



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

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

Sitting of the 5<sup>th</sup> May, 2012

Number. 484/2012

**The Police  
(Inspector Edel Mary Camilleri)**

**vs**

**JOHN PAUL BONIFACE**

**The Court,**

Having seen that the accused **JOHN PAUL BONIFACE**, born in Nigeria on 14<sup>th</sup> February 1985, son of Boniface and Louisa, having Police Immigration number 08TTT-82, presently residing at the Hal Far Open Centre, was arraigned before her accused:

That in September 2010, later dates in Malta, landed or embarked from Malta without being in possession of a passport and have not furnished to the Principal

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Immigration Officer the prescribed information and such other information as the Principal Immigration Office may deem proper to require.

Having seen all the documents exhibited in the acts of these proceedings by the Prosecution in particular the statement made by the accused, the notification of his transfer to Malta, a *laissez-passer* document and a form with the personal details of the accused.

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, in the presence of the lawyer appointed by Legal Aid Dr. Anthony Cutajar, 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.

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 declared that the accused co-operated with the same during the investigation and also that his wife who is a Polish national has just given birth and so she is trying hard to reunite the accused with his wife. In view of this, the Prosecution suggested to the Court that a suspended sentence will suffice for punishment.

Thus the Court, having seen the relevant sections at law, in particular Section 28 of Chapter 217 of the Laws of Malta, **decides to find the accused JOHN PAUL BONIFACE guilty of the charges brought against him**

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**by the prosecution and condemns him for a period of six (6) months imprisonment suspended for two years, in terms of Section 28A of Chapter 9 of the Laws of Malta.**

**Finally the Court orders that a copy of the acts together with this sentence be forwarded to the Attorney General in terms of section 401(3) of Chapter 9 of the Laws of Malta according to law.**

**< Final Judgement >**

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