



MALTA

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

MAGISTRATE

ANTONIO GIOVANNI VELLA

Sitting of the 23 rd October, 2014

Number 959/2014

THE POLICE

INSPECTOR JOSEPH MERCIECA

VS

JAKE SEBASTIAN MORRIS

The Court;

After seeing the charges brought against;

Jake Sebastian Morris, 37 years son of Nicholas Kempson, born in London on 9th March 1977, residing at 4, Montague Court, Flat 6, Triq Karm Galea, Sliema and holder of British passport 465086453;

With having on the 4th October, 2014, at about 11a.m., at HFA Travel Ltd. of no. 93, Rue D'Argens, Msida, and/or in the whereabouts thereof and beyond, in these Islands;

1. with intent to commit a theft, manifested such intent by overt acts which were followed by the commencement of the execution of the crime, which crime was not completed in consequence of some accidental cause independent of the will of the offender and, if executed, it would have been an aggravated theft by violence, by means and by value, exceeding two thousand three hundred and twenty-nine Euros and thirty-seven cents (€2329.37), to the detriment of HFA Travel Ltd. and/or any other entity/entities, and/or person/s;
2. without a lawful order from the competent authorities and saving the cases where the law authorizes private individuals to apprehend offenders, arrested, detained or confined Andrew Fenech Azzopardi against his will;

3. at the time of committing a crime against the safety of the government or against the person (other than involuntary homicide or involuntary bodily harm) or of theft or injury to property (other than involuntary injury to property); or at the time of being arrested for a crime, he had on his person any arm proper or ammunition or any imitation thereof;
4. with having carried outside any premises or appurtenance thereof, a knife or a cutting or pointed instrument, of any description, without a licence or permit from the Commissioner of Police;
5. with having committed a crime punishable with imprisonment during the operative period of a suspended sentence in terms of Article 28A of Chapter 9, imposed on him by means of a definite judgement handed down against him on the 21st October, 2013 by the Magistrates' Court (Malta) (magistrate Dr. Miriam Hayman LL.D.);
6. with having committed the indicated crimes, punishable by imprisonment, during the operative period of a Probation Order in terms of Article 7 of Chapter 446 imposed on him by virtue of a definite judgement handed down against him on the 30th January, 2014 by the Magistrates' Court (Malta) (magistrate Dr. Gabriella Vella LL.D.);
7. finally, with having rendered himself a recidivist in terms of Articles 49, 50 and 289 of Chapter 9 of the Laws of Malta, after having been found

guilty of theft by a definite judgement handed down against him on the 21st October, 2013 by the Magistrates' Court (Malta).

Considers:

After having seen Articles 28A, 28B, 28C, 41(1)(a), 49, 50, 86, 261, 262(1)(b) and (2), 263(b), 267, 275, 277(b), 279(a), 289 of Chapter 9 of the Laws of Malta;

Articles 7 and 23 of Chapter 446 of the Laws of Malta;

And Articles 6, 51(7), 55(a) and (b), and 56 of Chapter 480 of the Laws of Malta;

After having heard the evidence and the documents exhibited;

After having heard the accused admit the charges brought against him, which admission was confirmed by him after having been given due time to reconsider in accordance with the law;

After having heard his probation officer, Deborah Farrugia, and the psychologist Roberta Holland give information to the Court regarding the accused;

This Court finds the said accused guilty as charged and condemns him to a period of eighteen (18) months imprisonment.

Extends the operative period of the suspended sentence dated 21st October 2013 to four (4) years from today, together with a supervision order in terms of Article 28G of Chapter 9 for four (4) years.

Orders the issue of a Treatment Order for three (3) years in accordance with the provision of Article 412D of Chapter 9 of the Law of Malta.

Abstains from making any variation to a probation order dated 30th January 2014.

Finally the Court also condemns the accused to a fine of one hundred and twenty euro (€120).

The Court explained in clear words the terms of the judgment to the accused.

< Final Judgement >

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