



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

**MAGISTRATE DR.
JACQUELINE PADOVANI**

Sitting of the 1 st March, 2010

Number 178/2010

**POLICE
INSPECTOR NIKOLAI SANT
INSPECTOR MALCOLM BONDIN
VS
RICHARD JULIAN VELLA
KERRIE ANNE GANNON**

The Court, having seen the charges brought against Richard Julian Vella of 33 years, son of Louis Michael Richard and Helen Maria Vella nee' Borg, born at Forest Gate, Newham London, England on the 31st December 1976, residing at No:- 12, Triq Sant'Andrija, Bormla, *holder of identity card number 213487(M)*; and Kerrie Anne Gannon of 29 years, daughter of John William and Madalene nee' Borg, born at Bury St. Edmunds, United Kingdom, on the 21st July 1980, residing at No:- 12, Triq Sant'Andrija, Bormla, holder of a British passport number 308846706.

Charged with having:

- a) On the 24th February 2010 at about 23.30hrs, at Church Street, St. Julian's assaulted or resisted by violence or active force not amounting to public violence, PS 702 Jonathan Ransley, PC 756 Johan Xuereb and PC 482 Keith Muscat, when in the execution of the law or of a lawful order issued by a competent authority;
- b) Also on the same date, time and place relived or threatened, or cause a bodily harm to any person lawfully charged with a public duty, while in the act of discharging his duty or because of his having discharged such duty, or with intent to intimidate or unduly influence him in the discharge of such duty, on PS 702 Jonathan Ransley, PC 756 Johan Xuereb and PC 482 Keith Muscat;
- c) Also on the same date, time and place wilfully committed damage to or upon any immovable or movable property and hence on vehicle GVP 589, to the detriment of the Malta Police Force, which damages does not exceed one thousand one hundred and sixty nine euros and sixty nine cent but more than one hundred and sixty nine euros and forty seven cent;
- d) Also on the same date, time and place wilfully committed damage to or upon any immovable or movable property and hence on a portable radio, to the detriment of the Malta Police Force, which damages does not exceed one hundred and sixty nine euros and forty seven cent but exceeds twenty-three euro and twenty-nine cents;
- e) Also on the same date, time and place caused slight injuries on the persons of PC 756 Johann Xuereb and PC 482 Keith Muscat as certified by Dr. Carmel Causon of Floriana Health Centre;
- f) Also on the same date, time and place disobeyed the lawful orders of any authority or of any person entrusted with a public service;
- g) Also on the same date, time and place disturbed the public good order or the public peace.

Having heard the evidence tendered on oath;

Informal Copy of Judgement

Having seen the consent of the Attorney General (fol.7) and the accused for summary proceedings;

Having heard the plea of guilt registered by the accused Vella and Gannon;

Having heard the confirmation of the same plea of guilt after having accorded them a reasonable time for reconsideration;

Having heard the oral submissions of the parties;

Deliberates:

On the strength of the plea of guilt registered by the accused, the Court finds the accused, Richard Julian Vella and Kerrie Anne Gannon, guilty as charged and after having seen Articles 95, 96, 221, 325, 338dd, 338ee, Article 28A of Chapter 9 of the Laws of Malta, condemns both accused to a period of six (6) months imprisonment suspended for one year.

The Court took into consideration in awarding punishment, the fact that the accused pleaded guilty in the early stages of the proceedings, re-imbursed all the damages that resulted and made a full and unconditional apology to the Police for their actions which were instigated by their inebriated state.

< Final Judgement >

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