



MALTA

**IN THE COURT OF MAGISTRATES (MALTA)  
AS COURT OF CRIMINAL JUDICATURE**

**MAGISTRATE  
DR. CHARMAINE GALEA**

**Today 26<sup>th</sup> July 2016**

**The Police  
(Inspector Nicholas Vella)**

**vs.**

**Frederick Ofosu  
(ID: 61331A)**

The Court,

Having seen that the offender **Frederick Ofosu** was charged with:

Between the 11<sup>th</sup> July 2016 at around 2100hrs and the 12th July 2016 at around 0900hrs wilfully committed any spoil, damage or injury to or upon any movable or immovable property to the detriment of Rita Grech and/or other person in the residence Bonello, Flat 4, Triq il-Harifa, St. Paul's Bay. (Art. 325 of Ch 9)

On the same date, time, place and circumstances, used any threatening, abusive or insulting words or behaviour, or displayed any written or printed material which was threatening, abusive or insulting, or otherwise conducts himself in such a manner, with intent thereby to stir up violence or racial hatred against another person or group on the grounds of gender, gender identity, sexual orientation, race, colour, language, ethnic origin, religion or belief or political or

other opinion or whereby such violence or racial hatred was likely, having regard to all the circumstances, to be stirred up. (Art. 82A of Ch 9.)

On the same date, time, place and circumstances reviled, or threatened, or caused a bodily harm to any person lawfully charged with a public duty, while in the act of discharging his duty or because of his having discharged such duty, or with intent to intimidate or unduly influence him in the discharge of such duty. (Art. 95 of Ch. 9)

On the same date, time, place and circumstances disobeyed the lawful orders of any authority or of any person entrusted with a public service, or hindered or obstructed such person in the exercise of his duties. (Art. 338ee of Ch. 9)

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

After having heard the offender plead guilty to the charges, 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 and his clean conviction sheet.

For these reasons the Court after having seen sections 82A, 95, 325(b) and 338(ee) of the Criminal Code, on his admission finds the offender **Frederick Ofosu** guilty of the charges brought against him and condemns him to one (1) year imprisonment which by application of section 28A (1) of Chapter 9 are being suspended for a period of four (4) years from today. The Court also condemns Frederick Ofosu to the payment of a (fine) multa of eight hundred euro (€800).

In terms of section 28H (1) of Chapter 9 of the Laws of Malta, the Court is also ordering the offender to pay the injured party, John Grech, the sum of two

thousand, one hundred and fifteen euro (€2115) within six (6) months from today.

In accordance with sections 28A (4) and 28H (7) of Chapter 9 of the Laws of Malta, the Court explained in clear and simple language the meaning of this judgement 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, and/or if he fails to pay the injured party the amount prescribed above within the time limited stipulated above.

**Dr. Charmaine Galea**  
**Magistrate**

Diane Gatt  
Deputy Registrar