



MALTA

COURT OF MAGISTRATES (MALTA)
AS A COURT OF CRIMINAL JUDICATURE
MAGISTRATE DR.
CHARMAINE GALEA

Sitting of the 18 th October, 2014

Number. 1019/2014

The Police
(Inspector Darren Buhagiar)

vs.

Joe Berti

The Court;

Having seen that the offender **Joe Berti** of twenty five (25) years of age, son of Kramu and Nasra Keita, born in Guinea on the 1st of January 1989, residing at Refugee Camp in Bari, and holder of unknown Italian ID card number was charged:-

With having on the 18th October 2014 or previous days in these islands forged, altered or tampered with documents or used or had in his possession forged documents, which he knew to be forged, altered or tampered with, this is had in his possession Italian Residence permit bearing number IO1484490, Italian passport for Aliens bearing number 060126 and Italian ID card bearing number AT4575800 (Chapter 61, Sec. 5 of the Laws of Malta);

Also with having on same date, time and circumstances committed any other kind of forgery, or have knowingly made use of any other forged document, that is with regards to the mentioned documents (Chapter 9, Sec. 189 of the Laws of Malta).

Also with having on same date, time and circumstances forged any document or true copy of a document or an entry made in pursuance of this act (Chapter 217, Sec. 32(1d) of the Laws of Malta).

After having seen all the records of the case, including the consent of the Attorney General for the case to be dealt with summarily, and having heard the offender declare that he has no objection that the case be dealt with summarily;

After having heard the offender plead guilty to the charges at an early stage of the proceedings, which guilty plea was confirmed by the same offender after the Court, in terms of section 453 (1) of Chapter 9 of the Laws of Malta, warned him of the legal consequences of that guilty plea, and allowed him sufficient time to re-consider his reply, and to change it;

After having heard the oral submissions on the punishment;

Considered that:

From the evidence brought forward and from the guilty plea registered by the offender himself, the Court concludes that the offender is guilty of the charges laid against him.

As regards the punishment, the Court took into consideration the fact that the offender admitted to the charges at a very early stage of the proceedings, that he co-operated with the police, and his clean conviction sheet. The Court also heard the Prosecution declare that the offender had an asylum seeker status in Italy but his Italian official documents have expired and he did not have enough means to renew them. According to the Prosecution, the offender had travelled to Malta from Italy to seek a job but he decided to go back to Italy using false documents.

For these reasons the Court after having seen section 5 of Chapter 61 of the Laws of Malta, section 189 of Chapter 9 of the Laws of Malta and section 32 (1) (d) of Chapter 217 of the Laws of Malta, on his admission finds offender **Joe Berti** guilty of the charges brought against him and condemns him to **two (2) years imprisonment which by application of section 28A (1) of Chapter 9 are being suspended for a period of four (4) years from today.**

In accordance with sections 28A (4) of Chapter 9 of the Laws of Malta, the Court explained in clear and simple language the meaning of this judgement to the offender, and the consequences which would follow if he fails to abide by it, that is if he commits another offence which is punishable by imprisonment within the operative period.

< Final Judgement >

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