COURT OF MAGISTRATES (MALTA)
AS A COURT OF CRIMINAL JUDICATURE
Magistrate Dr Astrid May Grima B.A. LL.D. Adv. Trib. Eccles. Melit.

Today 12th November 2020

Police
(Inspector Saviour Baldacchino)

vs

Michael Olaf Zandstra
Hugo Sacha Christian Boutroue

Case Number: 551/2020

The Court,

Having seen the charges brought against Michael Olaf ZANDSTRA, 18 years, born in Australia on the 12th March 2002, residing at 10, Flat 1, Triq l-Arzell, Marsascala, and holder of identity card number 156672A.

Having seen the charges brought against Hugo Sacha Christian BOUTROUE, 19 years, born on the 13th April 2001 in Paris, France, residing at 10, Flat 1, Triq l-Arzell, Marsascala, and holder of identity card number 217683A.

Charged with having on the 6th of October 2020 at around 21:20hrs, at St. Anthony Family Park, Marsascala;

1. Received or retained any cultural property (part of a statue), knowing that it has been illegally removed in Malta,

Hugo Sacha Christian Boutroue alone:

2. Charged with having on the 6th of October 2020 or any date succeeding, willfully, caused damage to or destroyed cultural property, whether or not such cultural property has been registered in any inventory in accordance with Chapter 445 of the Laws of Malta.

After having seen all the documents presented in the acts of these proceedings.

After having seen that the accused paid the amount of €150 as payment for the damages sustained by the statue.

After hearing the accused plead guilty to the charges brought against them on the 29th of October 2020.

After hearing the submissions by the parties.

Considers

Whereas during the sitting held on the 29th of October 2020, the accused plead guilty to the charges brought against them, notwithstanding the fact that the Court warned them in the most solemn manner of the legal consequences of their guilty plea, and after having given them sufficient time within which to reconsider and withdraw their guilty plea.

Having heard the accused re-iterate their guilty plea after the court warned them of the punishment and consequences such an admission entailed.

Having heard the guilty plea of the accused to the charges brought against them, the Court has no alternative but to declare the accused guilty of the said charges.

Considers

The guilty plea of the accused at the initial stages of these proceedings, their clean conviction sheet, their sincere remorse, and also that the accused paid without hesitation for the damages.

Decide

For the said reasons the Court, after having seen articles 70 (1)(a)(e) of Chapter 445 of the Laws of Malta, **finds the accused guilty** of the charges brought against them, whereas by application of Article 22 of Chapter 446 of the Laws of Malta **is discharging them**, subject to the condition that they commit no offence **for the period of three (3) years** starting from today.

The Court is hereby, according to Article 22(3) of Chapter 446 of the Laws of Malta, explaining to the offenders in ordinary language, the consequences, should the offenders commit another offence during the period of conditional discharge, where the offenders will be liable to be sentenced for the original offence.

Dr. Astrid May Grima B.A. LL.D. Adv. Trib. Eccles. Melit.
Magistrate