

**In the Court of Magistrates (Malta) as a Court of Criminal Judicature**

**Magistrat Dr.Noel Cuschieri LLD Mag.Jur. (Euro. Law)**

**Kump.510/01**

***The Police***  
***Insp. Francis Micallef***

***v***

***Jennifer Kay Sim***

Today the 29<sup>th</sup> day of August 2001

The Court,

Having seen – Having heard – Having considered:

That the defendant pleaded guilty to the charges levelled against her; consequently these are to be considered as satisfactorily proven according to law;

Regarding the penalty to be applied, the Court gave due consideration to the fact that the defendant has a clean conduct sheet, that she admitted to the charges at the initial stage of the proceedings, and that she declared his willingness to pay her share of the damage caused by him ie the amount fraudulently acquired. In view of these factors, and after having heard the submissions made by the prosecuting officer in this direction, the Court is of the opinion that a suspended prison sentence would be appropriate in this case.

On the strength of the above, this Court finds the defendant guilty as charged, and after having seen Articles 18, 167 and 42(d) of Chapter.9 condemns her to the punishment of ***two years imprisonment suspended for a period of two years*** according to Article 28A Chap.9.

Besides, the Court condemns defendant to the payment of the sum of LM140 by way of compensation for damages caused to Marisa Spiteri and LM100 to the owners of the shop Top Shop, within one month form today.

The Court has explained to the defendant in ordinary language the significance at law of the above Articles.

Finally, the Court considers the defendant to be an illegal immigrant under Maltese Law and orders her consequent removal from these Islands according to Section 15 of Chapter 217.

*Dr.Noel Cuschieri*

*Magistrat*