

IN THE COURT OF MAGISTRATES (MALTA)

AS A COURT OF CRIMINAL JUDICATURE

A. MICALLEF TRIGONA LL.D., MAG. JUR (EU LAW)

02nd MARCH 2016

The Police

(Inspector Joseph Busuttil)

vs

Todd Robert Henderson Drake

The Court,

Having seen the charges laid against the accused, of British nationality and holder of identity card bearing number 64945A, accused:

1. that in Andrew Cunningham Street, St Paul's Bay and other places in St Paul's Bay and on the Maltese Islands on the 13th May 2014 and in the previous months he had produced, sold, or otherwise dealt with the whole or any portion of the plant Cannabis in terms of Section 8(e) of Chapter 101 of the Laws of Malta;
2. on the same date, time, place and circumstances, he had in his possession (otherwise than in the course of transit through Malta of the territorial waters thereof), the whole or any portion of the plant Cannabis in terms of Section 8 (d) of Chapter 101 of the Laws of Malta, which drug was found under circumstances denoting that it was not intended for his personal use;
3. on the same date, time, place and circumstances he had in his possession (otherwise than in the course of transit through Malta of the territorial waters thereof), the resin obtained from the plant Cannabis, or any other preparation of which such resin formed the base, in terms of Section 8 (a) of Chapter 101 of the Laws of Malta;
4. that on the 11th May 2014 in St Paul's Bay and on the Maltese Islands he assaulted the person of Rachel Louise Dawber born on the 23rd March 1986 and caused her slight injuries as certified by Dr Marcel Schembri MD ID: 1460 from Mosta Health Centre;

In case of guilt the court is requested to provide for the safety of Rachel Louise Dawber against a sum of money fixed by Court, Art 383 of Chapter 9.

In Case of guilt the Court is requested to treat the accused as a recidivist since he was awarded a sentence by the Court of Malta, which sentence cannot be changed.

Having seen all the acts of the proceedings;

Having heard all the witnesses

Having heard the accused plead guilty to the charges brought against him on which plea he insisted even after the Court gave him time to reconsider.

Having seen Articles 8 (a)(e)(d) of Chapter 101 and Article 383 of Chapter 9 of the Law of Malta.

Decides:

Condemns the accused to 7 months imprisonment.

A.M. Trigona

Magistrate