



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

**MAGISTRATE DR.
LAURENCE QUINTANO**

Sitting of the 21 st June, 2004

Number 883/2003

The Executive Police

(Inspector Carmelo Bartolo)

versus

Cecilia Mary Magro

The Court having seen the charges made against Cecilia Mary Magro, 43 years, wife of Joseph and daughter of Frank Cliff and Mary Joan nee Caterall, born Nelson Lancashire in the United Kingdom on the eight November 1959 and residing at 19 Taljana Lane Cospicua holder of identity card and bearing the number 23660(A)

Whereas she is being charged with having on the 1st March 2003 at about 4.30 a.m. whilst she was at the

Malta International Airport in Luqa, committed theft of vehicle bearing the registration number KTY-142 aggravated by the amount which exceeds one thousand Malta Liri, time, and by the nature of the thing stolen to the detriment of Raymond Seychell from Attard;

And also with having on the 1st March 2003, whilst at the Malta International Airport, at about 4.30 a.m., with the mere intention of making temporary use thereof driven away vehicle bearing the registration number KTY-142 whether propelled by mechanical power or by any other means, without having either the consent of the owner thereof namely Raymond Seychell of Attard or other lawful authority;

And also with having on the 1st March, 2003, on these islands driven vehicle bearing the registration number KTY-142, without having a driving licence issued by the Commissioner of Police or the Malta Transport Authority or without a specific licence to drive the mentioned vehicle and was thus not covered by an insurance policy that covers third party risks;

And also with having during the interval between 8.30 p/m/ of the 15th of August 2002 and 7.30 a.m. of the 16th August 2002, whilst at Birzebbuga committed theft of vehicle bearing the registration number FAV-065 aggravated by means, value of the thing stolen which exceeds the sum of one thousand Malta Liri and by the nature of the thing stolen to the detriment of Steven Camilleri from Birzebbuga;

And also with having during the interval between 8.30 p.m. of the 15th August 2002 and 7.30 a.m of the 16th August 2002, whilst at Birzebbuga with the mere intention of making temporary use thereof driven away vehicle bearing the registration number FAV-065 whether propelled by mechanical power or by any other means without having either the consent of the owner thereof namely Stephen Camilleri from Birzebbugia or from any other lawful authority;

And also with having during the interval between 8.30 p.m. of the 15th August 2002 and 7.30 a.m. of the 16th August 2002 driven vehicle bearing the number FAV-065 without a driving licence issued by the Commissioner of Police or the Malta Transport Authority and thus she was not covered by a policy of insurance that covers third party risks;

The Court was humbly requested that in the case of guilt, apart from inflicting the penalty established according to the laws of Malta, order the disqualification from the holding of any driving licence by the person charged for that period of time that the Court deems appropriate.

Having seen all the documents in the records of this case;

Having heard the only witness on oath;

Having seen the guilty plea filed by the person charged, which guilty plea the person charged confirmed, after having been given enough time to reflect on the implications of such a plea – sitting of the 9th June 2004.

Once a guilty plea has been filed, then all the charges have been proved in accordance with the law.

The Court, after having seen sections 17, 18, 261, 267, 270, 271(g), and 288 of Chapter 9 and sections 15 of Chapter 65 and section 3 of Chapter 104 finds the accused guilty.

In considering the penalty, the Court is taking into account what Ms Josette Camilleri from Sedqa stated on oath – in particular about the severe alcohol problems that the person charged is going through.

So, as far as the offences under chapter 9 are concerned, after taking into account the circumstances of the case and the character of the offender, the Court is discharging the person charged on condition that she commits no

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offence for a period of three (3) years from the date of this judgement.

As to the offences under section 15 of Chapter 65 and section 3(1) of Chapter 104, the Court is condemning the person charged to pay a fine (multa) of two hundred and eighty Malta Liri (Lm280) which fine may be paid in monthly instalments of Lm20 (twenty Maltese Liri) with the first payment to be made within four weeks from the date of this judgement. If any instalment is not paid, the whole amount still due will have to be settled at once without the benefit of time which is being given to the person charged. If any part of the fine (multa) remains unpaid, then this shall be converted into one-day imprisonment for any five Malta Liri which are still due.

The Court is also disqualifying the person charged from holding or obtaining any driving licence for a period of one year from the next following day immediately after this judgement is delivered.

Finally the Court has explained to the person charged the implications of section 22 of Chapter 446.

The Court is sending the record of the case with this judgement to the Attorney General's Office in accordance with section 453 A of Chapter 9.

MAGISTRATE

< Final Judgement >

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