



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

**MAGISTRATE DR.  
IAN FARRUGIA**

Sitting of the 18 th November, 2013

Number 1140/2013

**The Police  
(Inspector Mario Haber)  
Vs  
Issa Ali Abdirahman**

**The Court,**

Having seen the charges brought against Issa Ali Abdirahman, 16 years, Somali National born in Mogadishu, Somalia on the 18th February 1997, son of Issa Ali and Mariam, known with Police No. 13J-045.

Accused of having on the 17th January 2013 in these islands forged, altered or tampered with an Alien Passport, ID card and Residence Permit Card or used or had in his possession an Alien Passport, ID card and Residence Permit Card which he knew to be forged, altered or tampered with, in the name of Fathi Abdelasis Mohamed bearing numbers 060231, AR1840098 and

Q4972621 respectively (Cap 61, Sec 5 of the Laws of Malta).

And charge him also with having on same date, time and circumstances committed any other kind of forgery, or have knowingly made use of any other forged document, in the mentioned documents (Cap 9, Sec 189 of the Laws of Malta).

And charge him also with having on same date, time and circumstances forged any document or true copy of a document or an entry made in pursuance of this act (Cap 217, Sec 32 (1d) of the Laws of Malta).

Having seen all the documents exhibited in the acts of these proceedings;

Having heard accused plead guilty to the charges brought against him during today's arraignment and his insistence on such guilty plea after being given time according to law to reconsider;

Having heard prosecuting officer on oath;

Having seen the minutes of today's hearing;

Having heard submissions by the prosecution and the defence;

Considers;

That in view of the accused's guilty plea to all charges proffered against him, and since there is no reason emanating from these proceedings why this Court should not accept such plea, it is the duty of this Court to proceed with judgement and declare the accused guilty as charged.

In terms of punishment, this Court is taking into particular consideration the fact that the accused pleaded guilty at the earliest possible opportunity in these proceedings, the hardships which the irregular immigrants face in the

particular circumstances of their lives and the fact that this Court is to apply the dispositions of Article 37 of Chapter 9 of the Laws of Malta due to the tender age of the accused. In view of the above, it is this Court's opinion that, having regard to all the circumstances of the case, the nature of the offences and the character of the accused, it is inexpedient to inflict punishment.

THEREFORE, THE COURT, having seen Article 5 of Chapter 61, Article 32(1)(d) of Chapter 217 and Articles 189, 17 and 37 of Chapter 9 the Laws of Malta, finds and declares offender guilty as charged and discharges the offender subject to the condition that he commits no offence for a period of twelve (12) months from today, and this in terms of Article 22 of Chapter 446 of the Laws of Malta. In terms of said Article 22 of Chapter 446, the Court explained to the offender in ordinary language that if he commits another offence during the period of conditional discharge, the offender will be liable to be sentenced for the original offence/s.

**< Final Judgement >**

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