



**COURT OF MAGISTRATES (MALTA)
AS A COURT OF CRIMINAL JUDICATURE**

**DR. RACHEL MONTEBELLO B.A. LL.D.
MAGISTRATE**

Case No.: 6270/2025

**THE POLICE
(Inspector Roxanne Tabone)
-Vs-
KYRAN TEMPLE-HEALD**

Today, 23rd May 2025

The Court,

Having seen that **KYRAN TEMPLE-HEALD**, aged 19 years, born in Bristol United Kingdom on 28/05/2005 son of Sean Mooney and Claire Wyatt, no fixed address, holder of British passport number 131378040, was charged with having on the 22nd May 2025 at around 11.35hrs, at the Malta International Airport, Gudja:-

1. Imported or cause to be imported, or took any steps preparatory to import any dangerous drug (*Cocaine 0.44g*) for personal use into Malta against the provisions of The Dangerous Drugs Ordinance, Chapter 101 of the Laws of Malta

2. Also that having on the same day, time and circumstances Had in his possession the drugs (cocaine) specified in the First Schedule of the Dangerous Drug Ordinance, Chapter 101 of the Laws of Malta, when he was not in possession of an import or an export authorisation issued by the Chief Government Medical Officer in pursuance of the provisions of part 6 of the Ordinance, and when he was not licensed or otherwise authorised to manufacture or supply the mentioned drugs, and was not otherwise licensed by the Minister responsible for the Department of Health or authorised by the Internal Control of Dangerous Drugs Rules, Subsidiary Legislation 101.02 or by any authority granted by the Minister responsible for Health to be in possession of the mentioned drugs, and failed to prove that the mentioned drugs was supplied to him for his use, in accordance with to a medical prescription, and this in breach of said rules and the Dangerous Drugs Ordinance Chapter 101, of the Laws of Malta

The Court was requested that in case of a conviction, apart from the sentence awarded according to the parameters of law, orders the confiscation and destruction of the exhibited objects.

Having heard the accused plead guilty to the charges and having heard him confirm his guilty plea even after the Court warned him about the consequences of his admission and the applicable punishment in terms of Law.

Having heard the Prosecution declare during the arraignment that a fine would be an appropriate punishment in the circumstances;

Have seen all the documents brought forward together with the charges;

Having considered;

That in view of the accused's voluntary and unconditional admission of guilt, in the presence of his legal counsel, the Court has no alternative but to find him guilty of both charges brought against him and proceed to pass on the accused such sentence as would according to law be passed on an accused convicted of the offence.

That the defendant is charged with importing a dangerous drug (cocaine) into Malta and with having such dangerous drug in his possession, in an amount that however falls within the legal parameters for the possession to be considered for his own personal use. In fact the Attorney General ordered that the accused is tried before the Court of Magistrates as a Court of Criminal Judicature so that in the circumstances, upon a declaration of guilt the applicable punishment is that stipulated in article 22(2)(b)(ii) of the Dangerous Drugs Ordinance (Chapter 101 of the Laws of Malta), that is, imprisonment for a term of not less than three months but not exceeding twelve months or a fine (multa) of not less than €465.87 but not exceeding €2,329.37 or both imprisonment and a fine (multa).

In the circumstances of the case, where the accused is only 19 years of age, has a clean criminal conduct sheet and the amount of the dangerous drug is minimal, his early admission to the charges and his co-operation with the authorities, the remorse he expressed and the emotional struggles he faces in his life as would result from the statement he released during his interrogation by the Police, the Court considers that a fine (multa) in the minimum would be appropriate, also in view of the provisions of article 22(1B) of the Dangerous Drugs Ordinance.

For these reasons, the Court, after having seen articles 12, 14 and 22(1B)(2)(b)(ii) of the Dangerous Drugs Ordinance (Chapter 101 of the Laws of Malta), the First Schedule of the said Ordinance, and regulation 9 of the Internal Control of Dangerous Drugs Rules (Subsidiary Legislation 102.02), finds KYRAN TEMPLE-HEALD guilty as charged upon his own admission, and condemns him to a fine (multa) of four hundred and sixty six Euro (€466.00).

Orders the forfeiture in favour of the Government of the substance contained in evidence bag number SC00734310 and its destruction by the Registrar following the drawing up of a procès-verbal in terms of article 670(1) of the Criminal Code to be signed by the Registrar and for this purpose orders that a copy of this judgement is served on the Registrar.

DR. RACHEL MONTEBELLO
MAGISTRATE.