



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

**MAGISTRATE DR.
SAVIOUR DEMICOLI**

Sitting of the 23rd August, 2006

Number 1049/2005

**The Police
(Inspector Carmelo Bartolo
Inspector Josric Mifsud)**

vs.

Martin Andrew Hall

The Court,

Seen the charges brought against Martin Andrew Hall, 36 years, son of late Raymond and Edwina nee' Cook, born Birmingham in the United Kingdom on the 8th January 1969 and temporarily residing in Malta at an unknown address, holder of passport bearing the number 453426117 charged:

With having at Qawra, on the 16th November 2005, at about 11.30 am, committed theft of a sum of money, which theft is aggravated by violence, and by amount that does not exceed the sum of one thousand Malta Liri, to the detriment of the seventy two (72) year old Joseph Griscti, of St. Paul's Bay;

And furthermore with having on the same date, time, place, and circumstances, without a lawful order from the competent authorities, and saving the cases where the law authorizes private individuals to apprehend offenders, arrested, detained or confined Eric Bernard and Joseph Griscti, both of St. Paul's Bay against their will, or provided a place for carrying out such arrest, detention or confinement during which arrest, the individuals arrested, detained or confined namely Eric Bernard, and Joseph Griscti were subjected to bodily harm, or threatened with death and which crime was committed with the object of extorting money or effects or of compelling any other person to agree to any transfer of property belonging to such person;

And furthermore with having on the same date, time, place and circumstances, without the intent to kill or to put the life of any person in manifest jeopardy, caused slight bodily harm on the persons of Eric Bernard, and Joseph Griscti both of St. Paul's Bay by means of a pointed and cutting instrument as certified by Dr. Mario Scerri MD;

And furthermore with having, on the same date, time, place and circumstances, at the time of his committing a crime against the safety of the Government or against the person, or the crime of theft or of injury to property, had on his person any firearm, arm proper, imitation firearm or imitation arm proper;

And moreover with having on the same date, time, place and circumstances, had in his possession a pointed and

Informal Copy of Judgement

cutting instrument (knife) without a license issued by the Commissioner of Police.

Heard evidence.

Seen the acts of the Case and the exhibited documents.

Seen the Articles given by the Attorney General in his Note of the 16th January, 2006 and noted that in the Sitting held on the 4th May, 2006 accused declared that he has no objection to his case being heard by this Court.

Noted that in the Sitting held on the 14th August, 2006 Prosecution and Dr Leslie Cuschieri for accused exempted the Court from ordering that Prosecuting Officer Inspector Carmelo Bartolo to re-submit a copy of accused's conviction sheet which has already been submitted as Dok. CBX in the Sitting of the 4th May, 2006 held by this Court presided by a different Magistrate.

Noted that in the Sitting held on the 14th August, 2006 accused declared that he is pleading guilty to all the charges brought against him.

The Court warned the accused in the most solemn manner as to the consequences of his admission of guilt and gave him some time to decide whether to confirm his admission of guilt or not, and having been asked whether he confirms his admission of guilt or not, the accused confirmed that he is pleading guilty to all the charges brought against him.

Heard submissions on punishment made by the Prosecution and Defence.

Seen Sections 261(a)(c), 262, 267, 274, 275, 276A, 277, 279 86, 87, 214, 221, 222A and 533 of the Criminal Code and Sections 26 and 13(1) of the Arms Ordinance.

Taking into consideration that accused Martin Andrew Hall pleaded guilty to all the charges brought against him, the Court has no alternative but to find said accused guilty of all the charges brought against him and having considered all the circumstances of the case including accused's conviction sheet, condemns accused Martin Andrew Hall to a period of three (3) years and three (3) months imprisonment and fifty Maltese Liri (Lm50) fine (multa).

The Court orders that the period that accused Martin Andrew Hall spent in preventive custody be deducted from this period of imprisonment.

Finally the Court, in virtue of Article 533 of Chapter 9 of the Laws of Malta, orders that accused Martin Andrew Hall immediately pays the Registrar of Courts the sum of two hundred and ninety-nine Maltese Liri and seventy-six cents (Lm299.76c) being expenses regarding experts nominated by the Inquiring Magistrate Dr. Consuelo Scerri Herrera LL.D.

< Final Judgement >

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