



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

**MAGISTRATE DR.
SAVIOUR DEMICOLI**

Sitting of the 13 th April, 2012

Number 428/2010

**The Police
(Inspector Johann J. Fenech)
(Inspector Ian Joseph Abdilla)**

vs

GRACE NGOME

The Court,

Seen the charges brought against Grace Ngome (39 years), nationality Dutch, daughter of Jude Ngome and Florence Ngome, born in Bakassi, Cameroon on the 17th June 1970, and residing at Oostmolenstraat, 26, Rotterdam, 3011VP. Holder of Dutch Passport bearing number AJJ6L8397, issued on the 15th September 2008.

1. She was charged with having, on the 28th April 2010 and in the preceding days, in various parts of Malta, committed an act of money laundering by:

a. converting or transferring property knowing that such property is derived directly or indirectly from, or the proceeds of criminal activity, or from an act or acts of participation in criminal activity, for the purpose of or purposes of concealing or disguising the origin of the property or of assisting any person or persons involved or concerned in criminal activity;

b. concealing or disguising the true nature, source, location, disposition, movement, rights with respect of, in or over, or ownership of property, knowing that such property is derived directly or indirectly from criminal activity or from an act or acts of participation in criminal activity;

c. acquiring property, knowing that the same was derived or originated directly or indirectly, from criminal activity, or from an act or acts of participation in criminal activity;

d. retaining, without reasonable excuse, of property, knowing that the same was derived or originating directly, or indirectly, from criminal activity, or from an act or acts or participation in criminal activity;

e. attempting any of the matters or activities defines in the above foregoing sub-paragraphs (i), (ii), (iii), and (iv) within the meaning of Article 41 of the Criminal Code;

f. acting as an accomplice within the meaning of Article 42 of the Criminal Code in respect of any of the matters or activities defined in the above foregoing sub-paragraphs (i), (ii), (iii), (iv), and (v) within the meaning of Article 41 of the Criminal Code;

2. furthermore, the accused was charged with having, on the 28th April 2010, at the Malta International Airport,

Gudja, while about to leave Malta on flight KM420 to Brussels, failed to declare to the Comptroller of Customs, that she was carrying a sum equivalent to EUR10,000 or more in cash whilst leaving Malta.

The Court requested to apply *mutatis mutandis* the provisions of Article 5 of the Money Laundering Act, Chapter 373 of the Laws of Malta, as per Section 23A (2) of Chapter 9 of the Laws of Malta.

The Court also requested that in case of a finding of guilt of the accused, apart from inflicting the punishment prescribed at Law, also orders the forfeiture of all the objects exhibited in these proceedings.

The Court also requested that, in pronouncing judgment or in any subsequent order, sentence the person/s convicted, jointly or severally, to the payment, wholly or in part, to the Registrar, of the costs incurred in connection with the employment in the proceedings of any expert or referee, within such period and in such amount as shall be determined in the judgment or order, as per Section 533 of Chapter 9 of the Laws of Malta.

Heard evidence.

Seen the acts of the Case and the exhibited documents.

Seen the Attorney General's Counter Order and Articles sent by the Attorney General in his Note dated 26th September, 2011 and found at folio 207 of the acts of the proceedings and noted that the accused gave her consent for the case to be tried summarily.

Noted that in today's Sitting accused pleaded guilty to all the charges brought against her.

The Court warned accused in the most solemn manner as to the consequences of her admission of guilt and gave her some time to decide whether to confirm her admission of guilt or not and having been asked whether she confirms her admission of guilt or not, accused confirmed

Informal Copy of Judgement

that she is pleading guilty to all the charges brought against her.

Heard submissions on punishment.

Seen articles 3 and 5 of Chapter 373, Regulation 3(1), (2), (3), (4) and (5) of Subsidiary Legislation 149 of the year 2007 as subsequently amended and articles 533, 23A and 23B of Chapter 9 of the Laws of Malta.

Finds accused Grace Ngome, on admission of guilt, guilty of all the charges brought against her and taking into consideration all the circumstances of the case condemns accused Grace Ngome to one (1) year imprisonment and to six thousand one hundred and fifty one Euro (Euro 6,151) fine (multa).

Moreover the Court by applying article 533 of Chapter 9 of the Laws of Malta orders that accused, immediately, pays the Registrar of Courts the sum of two thousand and forty two Euro and ninety six Euro cents (Euro 2042.96) being the amount of expenses incurred with the nomination of experts in this case.

Finally the Court orders the confiscation of eighteen thousand and fifty five Euro (Euro 18,055) which money forms part of Doc. JJF1 and PAC1.

< Final Judgement >

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