTOR G. AXIAK

3rd May 2025

THE COURT,

having seen the charges preferred against Patrick Bernhauser , thirty-six years (36) of age, son of Nicola Bernhauser, born on the sixteenth (16th) July of the year nineteen eighty-eight (1988), in Austria, with no fixed address in Malta, and holder of Austrian Passport number 6711443 (“the accused”), who was arraigned before the Court today and charged with having on the second (2nd) May of the year twenty twenty-five (2025), at around eleven (11:00) in the morning and/or in the previous hours, in Triq il-Hemel, Swieqi and/or in the vicinities::

1. **caused Adam Cini and Joseph Stivala to feel harassed and acted in a way that he knew or ought to have known that it amounted to harassment.**
2. **committed an offence against decency or morals in a public place or in a place exposed to the public.**
3. **exposed himself naked or was indecently dressed.**
4. **was found drunk in a public place or place open to the public and was drunk and incapable of taking care of himself or whilst in such state causes any annoyance or disturbance.**
5. **even though in a state of intoxication, publicly uttered any obscene or indecent words, or made obscene acts or gestures, or in any other manner not otherwise provided, offended against public morality, propriety or decency.**

6. wilfully disturbed the public good order or the public peace.

having seen that the Court was requested to apply Art. 532A, 532B, 533 of Chapter 9 of the Laws of Malta in case of guilt;

having seen that in the sitting held this morning the accused pleaded guilty to the charges brought against him and the Court thereafter explained the consequences of the admission to the accused and postponed the case to ensure that the accused consults his lawyer once again and reconsider his decision,

having seen that when the case was called once again the accused reiterated his admission to the charges brought against him,

having heard submissions on punishment,

having seen all the acts of the case,

gives the following

Judgement

Having seen the relevant provisions of the law (Art. 17(d), 28A, 251A(1)(a)(b), 209, 338(q), 338(bb), 338(dd), 338(ff) of Chapter 9 of the Laws of Malta) the Court finds the accused guilty of the charges brought against him upon his admission and condemns him to six (6) months imprisonment which sentence shall not take effect unless, during a period of three years from today, the offender commits another offence punishable with imprisonment.

V.G. Axiak

Magistrate

Y. M. Pace

Dep. Registrar