



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

**MAGISTRATE DR.
JACQUELINE PADOVANI**

Sitting of the 31 st March, 2011

Number 471/2011

**POLICE
INSPECTOR THERESE SCIBERRAS
VS
PAUL JOHN NEWALL**

The Court,

Having seen the charges brought against the accused Paul John Newall, 45 years, son of the late William and the late Phylliss nee Loyd, born on the 10th July 1965 UK, holder of the Maltese ID card number 54302A and the British Passport number 800892752 and residing at number 1 Sky St Ann Street Zebbiegh Mgarr Malta.

and accuse him of having on the night between the 30th and 31st March 2011 sometime between 21.00 hrs and 04.00 hrs in Qawra St. Paul's Bay Malta reviled or threatened or caused bodily harm to persons that is PS

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914 and PC 1214 lawfully charged with a public duty while in the act of discharging their duty or because of their having discharged such duty with the intent to intimate or unduly influence them in the discharge of such duty (Ch 9 of the Laws of Malta Article 95).

Also on the same place, date, time and circumstances assaulted or resisted by violence or active force not amounting to public violence persons that is PS 914 and PC 1214 lawfully charged with a public duty when in the execution of the law or of a lawfully order issued by a competent authority (Ch 9 of the Laws of Malta Article 96)

And also on the same place, date, time and circumstances uttered obscene or indecent words in public (Ch 9 of the Laws of Malta article 338 (bb))

And also on the same place, date, time and circumstances disobeyed the lawful orders of any authority or of any person that is PS 914 and PC 1214 entrusted with a public service, or hindered or obstructed such persons in the exercise of their duties, or otherwise unduly interfered with the exercise of such duties, either by preventing other persons from doing what they are lawfully enjoined or allowed to do, or frustrating or undoing what has been lawfully done by other persons, or in any other manner whatsoever (Ch 9 of the Laws of Malta article 338 (ee))

And also on the same place, date, time and circumstances willfully disturbed the public good order or the public peace and order (Ch 9 of the Laws of Malta Article 338 (dd))

And also on the same place, date, time and circumstance whilst in a public place or in a place open to the public where in a drunken state and could not take care of yourself (Ch 9 of the Laws of Malta article 338 (ff))

And also on the same place, date, time and circumstances drove a vehicle having the registration number JBK 045 or were in charge of a motor-car or other

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vehicle on a road or other public place whilst unfit to drive through drink (Ch 65 article 15A (1))

And also on the same place, date, time and circumstance failed to provide a specimen of breath for a breath test when required to do so after you were warned that failure to provide or refusal to comply with such request is an offence (Ch 65 article 15D)

And also on the 27th March 2011 and on the 30th March 2011 whilst in Qawra St Paul's Bay threatened Katrina Maria Keague by means of an electronic telecommunications apparatus (Ch 399 article 35A)

And also on the same date, time, and circumstances accuse him of using an electronic communications network or apparatus supplied by an undertaking for a purpose other than that for which it was supplied for (Ch 399 article 35 (1) (d))

And also on the same date, time, and circumstances accuse him of having by means of an electronic communications network or apparatus threatened the commission of a crime and made improper use thereof of the said electronic communications network or apparatus (Ch 399 article 35A)

The court is being requested that if found guilty, to disqualify the accused from his driving license/s for a period as it deems fit.

Having heard the evidence tendered on oath;

Having heard the guilty plea registered by the accused;

Having heard the confirmation of the said guilty plea by the accused after the Court accorded the accused a reasonable time for reconsideration;

Having seen the record of the proceedings;

Having heard the oral submissions of the parties;

Deliberates:

On the strength of his own guilty plea, the Court finds the accused **Paul John Newall** guilty as charged and after having seen article 95, 96, 338 (bb) (ee) (dd) (ff) of Chapter 9 of the Laws of Malta, Article 15 A (1), 15 D of Chapter 65 of the Laws of Malta, Article 35 A, 35 (1) (d) of Chapter 399 of the Laws of Malta places the accused **Paul John Newall** under a Probation Order for a period two (2) years under the supervision of the Director of the Probation Services or any other Probation Officer duly appointed by him; the Court further places the accused **Paul John Newall** under a Treating Order for a period of 2 years with the Institution of Sedqa so that the accused be able to overcome his alcoholism.

Moreover the Court is suspending the driving license of the accused for a period of a year and condemns him to pay a fine of five hundred and eighty-two Euros and fifty cents (582.50 Euros). In addition, in terms of Article 383 of Chapter 9 of the Laws of Malta, the Court required the accused to enter into his own recognizance to the tune of two hundred and thirty-three Euros (233 Euros) for a period of a year, with the obligation on the part of the accused to refrain from speaking with Katrina Maria Keague.

< Final Judgement >

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