



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

**MAGISTRATE DR.
DOREEN CLARKE**

Sitting of the 20th August, 2013

Number 792/2013

**The Police
(Inspector Luke Bonello)**

vs

Vincent Kyle Trethewey

Today the 20th August, 2013

The Court,

Having seen the charges brought against the accused Vincent Kyle Trethewey, 25 years of age, son of Norman David and Margaret nee' Bartels, born in South Africa on the 24th of April, 1988, residing at Triq il-Mensija San Giljan and holder of German passport number A2301338.

For having on the 19th August 2013 between 02:00am and 05:00am whilst in St Julian's;

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1 Reviled, or threatened or caused bodily harm to any person lawfully charged with a public duty, while in the act of discharging their duty or because of them having discharged such duty, or with intent to intimidate or unduly influence them in the discharge of such duty.

2 Further more with having on the same date, time, place and circumstances assaulted or resisted by violence or active force not amounting to public violence, any person lawfully charged with a public duty when in the execution of the law or of a lawful order issued by a competent authority.

3 Further more with having on the same date, time, place and circumstances, willfully disturbed the public good order or the public peace.

4 Further more with having on the same date, time, place and circumstances, disobeyed the lawful order of any authority or of any person entrusted with a public service.

5 Further more with having on the same date, time, place and circumstances, being found drunk and incapable of taking care of himself.

Having seen sections 95, 96, 338(dd)(ee)(ff) of Chapter 9 of the Laws of Malta.

Having seen the order of the Attorney General for this case to be tried summarily and that the defendant had no objection to the case being so tried.

Having seen that the defendant admitted the charges brought against him and that he confirmed this admission of guilt even after the Court gave him sufficient time to reconsider his plea.

Having seen the documents filed by the prosecuting officer.

Having heard the submissions of the parties regarding the penalty to be meted out.

Having considered

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

As regards the penalty the Court took into consideration the nature of the offences of which defendant is being found guilty, his subsequent cooperation with the police, his admission at the earliest stage of these proceedings and his clean conviction sheet.

For these reasons the Court after having seen sections 95, 96, 338(dd)(ee)(ff) of Chapter 9 of the Laws of Malta, on his admission finds defendant guilty of the charges brought against him and condemns him to four (4) months imprisonment which, by application of section 28A of the said Chapter 9, are being suspended for a period of one year.

The Court explained to the defendant in ordinary language the significance of this judgement and of the consequences should he commit an other offence in the period of one year.

< Final Judgement >

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