



**COURT OF MAGISTRATES (MALTA)  
AS A COURT OF CRIMINAL JUDICATURE  
MAGISTRATE DR. GABRIELLA VELLA B.A., LL.D.**

**Police  
(Inspector Clayton Camilleri)  
Vs  
Christopher Hensmore**

**Today, 15<sup>th</sup> May 2019**

**The Court,**

After having considered the charges brought against Christopher Hensmore, son of Christopher and Josephine, born on the 3<sup>rd</sup> March 1996 in Agbor, residing at Bugibba, and holder of Residence Permit Number 111387967, of having in these Islands on the 13<sup>th</sup> May 2019, in the afternoon, in front of Animal Kingdom Pet Shop, in Cern Street, St. Paul's Bay:

1. Without the intent to kill or to put the life of Keith Farrugia in manifest jeopardy, caused the mentioned grievous bodily harm and this in breach of Section 216 of Chapter 9 of the Laws of Malta;
2. Of having on the same date, place, time and circumstances uttered insults or threats against Keith Farrugia in breach of Section 339(e) of Chapter 9 of the Laws of Malta;

After having considered the request by the Prosecution for the Court to provide the security of Keith Farrugia even during the course of the proceedings in terms of Section 412C of Chapter 9 of the Laws of Malta;

After having examined the documents submitted in the records of these proceedings by the Prosecution namely: (a) a statement given by the accused on the 14<sup>th</sup> May 2019 – Doc. “A”; (b) the conviction sheet of the accused – Doc. “B”; (c) a photocopy of the passport of the accused – Doc. “C”; (d) a photocopy of the residence permit of the accused – Doc. “D”; (e) two medical certificates pertinent to the injuries sustained by the alleged victim – Doc. “E” and Doc. “F”;

After having heard the accused plead guilty to the charges brought against him and this also after the Court, in terms of Section 453(1) of Chapter 9 of the Laws of Malta, warned him in the most solemn manner of the legal consequences of his guilty plea after having given him sufficient time within which to reconsider and withdraw his guilty plea;

After having heard submissions regarding punishment;

After having considered all the records of the proceedings;

**Considers:**

The accused is being charged of having in these Islands on the 13<sup>th</sup> May 2019, in the afternoon, in front of Animal Kingdom Pet Shop, in Cern Street, St. Paul's Bay: (a) without the intent to kill or to put the life of Keith Farrugia in manifest jeopardy, caused the mentioned grievous bodily harm and this in breach of Section 216 of Chapter 9 of the Laws of Malta; and (b) of having on the same date, place, time and circumstances uttered insults or threats against Keith Farrugia in breach of Section 339(e) of Chapter 9 of the Laws of Malta.

The accused pleaded guilty to the charges brought against him and in view of said guilty plea the Court finds the accused guilty of the charges so brought against him.

After considering Sections 216 and 339(e) of Chapter 9 of the Laws of Malta, the Court, whilst reiterating that it is finding the accused guilty of the charges brought against him, condemns him to one (1) year imprisonment however since in its views in this case there are sufficient reasons, namely the early guilty plea by the accused and his clean conviction sheet, which warrant the suspension of the term of imprisonment herein imposed, in terms of Section 28A of Chapter 9 of the Laws of Malta the said term of one (1) year imprisonment is being suspended for a period of two (2) years from today.

In terms of Section 28A(4) of Chapter 9 of the Laws of Malta, the Court explained to the accused in plain language his liability under Section 28B of Chapter 9 of the Laws of Malta if during the operational period of this suspended sentence he commits an offence punishable with imprisonment.

The accused is also being placed under a Restraining Order in terms of Section 382A of Chapter 9 of the Laws of Malta, for the protection of Keith Farrugia and under the terms and conditions set out in the relative decree dated 15<sup>th</sup> May 2019, which Decree is being attached to this judgement and forms an integral part thereof.

The Court orders that this judgement, the Restraining Order and the records of these proceedings be transmitted to the Attorney General within the period of time set out at Law.

**MAGISTRATE**

**DEPUTY REGISTRAR**