



**QORTI TAL-MAGISTRATI (MALTA)
BHALA QORTI TA' GUDIKATURA KRIMINALI**

**MAGISTRAT DR.
EDWINA GRIMA**

Seduta tat-12 ta' Novembru, 2007

Numru. 449/2007

**The Police
(Inspector Paul Bond)**

vs

Omissis

u

Tina Maria O' Neill. Born in England on the 2nd June, 1972, and residing at Flat 1, A.J. Appartments, Triq is-Sajjied, St. Paul's Bay, holder of identity card number 36748A

The Court;

Having seen the charges brought against Tina Maria O'Neill that on the 18th May, 2007, at about 6.00pm, wilst in George Borg Olivier Street, Mellieha, assaulted or resisted P.S. 746 Jeffrey Attard MCCarthy and PC649

Kopja Informali ta' Sentenza

Joseph Decelis, by violence or active force, not amounting to public violence, the said Police Officers who are lawfully charged with a public duty when they were in the execution of the law or of a lawful order issued by a competent authority; reviled, or threatened the said Police Officers during which caused a bodily harm to them who are persons lawfully charged with a public duty, while in the act of discharging their duty or because of them having discharged such duty, or with intent to intimidate or unduly influence them in the discharge of such duty.

Moreover, on the same date, time and place wilfully caused injuries of slight nature on the said Police Officers as verbally declared by Dr. M. West MD of Mosta Health Centre;

Furthermore, on the same date, time and place, caused voluntary damages to the uniform of P.S. 746 Jeffrey McCarthy the estimation of which does not exceed the Lm50 and this to the detriment of the Malta Government; and for having disturbed the public good order and peace by fighting and shouting; and for having been under the influence of alcohol in such a way that they failed to take proper care of themselves.

Having heard the evidence;

Having seen the documents exhibited;

Having seen the Attorney General's consent for these proceedings to be treated summarily;

Having heard the admission made by accused Tina Maria O'Neill to the first charge brought against her and of causing bodily harm of a slight nature on PC649 Darren Joseph Decelis and insisted on registering a guilty plea even after considerable time was given to her by the Court to reconsider her admission.

Considers;

In view of the guilty plea registered by the accused in the acts of the proceedings in today's sitting with regards of the first charge brought against her, the Court has no alternative but to find accused guilty of this charge.

That with regards to the other charges it results from evidence brought forward that accused resisted arrest and caused injury of a slight nature to PC649 Darren Joseph Decelis. She did not however inflict the injuries suffered by PS746 Jeffrey Attard McCarthy and did not cause the damage to the said police sergeant's uniform.

The Court therefore, after having seen the relevant section of the law in particular article 96 and 338 of the Criminal Code finds Tina Maria O'Neill guilty of the first charge brought against her. However does not find her guilty of the other charge and acquits her from same. The Court also finds her guilty of having disturbed the public good order and peace by shouting and fighting and for having been under the influence of alcohol in such a way that she failed to take proper care of herself. However having regard to the circumstances of the case including the nature of the offence and the character of the offender by the application of Section 22 of Chapter 446 of the Laws of Malta discharges the accused on condition that she does not commit another crime within two (2) years from today

The Court is warning the accused of the consequences according to the law if she commits another crime within two (2) years from today.

< Sentenza Finali >

-----TMIEM-----