



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

**MAGISTRATE
DOREEN CLARKE**

Sitting of the 9th April, 2011

Number. 497/2011

**The Police
(Inspector Jesmond Borg)**

vs

William Roddy Swinton

Today the 9th April 2011

The Court

Having seen that William Roddy Swinton, 30 years of age, son of the late Ivon Abba and Lina nee' Bambodte, born in Victoria Mahe, Seychelles Islands on the 19th June 1980, currently not having a fixed address, holder of Seychelles passport number N 0046306.

Was charged with having on the 9th April 2011 at around 6.00am whilst in the residence Flat 4, Block 3, Entrance C, Government Housing Estate Saviour Street Kalkara

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caused injuries of a grievous nature on the person of Nathalie Vella, as certified by Dr MS Caruana doctor on duty at the Cospicua Health Centre.

And with having on the same date, time, place, and circumstances been in a drunken state.

The Court was requested to issue a protection order in regard of Nathalie Vella and her family.

Having seen sections 216 and 338(ff) of Chapter 9 of the Laws of Malta.

Having seen that during the hearing held today by this Court sitting as a Court of Criminal Inquiry the defendant admitted the charges brought against him and confirmed his admission of guilt even after the Court gave him sufficient time to reconsider his plea.

Having heard the oral submissions made by the parties.

Having seen the documents filed by the prosecuting officer.

Having considered

That the defendant admitted the charges brought against him; these are consequently sufficiently proved.

That as regards the penalty to be meted out the Court took into consideration the nature of the charges brought against the defendant, his cooperation with the police in the course of the investigation, his admission of guilt at the earliest stage of these proceedings and his clean criminal record.

For these reasons the Court after having seen sections 216 and 338(ff) of Chapter 9 of the Laws of Malta, on his admission finds defendant guilty of the charges brought against him and condemns to six months imprisonment which by application of section 28A of Chapter 9 of the Laws of Malta are being suspended for a period of two

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years. Furthermore, by application of section 412C of Chapter 9 of the Laws of Malta, in order to provide for the safety of Nathalie Vella and her family, the Court is issuing a protection order against the accused for a period of three years with all the prohibitions listed in section 412C(3) of the said Chapter 9.

The Court explained to the defendant in ordinary language of the consequences should he commit an other offence within the period of two years and should he breach the protection order.

< Final Judgement >

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