



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

**MAGISTRATE DR.
EDWINA GRIMA**

Sitting of the 22 nd April, 2009

Number. 612/2007

**The Police
(Inspector Carmelo Magri)**

Vs

John Paul Woods 26years son of Kim Reid and Miriam Woods; born in Portsmouth England on 21st July, 1980 and at present residing at the Corradino Correctional Facilities Paola holder of British Passport No. 015733667.

The Court:

Having seen the charges brought against the accused John Paul Woods in that he was charged with having on the 15th December, 2006 at about 10.00hrs, together with another person committed theft of Lm200 from residence No. 145, Xatt is-Sajjieda M'Xlokk to the detriment of owner Marianna Scicluna who is an elderly person of 89

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years which theft is aggravated by violence, means, amount that does not exceed one thousand Maltese Liri and place.

On the same date, time, place and circumstances', without a lawful order from the competent authorities, and saving the cases where the law authorizes private individuals to apprehend offenders, arrested, detained and confined Marianna Scicluna against her will.

On the same date, time, place and circumstances, threatened Marianna Scicluna with a knife and used violence to compel her to do, suffer or omit anything.

On the same date, time, place and circumstances, had in his possession and carried a knife with a pointed blade or any pointed instrument without a licence from the Commissioner of Police.

On the 8th January, 2006 at about 10.00hrs, together with another person committed theft from residence NO., 4 Triq it-Tlett Ibliet Cospicua to the detriment of Dolores Buhagiar and/or other persona which theft is aggravated by violence, means, amount that does not exceed one thousand Maltes Liri, place and time.

On the same date, time, place and circumstances committed willful spoil, damage or injury to or upon any movable or immovable property belonging to the mentioned Dolores Buhagiar and/or other persons which amount of damage does not exceed fifty Maltese liri (Lm50), but exceeds ten Maltese liri (Lm10).

On the same dates and circumstances, knowingly received or purchased any property which has been stolen, misapplied or obtained by means of any offence whether committed in Malta or abroad or knowingly took part, in any matter whatsoever, in the sale or disposal of the same.

The accused was also charge as being a relapser according to law.

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Having seen documents exhibited;

Having heard evidence;

Having seen the articles of law sent by the Attorney General;

Having seen accused finds no objection for this case to be dealt with summarily by this Court;

Having heard the admission of guilt filed by the accused which admission was reaffirmed by accused after the Court gave him adequate time during which to reconsider his admission of guilt;

Considers;

That in view of the guilty plea filed by accused and in view of the evidence produced by the prosecution the Court finds the accused guilty as charged.

In considering the punishment to be inflicted the Court is adopting the recommendations of the Probation Officer as stated in her report exhibited as Dok JF. In view of the serious nature of the charges brought against the accused and in view of the fact that the accused has a serious drug-related problem the Court has no option but to inflict a prison sentence on the accused. However it is vital that the prison authorities assist the accused to overcome this serious problem and this in order that a repetition of the commitment of such crimes be avoided.

Consequently the Court after having seen articles 261(a)(b)(c)(e)(f), 262, 263, 267(1)(b), 269(g), 270, 275, 276A, 277(b), 278, 278, 279(a), 280(2)(3), 281, 86, 334, 87(c) of Chapter 9 of the Laws of Malta, articles 6, 51(7), 55(a), 56, 57 of Chapter 480 of the laws of Malta, article 64(1) of Chapter 9 of the Laws of Malta, article 325(1)(c) of Chapter 9 of the Laws of Malta; 49, 50 and 289 of Chapter 9 of the Laws of Malta and articles 17, 23, 31 and 533 of Chapter 9 of the Laws of Malta finds the accused

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guilty as charged and condemns him to a period of two (2) years imprisonment.

The Court orders that a copy of the judgement and of Dok JF exhibited in the Court records be notified to the Director Corradino Correctional Facilities.

< Final Judgement >

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