



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

**MAGISTRATE DR.  
SAVIOUR DEMICOLI**

Sitting of the 8 th February, 2013

Number. 121/2013

**The Police  
(Inspector Josric Mifsud)  
vs**

**JORDON MARK WHIPPEY**

The Court,

Seen the charges brought against Jordon Mark Whippey 17 yrs, son of Mark and Wendy nee' Millns, born in Halifax, 05<sup>th</sup> November, 1995, residing at Room 531, Soreda Hotel, St Paul's Bay, and in the UK, 3 Brig Royd, Ripponden, Halifax, holder of British Passport 464422260.

He was accused of having on these Islands on the night of the 06<sup>th</sup> February, 2013, at the Coast Road, limits of Naxxar, between 0045 and 0100 hrs,

- a) reviled, or threatened, or caused a bodily harm to persons lawfully charged with a public duty, while in the act of discharging their duty or because of having discharged such duty, or with intent to intimidate or unduly influence them in the discharge of such duty in breach of Section 95 of Chapter 9 of the Laws of Malta,
- b) moreover, for having on the same day, time, place and circumstances, assaulted or resisted by violence or active force, not amounting to public violence, persons lawfully charged with a public duty when in execution of the law or of a lawful order issued by a competent authority in breach of Section 96 of Chapter 9 of the Laws of Malta,
- c) assaulted **PS 1074 Luke Stivala** and attempted to causing him bodily harm when he tried to hit him with an arms improper (stone),
- d) for having on the same date, time, place and circumstances even though in a state of intoxication, publicly uttered obscene or indecent words, or made obscene acts or gestures, or in any other manner not otherwise provided for in this Code, offended against public morality, propriety or decency, in breach of Section 338bb of the Laws of Malta,
- e) for having on the same date, time, place and circumstances was found drunk and incapable of taking care of himself; or in any public place or place open to the public, in breach of Section 338ff of the Laws of Malta,
- f) for having on the same date, time, place and circumstances disobeyed the lawful orders of any authority or of any person entrusted with a public service, or hindered or obstructed such person in the exercise of his duties, or otherwise unduly interfered with the exercise of such duties, either by preventing other persons from doing what they are lawfully enjoined or allowed to do, or frustrating or undoing what has been lawfully done by other persons, or in any other manner whatsoever, unless such disobedience or interference falls under any other provision of this Code or of any other law, in breach of Section 338ee of the Laws of Malta.

Heard evidence.

Seen the acts of the Case and the exhibited documents.

Seen the Attorney General's Consent exhibited as Doc MJ1 and noted that accused, after having been asked by the Court whether he has any objection that the Case be heard summarily, and after having been given reasonable time to reply, declared that he has no objection that the Case be heard summarily.

Noted that in today's Sitting accused pleaded guilty to all the charges brought against him.

The Court warned the accused in the most solemn manner as to the consequences of his admission of guilt and gave him some time to decide whether to confirm his admission of guilt or not, and having been asked whether he confirms his admission of guilt or not, accused confirmed that he is pleading guilty to all the charges brought against him.

Noted that accused excused himself with Police Officers PS 1074 Luke Stivala and PC 173 Jonathan Agius present in the Courtroom.

Also noted that Dr Arthur Azzopardi for accused declared that accused is 17 years old and therefore there applies Section 37 of Chapter 9 of the Laws of Malta.

Heard submissions on punishment.

Seen Sections 17, 31, 37, 95, 96, 41, 221, 338(bb), 338(ff) and 338(ee) of Chapter 9 of the Laws of Malta.

Taking into consideration that accused Jordon Mark Whippey pleaded guilty to all the charges brought against him, the Court has no alternative but to find said accused guilty of all the charges brought against him and having considered all the circumstances of the Case including accused's clean Conviction Sheet, the fact that accused pleaded guilty at an early stage of the proceedings and

that Section 37 of Chapter 9 of the Laws of Malta applies since accused is 17 years old, conditionally discharges accused Jordon Mark Whippey under the Provision of Section 22 of Chapter 446 of the Laws of Malta on condition that said accused Jordon Mark Whippey commits no offence during the period of three (3) years as from today and furthermore condemns said accused to two hundred Euro (Euro 200) fine (multa).

The Court by virtue of Section 23 of Chapter 9 of the Laws of Malta orders the confiscation of Doc. SL1.

Moreover the Court, by applying Section 383 of Chapter 9 of the Laws of Malta, binds accused Jordon Mark Whippey with a personal guarantee of one thousand Euro (Euro 1000) to keep peace with PS 1074 Luke Stivala and PC 173 Jonathan Agius and generally not to disturb the public good order for a period of one year as from today.

Finally the Court is giving accused Jordon Mark Whippey the explanation prescribed in Sub-Section 22(3) of Chapter 446 of the Laws of Malta.

**< Final Judgement >**

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