



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

**K 529/25: THE POLICE (INSPECTOR CHRISTIAN CAUCHI,
INSPECTOR ANTONELLO MAGRI) V. CLAUDIA BARTH (GERMAN
ID NO. L5RGOMM7Y)**

MAGISTRATE: DR. VICTOR G. AXIAK

18th June 2025

THE COURT,

having seen the charges preferred against Claudia Barth, of forty-nine years of age (49), daughter of Alfred Erik Dietler Berth and Sabina Gertruth, born on the 20th July 1975 in Berlin, Germany without fixed address holder of German Identity card number L5RGOMM7Y ("the accused"), who was arraigned before the Court today and charged with:

1. having on the 16th of June 2025 at one in the afternoon (13:00HRS) and on the 15th of June 2025 at half past nine in the evening (21:30HRS) and/or in the previous times at residence 'Feria, Flat 4, Triq Raddet ir-Roti, San Pawl il-Bahar, l/o Xemxija caused her **sister Veronika Barth** to fear that violence will be used against her or her property of any of his ascendants, descendants, brothers or sisters aggravated by the fact that the offence was committed against a former or current spouse or partner, by a member of the family, a person cohabiting with the victim or a person having abused her or his authority and the offence was preceded or accompanied by violence and the offence was committed with the use or threat of a weapon in terms of **article 251B, 251H(a)(f), 251HA of the Criminal Code, Chapter 9 of the Laws of Malta;**

2. having on the 15th of June 2025 at around half past nine in the evening (21:30HRS) and/or in the preceding times at residence 'Feria', Flat 4, Triq Raddet ir-Roti, San Pawl il-Bahar, L/O Xemxija used force against her **sister Veronika Barth** and inflicted on her slight injuries as per certified by Dr Med Ritienne Buhagiar M.D with medical registration number 4694 of Floriana Health centre aggravated by the fact since the crime was committed on the person of the current or former spouse, civil union or cohabitant, the crime was committed on her **sister Veronika Barth**

who was living in the same household as the offender or who had lived with the offender before the offence was committed, in terms of **article 214, 215, 221(1), 222(1)(a) and 202(h)(i)(v)(vi) of the Criminal Code, Chapter 9 of laws of Malta**;

3. having on Monday 16th June 2025 at around noon (12:00HRS) and/or in the preceeding times at residence 'Feria', Flat 4, Triq Raddet ir-Roti, San Pawl il-Bahar, L/O Xemxija used force against her **sister Veronika Barth** and inflicted on her slight injuries as per certified by Dr Med Shania Grech M.D with medical registration number 6785 of Floriana Health centre aggravated by the fact since the crime was committed on the person of the current or former spouse, civil union or cohabitant, the crime was committed on her **sister Veronika Barth** who was living in the same household as the offender or who had lived with the offender before the offence was committed, in terms of **article 214, 215, 221(1), 222(1)(a) and 202(h)(i)(v)(vi) of the Criminal Code, Chapter 9 of laws of Malta**;

4. having on Monday 16th June 2025 at around noon (12:00HRS) at Triq Raddet ir-Roti, San Pawl il-Bahar, l/o Xemxija and under the same circumstances utterly insulted or threatened Veronika Barth not otherwise provided for in this code, or if Claudia Barth was provoked, same carried his insult beyond the limit warranted by the provocation in terms of **Article 339(1)(e) of the Criminal Code, Chapter 9 of the laws of Malta**;

5. having on Monday 15th June 2025 at around noon (12:00HRS) and/or in the preceeding times in any manner not otherwise provided for in this code, wilfully disturbed the public good order or the public peace, in terms of **Article 338(dd) of the Criminal Code, Chapter 9 of the Laws of Malta**.

having seen that the Court was requested to provide security for Veronika Barth as the court sees fit and necessary and under all the conditions that deems appropriate, issues an order of protection against Claudia Barth in terms of Article 412C, of Criminal Code, Chapter 9 of the Laws of Malta,

having seen that the Court was also requested that in the case of guilt , in addition to the punishment in accordance with the law, to apply Articles 382, 383, 384, and 385 of the Criminal Code, Chapter 9 of the Laws of Malta,

having seen that the Court was also requested that, together with a protection order or separately from it, under Article 412C and until the Court is satisfied that suitable arrangements have been made or can be made for treatment, the Court issues a treatment order requiring the accused person to accept treatment without harm for those conditions that the Court may deem appropriate to include in the order, and this under the provisions of Article 412D of the Criminal Code, Chapter 9 of the Laws of Malta,

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

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

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. 28A, 202(h), 202(i), 202 (v), 202(vii), 214, 215, 221(1), 222(1)(a), 251B, 251H(a) and (f), 251HA, 338(dd) and 339(1)(e) of Chapter 9 of the Laws of Malta), the Court finds the accused guilty of the charges brought against her upon her admission and condemns her to one (1) year imprisonment which sentence shall not take effect unless, during a period of three years from today, the offender commits another offence punishable with imprisonment. Moreover the Court issued a restraining order against the accused in favour of the injured party for a period of three (3) years under the conditions outlined in such order. The Court explained to the accused in ordinary language her liability under article 28B of the Criminal Code if during the operational period she commits an offence punishable with imprisonment and also explained to her the consequences if she breaches any condition of the restraining order.

V.G. Axiak

Magistrate

Y. M. Pace

Dep. Registrar