



MALTA

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

**MAGISTRATE DR.
CLAIRE-LOUISE STAFRACE**

Sitting of the 28 th October, 2014

Number. 1052/2014

The Police

[Inspector Trevor Micallef]

-VS-

John James Mccallum

The Court,

Having seen that the accused John James Mccallum, holder of British passport no 508888421;

Was charged with having in these islands on the 26th October 2014 and in the previous weeks/months committed several acts which constitute violations of the same provision of the law, and were committed in pursuance of the same design (Art. 18 Chapter 9 of the Laws of Malta):

Without the intent to kill or to put the life in manifest jeopardy, caused slight bodily harm on the persons of Anita Holly. (Art. 221 (1) Chapter 9 of the Laws of Malta).

Accuse him further for having on the same period of time and circumstances assaulted with intent to insult, annoy or hurt Anita Holly. (Art. 339 (1)(d) Chapter 9 of the Laws of Malta)

Accuse him further for having on the 26th October 2014 at about half past seven in the evening (07:30p.m) inside the St. Julians Police Station and/or in the vicinity:

Reviled, threatened or caused bodily harm on a person lawfully charged with a public duty, while in the act of discharging his duty or because of having discharged such duty, or with intent to intimidate or unduly influence them in the discharge of such duty. (Art. 95 Chapter 9 of the Laws of Malta).

Accuse him further with having on the same date, time, place and circumstances assaulted or resisted by violence or active force not amounting to public violence against persons lawfully charged with a public duty when in the execution of the law or of a lawfully order issued by a competent authority. (Art. 96 Chapter 9 of the Laws of Malta).

Accuse him further with having on the same date, time, place and circumstances willfully committed any spoil, damage or injury to or upon movable or immovable property police shirt which damage does not exceed the amount of twenty-three euro and twenty-nine cents (23.29) to the detriment of the Maltese Government and/or the police Force. (Art. 325(1)(d) Chapter 9 of The Laws of Malta)

Informal Copy of Judgement

Accuse him further with having on the same date, time, place and circumstances willfully disturbed the public good order or the public peace. (Art. 338 (dd) Chapter 9 of the Laws of Malta)

Accuse him further with having on the same date, time, place and circumstances disobeyed the lawful orders of any authority or of any person 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 them from doing what they are lawfully enjoined or allowed to do, or frustrated or undid what has been lawfully done by them, or in any other manner whatsoever (Art 338 (ee) Chapter 9 of the Laws of Malta)

Accuse him further with having on the same date, time, place and circumstances in a public place or a place open for the public was in a drunken state (Art. 338 (ff) Chapter 9 of the Laws of Malta).

Seen the request of the prosecution to provide for the safety of Anita Holly if the accused is found guilty.

Seen all documentation; including the consent by the Attorney General so that the case will be dealt with summarily;

Seen guilty plea by accused and the confirmation of such plea after being given the opportunity to reconsider his plea, in the early stages of the proceedings;

Heard civil party, Anita Holly whereby she renounced to any criminal claim against the accused; and

Having heard that accused has apologized to all the police officers involved in this case.

Upon seeing Articles 18, 95, 96, 221, 325(1)(d), 338(dd), 338(ee), 338(ff), 339(1)(d) of Chapter 9 of the Laws of Malta, finds the accused John James Mccallum guilty of charges four (4), five (5), six (6), seven (7), eight (8) and nine (9) and by virtue of Article 22 of Chapter 446 of the Laws of Malta frees him on condition that he does not commit another offence within two (2) years. The Court also condemns him to a payment of a fine (multa) of four thousand Euro (€4000) and declares exhaustion of proceedings of charges one (1), two (2) and three (3) since there was a renunciation by civil party.

Finally explained in simple words to the accused, the repercussions if such order is not complied with.

< Final Judgement >

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