



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

**MAGISTRATE DR.
CONSUELO-PILAR SCERRI HERRERA**

Sitting of the 25th August, 2003

Number 719/2003

**Articles 95, 96, 221, 338(ee), 338(m), 338(bb), 342, 383,
384 of Chapter 9 of the Laws of Malta**

**The Police
Inspector Pio Pisani
V**

DENNY ALEXANDER CHANDLER

The Court

Having seen that the accused **DENNY ALEXANDER CHANDLER**, aged 17, son of Victor and Connie nee Neville, born in London on the 20th September 1985 and residing in London, in possession of a passport 301980103 was arraigned before her accused with having in these Islands in Qawra St. Paul's Bay on the 23rd August 2003 at about 01.00 hours reviled or threatened or

caused a bodily harm on the person of PC 1267 Andre Cassar Bonaci, 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.

With having in the same place, date, time and circumstances assaulted or resisted by violence or active force not amounting to public violence PS 614 Saviour Garcia and PC 1267 Andre Cassar Bonaci, persons lawfully charged with a public duty when in execution of the law or of a lawful order issued by a competent authority.

With having in the same place, date, time and circumstances caused bodily harm of slight nature on the person of PC 1267 Andre Cassar as certified by Doctor Saren Vella MD at the Mosta Health Centre.

With having in the same place, date, time and circumstances disobeyed the lawful orders of the Police or of any person namely PS 614 Saviour Garcia and PC 1267 Andre Cassar Bonaci, entrusted with a public service or hindered or obstructed them in the exercise of their duty, or otherwise unduly interfered with the exercise of such duties.

With having in the same place, date, time and circumstances at night time, disturbed the repose of the inhabitants by rowdiness or bawling or in any other manner.

With having in the same place, date, time and circumstances publicly uttered obscene or indecent words or expressions, made obscene acts or gestures.

The Court in delivering judgment was requested to provide for the safety of PS 614 Saviour Garcia and PC 1267 Andre Cassar Bonaci by binding the accused to enter into his own recognisance in a sum of money to be fixed by the Court.

Having seen all the documents exhibited in the acts of these proceedings by the Prosecution in particular the consent of the Attorney General dated 23rd August 2003 exhibited in these acts as document CSH 3, issued in terms of section 370(4) of Chapter 9 of the Laws of Malta so that these proceedings be held summarily.

Having heard the accused declare that he has no objection to this case being dealt with summarily.

Having heard the accused plead guilty to the charges brought forward against him.

The Court explained to the accused the consequences of his plea of guilt and after having given the accused sufficient time to reconsider his plea of guilt and saw that the same accused insisted on registering in the acts of these proceedings his plea of guilt, had no alternative but to register such plea.

In the light of the above plea of guilt which guilty plea was made voluntarily, expressly and unconditionally, the Court is satisfied that the accused is to be found guilty of the charges brought forward against him.

The Court considered the following facts as mitigating circumstances for the Court to go below the minimum in awarding punishment:

1. in particular the full co-operation of the accused and this from an early stage right from the beginning of the investigation when he released his statement on the 23rd August 2003;
2. the early plea of guilt registered in these proceedings at the first sitting when the examination of the accused took place;
3. the fact that he apologised for all the inconvenience caused to the Police Officer who in return forgave him for what he did to them.

Consequently the Court after having seen the relevant sections at law in particular section Articles 95, 96,

221, 338(ee), 338(m), 338(bb), 342, 383, 384 of Chapter 9 of the Laws of Malta declares the accused DENNY ALEXANDER CHANDLER, guilty of the charges brought forward against him and condemns him to a period of imprisonment of six months which period is being suspended for two years in terms of section 28A of Chapter 9 of the Laws of Malta.

The Court explained the importance of this judgment to the accused and what would happen should he fail to observe it.

< Final Judgement >

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