



**Court of Magistrates (Malta)
As a Court of Criminal Judicature**

Magistrate Dr. Joseph Mifsud LL.D.

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

vs

Sean Welsh

Case number 80 / 2018

Today 27th April 2018

The Court,

Having seen the charges against Sean Welsh holder of passport number 510078629 charged with having on these islands on the 26th April 2018 and also on the previous weeks:-

1. Imported, or caused to be imported, or took any steps preparatory to import any dangerous drug (Cannabis Grass) into Malta against the provisions of The Dangerous Drugs Ordinance, Chapter 101 of the Laws of Malta;
2. Imported or caused to be imported the psychotropic and restricted drug without due authorization, in breach of the Medical and Kindred Professions Ordinance, Chapter 31 of the Laws of Malta and the Regulations for the Control of Medicines, L.N. 22/1985 as amended;
3. 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 the Chapter 101 of the Laws of Malta

4. Had in his possession the psychotropic and restricted drug without a special authorisation in writing by the superintendent of Public Health, in breach of the provisions of the Medical and Kindred Professions Ordinance Chap 31 laws of Malta and the Drugs (Control) Regulations, Legal Notice 22 of 1985 as amended;

The Court was also requested to apply Section 533(1) of Chapter 9 of the Laws of Malta, as regards to the expenses incurred by the Court appointed Experts.

Having heard defendant admit the charges brought against him, that of importing of cannabis grass for his personal use;

Having seen the acts of the proceedings;

Having heard the submissions regarding the penalty to be meted out.

Having considered:

The defendant admitted the charges brought against him; these are consequently sufficiently proved.

With regards the penalty to be meted out the Court took into consideration the nature of the charges brought against defendant on the one hand, and on the other hand defendant's co-operation with the police and his admission at the earliest stage of the proceeding.

Wherefore, the Court after having seen Article 7 of Chapter 101 of the Laws of Malta, Article 8(d) of Chapter 101 of the Laws of Malta, Legal Notice 22 of 1985 and Article 120A of Chapter 31 of the Laws of Malta on his admission finds defendant guilty of the charges brought against him and condemns him to twelve months imprisonment which by application of section 28A of the said Chapter 9 are being suspended for a period of two years and a fine of five hundred Euros (€500).

The Court explained to the defendant in ordinary language the significance of this judgement and of the consequences should he commit another offence in the period of 2 years.

Finally the Court orders the destruction of the drugs presented during the proceedings.

Dr. Joseph Mifsud

Magistrate