



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

Today, 5th May 2025

Comp. No. 7300/2024

**Police
(Inspector Sarah Kathleen Zerafa)**

vs

**Kelly Samuel
(Id card no. 9005055A)**

The Court,

After having seen the charges brought against Kelly Samuel holder of identification document number 9005055A.

Charge him with having between the months of May 2024 and September 2024, in Pieta' and/or 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 design:-

1. Reviled or threatened or caused bodily harm to persons lawfully charges 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; Article 95 of Chapter 9 of the Laws of Malta.
2. Caused fear that violence will be used against other persons or their property or against the person or property of any of their ascendants, descendants, brothers or sisters or any person mentioned in article 222(1), in a way that he knew or should have known that his course of conduct will cause the others so

to fear on each of those occasions; Article 251B of Chapter 9 of the Laws of Malta.

3. Pursued a course of conduct which amounted to harassment of other persons in a way that he knew or should have known that what he did amounted to harassment of such other persons; Article 251A of Chapter 9 of the Laws of Malta.
4. Uttered insults or threats or if provoked, went beyond the limit warranted by provocation; Article 339(1)(e) of Chapter 9 of the Laws of Malta.
5. By means of an electronic communications network or apparatus, threatened the commission of any crime; Article 49(a) of Chapter 399 of the Laws of Malta.
6. By means of an electronic communications network or apparatus, with intent to extort money or any other thing, or to make any gain, or with intent to induce another person to do or omit from doing anything, threatened to accuse or to make a complaint against, or to defame, that or another person; Article 49(b) of Chapter 399 of the Laws of Malta.
7. By means of an electronic communications network or apparatus, made any other improper use thereof; Article 49(c) of Chapter 399 of the Laws of Malta.

The Honourable Court is being requested, for the purpose of providing for the safety of Roberta Vella Bonnici, Abigail Cutajar, Mariah Cini and workers of 'Looked After Children' – Alternative Care Directorate and/or other individuals from harassment or other conduct which will cause a fear of violence, issue a protection order against Kelly Samuel, and this in terms of Article 412C of the Criminal Code.

In case of guilt, the Honourable Court is being requested to provide for the safety of the parties involved, and this in terms of Article 382A, 383, 384 and 385 of the Criminal Code.

The Honourable Court is kindly requested to order in case of guilt, the accused to pay costs related to the appointment of experts in the proceedings as contemplated in article 533 of Chapter 9 of the Laws of Malta.

Having seen all the documents presented in the acts of the proceedings.

Having heard the witnesses.

Having seen that the accused registered a guilty plea to all the charges brought against him during the sitting of the 20th February 2025.

Having heard submissions of both parties regarding the punishment.

Considered

Whereas during the sitting held on the 20th February 2025, in the presence of his Lawyer, the accused pleaded guilty to all the charges brought against him, notwithstanding the fact that the Court warned him in the most solemn manner of the legal consequences of his guilty plea, and after having given him sufficient time within which to reconsider and withdraw his guilty plea.

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

Having heard the guilty plea of the accused to all the charges brought against him, the Court has no alternative but to declare the accused guilty of the said charges.

Decide

For the said reasons the Court, after having seen Article 7, 8, 18, 31, 95, 222(1), 251A, 251B and 339(1)(e) of Chapter 9 and Article 49(a)(b)(c) of Chapter 399 of the Laws of Malta **finds the accused Kelly Samuel guilty** of all the charges brought against him, **and condemns him to two (2) years effective imprisonment** and also to a fine (multa) of two thousand Euros (€ 2,000).

The Court is also issuing a **Restraining Order in terms of Article 382A of Chapter 9 of the Laws of Malta, against the accused Kelly Samuel** for the protection of Roberta Vella Bonnici, Abigail Cutajar, Mariah Cini and all the employees of 'Looked After Children', **for 3 years from the date of expiration of the imprisonment.**

The Court is ordering that a copy of this Judgement together with the Restraining Order Decree is notified to the Commissioner of Police.

The Court is also ordering that in accordance with Article 392A(2) of Chapter 9 of the Laws of Malta, the Attorney General is given access to a scanned copy of the Acts of the Proceedings together with a scanned copy of the Judgement within six(6) working days.

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