



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

**MAGISTRATE DR.  
ANTONIO MICALLEF TRIGONA**

Sitting of the 23 rd November, 2007

Number 63/2006

The Police

(Inspector Victor Aquilina)

Vs

Karen Borg

The Court,

Having seen the charges brought against the accused Karen Borg holder of identity card number 631862M, charged with having on the 24<sup>th</sup> September 2005 at about 2:30 p.m. whilst in St. Anne Street Attard:

1. Without intent to kill or to put the life of any person in manifest jeopardy, caused grievous injuries on the body of Anthony Borg as certified by Dr Adrian Spiteri MD Reg. No 2836 of St. Philip's Hospital;
2. Disturbed the good order and public peace;
3. Uttered insults or threats not otherwise provided for in this Code, or being provoked, carried her insult beyond the limit by the provocation.

Having seen the request by the Attorney General for the case to be heard summarily to which accused does not oppose;

Having heard the witnesses produced by both the prosecution and the defence and examined the evidence given by Mary Cutajar, a witness for the prosecution and given before Dr Richard Sladden who this Court had specifically nominated to take down her evidence at her residence in Attard.

Having seen and examined all relative documents.

Having seen the minutes of the sitting of today.

Considers:

That the evidence unequivocally shows that complainant suffered the injuries to which the medical certificates exhibited relate as a direct consequence of an aggression perpetrated on his person by his son.

That it transpires from the testimony given by the above mentioned Cutajar, a witness produced by the prosecution, who witnessed the entire incident that the accused did not cause the injuries claimed by the complainant on his person. This is substantially also confirmed by the complainant himself.

In so far as the two other charges are concerned it does not result that the incident in question caused any alarm to the public. In fact it does not result that others got involved to defuse the scuffle which factually occurred and involved complainant and his son. The evidence in this context shows that the accused was not involved in the actual scuffle and her intervention was extraneous to the injuries allegedly suffered by complainant. That there is conflicting evidence as to the third charge.

In view of the above this Court does not find the accused guilty and consequently acquits her.

Informal Copy of Judgement

**< Final Judgement >**

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