



**QORTI TAL-MAGISTRATI  
(GHAWDEX) BHALA QORTI TA' GUDIKATURA  
KRIMINALI**

**MAGISTRAT DR.  
JOSETTE DEMICOLI**

Seduta tal-11 ta' Ottubru, 2011

Numru. 97/2011

**The Police  
(Inspector Frank Anthony Tabone)**

**-vs-**

**Liam Christopher Mcternan, 45 years, son of  
Lawrence and Barbara nee' Bales, born in Bristol UK  
on the 5<sup>th</sup> August 1966, residing at No. 162, Lawrence  
Hill Street, Bristol UK holder of British Passport NO.  
211012828**

The Court,

Having seen the charges brought against accused Liam Christopher Mcternan, 45 years, son of Lawrence and Barbara nee' Bales, born in Bristol UK on the 5<sup>th</sup> August 1966, residing at No. 162, Lawrence Hill Street, Bristol UK holder of British Passport No. 211012828 :

## Kopja Informali ta' Sentenza

1. of having on the 9<sup>th</sup> October 2011 at about 1700hrs from Arcadia Shopping Complex situated in Victoria, Gozo committed a theft of a pair of flip flop make Reel which theft amounts to the value of fifty euro (€50.00) to the detriment of the owner of Arcadia Shopping Complex and other persons (Art. 284 of Chap. 9);
2. and also for having on the 8<sup>th</sup> October 2011 at about 0900 hrs from a shop Vision Opticians, situated at Independence Square, Victoria, Gozo committed a theft of sunglasses make Burberry which theft is aggravated by value, which value exceeds the amount of two hundred and thirty two euro and ninety four cents (€232.84) to the detriment of Gerard Abela and other persons (Ar. 261 (c), Art. 267 of Chap 9).

Having seen that the Prosecution requested that in case the accused is found guilty of the charges brought against him, the Court is being kindly requested to order the accused to pay to the above mentioned parties the sum of money to be determined by the Court as compensation (Art. 28H of Chapter 9).

Having seen documents exhibited;

Having heard the accused plead guilty to the charge brought against him, notwithstanding the fact that the Court, in terms of Section 453(1) of Chapter 9 of the Laws of Malta, warned him in the most solemn manner of the legal consequences of his guilty plea after having given him sufficient time within which to reconsider and withdraw his guilty plea;

Having heard Carmelo Abela on oath and Ignatius Micallef, the victims, confirm on oath the value of the stolen goods.

Having heard the prosecution and defence counsel make their submissions.

Considers:

Kopja Informali ta' Sentenza

Having heard the guilty plea of the accused to the charges brought against him the Court has no alternative but to declare the accused guilty of all the charges brought against him.

With regards to punishment the Court took into consideration the fact that the accused pleaded guilty at an early stage of the proceedings, has a clean criminal record, that he co-operated with the Police and the fact that he has paid to the victims the value of the goods he has stolen, namely two hundred and fifty euros (€250) for the sunglasses and fifty euros (50€) for the flip flop.

In view of the above after having seen articles 261, 267 and 279 of the Criminal Code and article 22 of Chapter 446 of the Laws of Malta, discharges the accused under the condition that he does not commit another offence within eighteen (18) months from date of this judgment.

In terms of Section 22(3) of Chapter 446 of the Laws of Malta the Court has explained to the accused in ordinary language that if he commits another offence during the above-mentioned period of conditional discharge, he will be liable to be sentenced for the original offence.

A copy of this judgment must be delivered to the Attorney General in terms of the law.

**< Sentenza Finali >**

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