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

**MAGISTRATE DR.
CAROL PERALTA**

Sitting of the 7th October, 2002

Number 826/2002

HALL 7

Today 7th October 2002.

**The Police
Inspector I. J. Abdilla
Inspector Neville Xuereb**

Vs

Taofik Garuba et.

The Court;

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Having seen the charges brought against Taofik Garuba, 42 years, son of Alagbe born at Mubi – Nigeria, residing 27, Stanmore House, Union Grove, London UK;

Against Tajudein Sanusi, 32 years, son of Basiru, born at Lagos- Nigeria, and residing 14/16, Bola Street, Ebute-Keia, Lagos, Nigeria;

Against Ajoke Odunmosu, 36 years, daughter of Olajrie, born at Nigeria, and residing 12, George Street, Ibadan, Nigeria;

Against Joyce Olutoyin Olaitan, 33 years, daughter of Oladino Olaitan, born at London and residing 107, Chute House, Stochholm Park Road, London, UK;

Against Cassandra Caprice, 25 years, daughter of Roland, born at London, and residing 75, Fairfoot Bow, London, UK;

Against Abike Famodun, 32 years, daughter of Edward Famodun, born at London, and residing 28, Ketmeer House, Monongrove, London, UK;

And against Toyin Gawiat Masha, 38 years, daughter of Liadi Masha, born at Nagos-Nigeria, and residing 18, Gfisi Street, Ilasamaju la hos, Nigeria.

For having on these Islands, on the 5th October 2002, and the previous days in various parts of Malta, by means of several acts committed by the offenders, even if at different times, which acts constitute violations of the same provisions of the Law, forged any schedule, ticket,

order or other document whatsoever, upon the presentation of which any payment may be obtained or any delivery of goods effected, or a deposit or pledge withdrawn from any public office or from any bank or other public institution established by the Government, or recognized by any public act of the Government, and for having knowingly made use thereof of any of the instruments specified above;

For having committed forgery of any authentic and public instrument or of any commercial document or private bank document, by counterfeiting or altering the writing or signature, by feigning any fictitious agreement, disposition, obligation or discharge, or by the insertion of any such agreement, disposition, obligation or discharge in any of the said instruments or documents after the formation thereof, or by any addition to or alteration of any clause, declaration or fact which such instruments or documents were intended to contain or prove, and for having knowingly made use of any of the false acts, writings, instruments or documents mentioned above;

For having gained any advantage or benefit for themselves or others, shall in any document intended for any public authority, knowingly made a false declaration or statement, or gave false information;

For having, by means of any unlawful practice, or by the use of any fictitious name, or the assumption of any false designation or by means of any other deceit, device or pretence calculated to lead to the belief in the existence of any fictitious enterprise or of any imaginary power, influence or credit, made a gain which exceeds LM50 but does not exceed LM1,000, to the detriment of Bank of Valletta plc, H.S.B.C. plc, and other persons and entities;

For knowingly having received or purchased any property which has been stolen, misapplied or obtained by means

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of any offence, whether committed in Malta or abroad, or knowingly took part, in any manner whatsoever, in the sale or disposal of the same.

Also for knowingly being in possession of a passport whether issued to them by a competent authority or not, transferred such passport to any other person or received a passport transferred to them by any other person;

For having during the same period, forged, altered or tempered with, or used or had in their possession Passports issued by the United Kingdom of Great Britain and Northern Ireland which they knew to be forged, altered or tempered with;

Cassandra Caprice alone, for having in her possession the resin obtained from the Plant Cannabis, or any other preparation of which such resin formed the base;

After having seen Sections 167, 169, 183, 184, 188, 18, 308, 309, 310, 334 of Chapter 9, Article 3, 5 of Chapter 61 and Section 8(a) of Chapter 101 of the Laws of Malta, and also Section 15 of Chapter 217 of the Laws of Malta;

Considers:

That the Court cannot start to explain the seriousness of this offence. It is an offence which is heinous in our society which is based on trust and is even more heinous with these practices are imported from outside Malta and carried out by people who are not Maltese nationals.

This accusation smells of organisation of premeditated fraud at the expense of the Maltese Society. Something which no society in the world would allow to go

unpunished. It is the duty of the Court to protect society and to infuse in society that sense of tranquility and serenity that it presently enjoys. It is also the duty of this Court to punish severely any infringement on this state of affairs. I can guarantee you that the fact of you being not Maltese is in no way affecting this judgement as I have to inform you that the Law prescribes a term of imprisonment with a minimum of six (6) months and a maximum of four (4) years.

You have come to our country with forged credit cards!

You have come to our country with forged passports!

You have come to our country with other forged documents! – With the obvious intention of making unlawful games in this country. This Court cannot allow itself to go into the individual reasons, why each of you has chosen to do this. This was a decision which each of you have made before coming to Malta, knowing that you were coming to Malta, specifically to break the Law.

You had the courage to take that decision, you must also have the courage to face consequences of that decision.

Therefore, this Court is finding you guilty as charged and is ordering that you be in prison for the period of one (1) year from today from which period time you have spend in prison till now is to be deducted.

The Court is specifically ignoring Caprice's drug possession and this punishment will also include punishment for that drug possession.

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I cannot explain my disappointment in all of you. I cannot explain my sorrow at seeing you here facing these charges. I sincerely believe that what you have got you asked for yourselves, consciously knowing what you were doing. This is the judgement of this Court.

This Court is also ordering the confiscation of all Maltese currency and is ordering the return of the sterling and other various international currencies, to the accused.

The Court is also declaring the said accused to be illegal immigrants in terms of Section 14 of Chapter 217 of the Laws of Malta, and is ordering their immediate deportation upon their serving the fullness of their sentence.

< Final Judgement >

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