



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

**MAGISTRATE DR.
CAROL PERALTA**

Sitting of the 28 th August, 2013

Number. 839/2013

**THE POLICE
INSPECTOR SANDRA ZAMMIT**

VS

**CHRISTOPHER POCOCK
JANE WARWICK
MYLES BRADLEY FINCH
ALEXANDRIA TERI FINCH**

The Court:

Having seen the accusations brought against the accused Christopher Pocock holder of ID Card Number 81874A; the accused Jane Warwick, holder of ID Card Number 68000A; the accused Myles Bradley Finch holder of ID Card Number 68002A and the accused Alexandria Terri Finch holder of ID Card Number 68005A.

Accused that:

On the 28th August, 2013, at about quarter to six in the morning (05:45am) in Triq il-Port Ruman, San Pawl il-Bahar:

1. Assaulted and resisted by violence and active force not amounting to public violence, PS 914, PC 675 and PC 1485 who are Police Officers lawfully charged with a public duty when in execution of the law and of lawful order issued by a competent authority;
2. Committed slight injuries on PS 914, PC 675 and PC 1485 who are Police Officers lawfully charged with a public duty when the execution of the law and of a lawful order issued by a competent authority, as certified by Dr. Lynn Grech Reg., No. 3227 and Dr. Doriella Galea Reg. No. 5432 from Mosta Health Centre;
3. Threatened and insulted PS 914, PC 675 and PC 1485 who are Police Officers lawfully charged with a public duty when in the execution of the law and of lawful order issued by competent authority;
4. Disturbed the public peace and order.

The Court:

Read the documents and accusations;

Heard the evidence produced under oath;

Heard the accused duly assisted by their lawyers admitted to the accusations duly brought against them by the Prosecution, after apologising to the Court for their wrongdoings;

The Court gave the accused time to reconsider their admission to the accusations and the accused after being given enough time for reconsideration reconfirmed their admission to the charges;

Dr. Renzo Porsella Flores as Legal Aid Lawyer for accused explained to the Court the dynamics of the incident, which concerned an alleged attack on the

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brother of Christopher Pocock, a disabled person and his client's reaction to the said attack.

After having seen Articles 96, 95, 95 (1) and 338 (dd) of Chapter 9 of the Laws of Malta;

The Court after having taken all this into consideration, and having warned the accused that any form of resistance to any legitimate Police Authority was to be condemned, can understand the circumstances of the situation was not a solution, and believes that an effective period of incarceration in this situation was not a solution.

Therefore whilst finding the accused guilty of the charges as brought against them by the prosecution, and after having taken into consideration their admission to the charges in terms of Article 28A of Chapter 9 of the Laws of Malta sentences accused for a period of one (1) year imprisonment, which period shall not be served unless the accused commits another offence for which the Laws of Malta stipulate a period of imprisonment, which shall continue in effect for a period of two (2) years as from today.

The Court explained the consequences of the judgement to the accused.

**DR. CAROL PERALTA, MA (Human Rights & Democ.),
LL.D.,
MAGISTRATE**

< Final Judgement >

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