



**COURT OF MAGISTRATES (MALTA)
AS A COURT OF CRIMINAL JUDICATURE**

Magistrate Dr Monica Vella LL.D., M.Jur.

**The Police
(Inspector Frankie Sammut)**

VS

Jonah Nsentip

Today, 3rd May 2022

The Court;

Having seen the accusations brought against:

“Jonah Nsentip, holder of Nigerian passport number A11243474;

And charge him with having on the 14th December, 2021 at around 20:30 at the Malta International Airport:

1. Assaulted or resisted by violence or active force not amounting to public violence, PC1178 Christopher Cutajar, a person lawfully charged with a public duty when in the execution of the law of a

lawful order issued by a competent authority in terms of Article 96(a) of Chapter 9 of the laws of Malta.

2. Revile, threaten, or cause a bodily harm to PC1178 Christopher Cutajar 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 in terms of Article 95 of Chapter 9 of the laws of Malta.
3. Also, on the same date, time, place and circumstances, caused slight injuries on the person of PC1178, Christopher Cutajar as certified by Dr. Yanika Vella M.D., holder of Medical Registration number 5505 from Floriana Health Centre, Article 221(1) of Chapter 9 of the laws of Malta.
4. Also, on the same date, time, place and circumstances, disobeyed the lawful orders of any authority or of any person that is entrusted with a public service, or hinders or obstructs such person in the exercise of his duties, or otherwise unduly interferes with the exercise of such duties, either by preventing other persons from doing what they are lawfully enjoined or allowed to do, or frustrating or undoing what has been lawfully done by other persons, or in any other manner whatsoever in terms of Article 338(ee) of Chapter 9 of the laws of Malta.
5. Also, on the same date, time, place and circumstances wilfully disturbed the public good order or the public peace and order in terms of Article 338(dd) of Chapter 9 of the laws of Malta.
6. Also, on the same date, timed, place and circumstances refused to give, or untruthfully gives to any public officer or any other person entrusted with a public service in the actual exercise of his duties,

his name, surname, address and other particulars in terms of Article 338(g) of Chapter 9 of the laws of Malta.

7. Also, on the same date, time, place and circumstances white outside his residence he failed to wear a mask both when going an indoor place and outdoors, to wear a medical mask, or cloth or visor in a proper manner covering the nose, mouth, and chin, in terms of Article 2(1)(g) of Subsidiary Legislation 465.48 of the laws of Malta.”

Having seen all documents exhibited by the Prosecution;

Having seen the records of the case;

Having heard the submissions made by the Prosecution and by the Defence;

Having duly considered all the records of the case and all submissions made;

Having explained to the accused the charges brought against him;

Having heard the accused plead guilty to said charges in today’s sitting, and this in the presence of Defence Counsel Dr. Benjamin Valenzia;

Having warned the accused of the legal consequences of such guilty plea and having given the accused further time to reconsider his guilty plea and having heard the accused reconfirm his guilty plea during his arraignment before this Court and thus said guilty plea was registered in the acts of today’s sitting, the 3rd May 2022;

Considered:

The Facts of the Case

That the accused has been charged with having (1) assaulted or resisted by violence or active force not amounting to public violence, PC1178 Christopher Cutajar, a person lawfully charged with a public duty when in the execution of the law or of a lawful order; (2) reviled, threatened, or caused a bodily harm to PC1178 Christopher Cutajar 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 (3) caused slight injuries on the person of PC1178, Christopher Cutajar as certified by Dr. Yanika Vella M.D., holder of Medical Registration number 5505 from Floriana Health Centre; (4) disobeyed the lawful orders of any authority or of any person that is entrusted with a public service, or hinders or obstructs such person in the exercise of his duties, or otherwise unduly interferes with the exercise of such duties, either by preventing other persons from doing what they are lawfully enjoined or allowed to do, or frustrating or undoing what has been lawfully done by other persons, or in any other manner whatsoever; (5) wilfully disturbed the public good order or the public peace and order; (6) refused to give, or gave untruthfully to any public officer or any other person entrusted with a public service in the actual exercise of his duties, his name, surname, address and other particulars; and (7) while outside his residence he failed to wear a mask both when going an indoor place and outdoors, to wear a medical mask, or cloth or visor in a proper manner covering the nose, mouth, and chin.

Considered:

That although in the first sitting the accused Jonah Insentip declared himself not guilty, during the sitting of 3rd May 2022, he registered a guilty plea.

That thus upon such guilty plea the Court can only find the accused guilty as charged;

That in pronouncing its judgement the Court is hereby taking into consideration the circumstances of this case, the conviction sheet of the accused, and the nature and gravity of the accusations with which he is charged;

Decide:

Thus, the Court, after having seen Articles 95, 96(a), 221(1), and 338(g)(dd)(ee) of Chapter 9 of the Laws of Malta and Article 2(1)(g) of Subsidiary Legislation 465.48 of the Laws of Malta, hereby finds the accused guilty as charged and condemns the accused to pay a multa of four thousand Euro (€4000), and six (6) months effective imprisonment.

(ft) Magistrate Dr. Monica Vella LL.D., M.Jur

(ft) Angelo Buttigieg
Deputy Registrar