



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

**MAGISTRATE DR.
CONSUELO-PILAR SCERRI HERRERA**

Sitting of the 2nd May, 2011

Number. 566/2011

**The Police
Inspector Geoffrey Azzopardi
V**

ISSAHAK ABUBAKER

Sitting held today, 2nd May, 2011.

The Court

Having seen that the accused **ISSAHAK ABUBAKER**, twenty one years old, son of Abubaker and Humu Hairu, born in Burkina Faso on the 1st January, 1990 having police number 07EE-107 presently residing at Brandon Flats/ No 4, Triq Gulju, San Pawl il-Bahar, was arraigned before her accused with having on the 30th April, 2011 and in the preceding months, in Malta:

1. Knowingly made use of the forged document, that is Italian passport;

2. Forged, altered or tampered with any passport or used or had in his possession any passport which he knew to be forged, altered or tampered with;

3. Without lawful authority used or had in his possession any forged document required for the purposes of the Immigration Act;

4. Embarked from Malta without a passport and without furnishing the Principal Immigration Officer the prescribed information and such other information as the Principal Immigration Officer may have deemed proper to require;

5. Rendered himself a recidivist according to a sentence delivered by the Court of Magistrates on the 16th August, 2008.

Having seen all the documents exhibited in the acts of these proceedings by the Prosecution in particular a document issued by the Immigration Branch, the consent of the Attorney General so that this case be dealt with summarily, a statement given by the accused, his Conviction Sheet and the refusal to be granted legal assistance during the interrogation.

Having heard the accused declare that he understands the English language well and that he understood the charges brought forward against him by the prosecution.

Having heard the accused plead guilty to the charges brought forward against him.

The Court explained to the accused the consequences of his plea of guilt and after having given the accused sufficient time to reconsider his plea of guilt and saw that the same accused insisted on registering in the acts of these proceedings his plea of guilt, had no alternative but to register such plea.

Informal Copy of Judgement

In the light of the above plea of guilt which guilty plea was made voluntarily, expressly and unconditionally, the Court is satisfied that the accused is to be found guilty of the charges brought forward against him.

The Court considered the fact that the prosecution suggested that the accused be awarded a Probation Order, and this notwithstanding the fact that the accused travelled with a false passport.

Thus the Court having seen the relevant sections at law in particular Section 5 of Chapter 61, 189 of Chapter 9, 28 and 32 (1) (f) of Chapter 217 of the Laws of Malta **decides to find the accused ISSAHAK ABUBAKER guilty of the charges brought against him by the prosecution and puts him under a Probation Order for the period of one year in terms of Section 7(1) of Chapter 446 of the Laws of Malta.**

< Final Judgement >

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