



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

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

Sitting of the 5 th August, 2004

Number 635/2004

**The Police
Inspector Mario Haber
V**

**PYATESTSKA LYUDMYLA
KURBATKINA LIDIYA
SKRYPKA OLHA
MASUYK TAMARA**

The Court

Having seen that the accused **PYATESTSKA LYUDMYLA**, daughter of Nikolai and Maria born in Ukraine on the 12th July 1944, in possession of passport number AX 768265, **KURBATKINA LIDIYA**, daughter of Dimitri and Stepanida born in Ukraine on the 9th January 1943, in possession of passport number AX 769053, **SKRYPKA OLHA** daughter of Teodozi and Raisa born in

Ukraine on the 5th Mrch 1955 in possession of passport number AX 769352 and **MASUYK TAMARA** daughter of Vladimir and Tatiana born in Ukraine on the 11th February 1959, in possession of passport number AX 457133, were arraigned before her accused with having on the 3rd August 2004 and on the previous days in these Islands forged, altered or tampered with a passport or used or had in their possession a passport which they knew to be forged, altered or tampered with, being in possession of Ukraine issued in the names of **PYATESTSKA LYUDMYLA**, bearing number AX 768265, **KURBATKINA LIDIYA**, bearing number AX 769053, **SKRYPKA OLHA** bearing number AX 769352 and **MASUYK TAMARA** bearing number AX 457133 respectively and also for having on the same day and circumstances in Malta, knowingly made use of a forged document being the above mentioned documents.

Having seen all the documents exhibited in the acts of these proceedings by the Prosecution in particular the statements released by the same accused on the 5th August 2004.

Having heard the accused plead guilty to the charges brought forward against them when they were duly examined in terms of sections 370(4), 390(1) and 392 of Chapter 9 of the Laws of Malta.

The Court explained to all four accused the consequences of their plea of guilt and after having given the accused sufficient time to reconsider their plea of guilt and saw that all four accused insisted on registering in the acts of these proceedings their 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 all four accused are to be found guilty of the charges brought forward against them.

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 all four accused and this from an early stage right from the beginning of the investigation when they released their statement on the 5th August 2004;
2. Their early plea of guilt registered in these proceedings during the first sitting when the examination of the accused took place in terms of sections 370(4), 390(1) and 392 of the Criminal Code;
3. The clear conviction sheet exhibited in these acts of the proceedings;
4. And their full co-operation with the Prosecution from the early stages of the investigation.

Having seen the relevant sections at law in particular section 5 of Chapter 61 and section 189 of Chapter 9 of the Laws of Malta decides to find the accused PYATESTSKA LYUDMYLA, KURBATKINA LIDIYA, KRYPKA OLHA and MASUYK TAMARA guilty of the charges brought forward against them and condemns them to a period of six months imprisonment which period is being suspended for one year in terms of section 28A of Chapter 9 of the Laws of Malta.

The Court explained the importance of this judgment to all accused and the consequences they face had they fail to adhere to it.

All four accused declared they fully understood the importance of this judgment.

The Court orders in terms of section 401(3) of Chapter 9 of the Laws of Malta that a copy of this judgment together the records of proceedings are to be forwarded to the Attorney General with three days from today.

Informal Copy of Judgement

< Final Judgement >

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