



MALTA

**COURT OF MAGISTRATES (GOZO)**  
**AS A COURT OF CRIMINAL JUDICATURE**  
**MAGISTRATE**  
**JOANNE VELLA CUSCHIERI**

Sitting of the 22 nd August, 2015

Number. 458/2015

**The Police**  
**(Inspector Frank Anthony Tabone)**

**vs.**

**Ricky John Percival**

Today 22 August 2015

The Court;

Having seen the charges brought against Ricky John Percival charged with 'having on the 21<sup>st</sup> August 2015 and on the previous days in different places around Gozo at different times:-

1. Pursued a course of conduct which amounted to harassment of Deborah Aitkenhead ID No. 358807L, and which he knew or ought to have known that it amounted to harassment of the mentioned person.
2. And also for having on the same place, date and time caused Deborah Aitkenhead 358807L and Lorenzo Aitkenhead ID No. 52038A to fear that violence will be used against them or their property.
3. And also for having on the 21<sup>st</sup> August 2015 at Marsalforn Road, Xaghra Gozo at around 03.15hrs willfully caused damage to the property of Audrey Buttigieg ID No. 20376G which damage does not exceed the amount of two hundred and fifty euro (250.00).

This court was humbly requested to order the necessary protection which is deemed fit in terms of Art. 412C of Chapter 9 during the course of the case and also in case the accused is found guilty.'

After having heard the evidence and seen all the records of the case.

After having heard the offender plead guilty to the charges at the earliest stage of the proceedings, which guilty plea was confirmed by the same offender after the Court, in terms of section 453 (1) of Chapter 9 of the Laws of Malta, warned him of the legal consequences of that guilty plea, and allowed him sufficient time to re-consider his reply, and to change it;

After having heard the oral submissions on the punishment;

Considered that:

From the evidence brought forward and from the guilty plea registered by the offender himself, the Court concludes that the offender is guilty of the charges laid against him.

As regards the punishment, the Court took into consideration the fact that the offender admitted to the charges at a very early stage of the proceedings, that he co-operated with the police and his clean conviction sheet.

For these reasons the Court after having seen sections 17, 251 A, 251B and 325 (1) (C) of Chapter 9 of the Laws of Malta, on his admission, finds offender guilty of the charges brought against him and condemns him to six months imprisonment which by application of section 28 A of Chapter 9 are being suspended for a period of twelve (12) months from today.

The Court is also binding the offender to hold the peace with Deborah Aitkenhead and Lorenzo Aitkenhead and not to molest them under a penalty of two thousand three hundred Euro (€2300) for a period of one year from today.

The Court is also ordering the offender to pay the injured party Audrey Buttigieg the sum of two hundred and forty seven Euro (€247) within a period of five (5) months from today.

In accordance with sections 28A (4) of Chapter 9 of the Laws of Malta, the Court explained in clear and simple language the meaning of this

judgment to the offender, and the consequences which would follow if he fails to abide by it, that is if he commits another offence which is punishable by imprisonment within the operative period.

**< Final Judgement >**

-----END-----