



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

**MAGISTRATE
DOREEN CLARKE**

Sitting of the 29th December, 2008

Number. 1277/2008

**The Police
[Inspector Edel Mary Camilleri]**

vs

**David Abekunle
John Austen**

Criminal Inquiry Number: 1277/2008

Today the 29th day December 2008

The Court

Having seen the accused

David Abekunle of 27 years son of David and Esther born in Nigeria in Delta States, on the 1st of January, 1981, residing in Hal Far Open Centre, Malta, and holding police

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number 06K-003 currently residing at the lock-up in Floriana; and

John Austen of 18 years son of Austen and Janet born in Liberia in Moriva on the 15th August 1990 residing in unknown whereabouts and without documents

Have been charged with having on the 28th December and months previous and later dates in Malta, made use or caused to be made a false return, false statement or false representation and/or furnished the Principal Immigration Officer with false information, and this in violation of Article 32(1)(c) of Chapter 217 of the Laws of Malta.

And also under the same circumstances, for having committed any other kind of forgery, or knowingly made use of any other forged document, and this in violation of Article 189 of Chapter 9 of the Laws of Malta;

Having seen section 32(1)(c) of Chapter 217 of the Laws of Malta and section 189 of Chapter 9 of the Laws of Malta.

Having seen the acts of the proceedings.

Having seen that the defendants admitted the charges brought against them and that they confirmed their admission of guilt after having been given time by the Court to consider their position.

Having heard the submissions of the parties.

Having considered

That the defendants have admitted the charges brought against them; the charges are consequently sufficiently proved.

That with regards to the penalty to be meted out, the Court considered on the one hand the nature of the offences, and on the other hand that the defendants

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admitted the charges brought against them at the initial stages of the proceedings.

For these reasons, the Court, after having seen section 32(1)(c) of Chapter 217 of the Laws of Malta and section 189 of Chapter 9 of the Laws of Malta, on their admission finds both defendants guilty of the charges brought against them and condemns each of them to imprisonment for a term of one (1) year.

< Final Judgement >

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