



MALTA

QORTI TAL-MAGISTRATI (MALTA)
BHALA QORTI TA' GUDIKATURA KRIMINALI
MAGISTRAT DR.
DOREEN CLARKE

Seduta tat-3 ta' Marzu, 2015

Numru. 1266/2014

Police
(Inspector Elton Taliana)

VS

Liam Oliver Smith

Case number: 1266/2014

The Court

Having seen the charges brought against Liam Oliver Smith, born in the United Kingdom on the 30th September 1987 and residing at no. 65, Triq San Anton, Birgu and holder of identity card number 124959(A).

Charged with having on the 18th December 2014 at about 02.45hrs and sometime before in St. Julian's, or in the vicinities;

1. Assaulted or resisted by violence or active force not amounting to public violence, any person lawfully charged with a public duty when in execution of the law or of a lawful order issued by a competent authority;
2. Reviled, or threatened, or caused a bodily harm to a person lawfully charged with a public duty, while in the act of discharging their duty or because of them having discharged such duty, or with the intent to intimidate or unduly influence them in the discharge of such duty;
3. Disobeyed the lawful orders of any authority or of any persons entrusted with a public service, or hindered or obstructed such person in the exercise of his duties, or otherwise unduly interfered with the exercise of such duties;
4. In any manner wilfully disturbed the public good order or the public peace;
5. In any public place or place open to public, being found drunk and incapable of taking care of himself.

Having seen sections 95, 96, 338(dd)(ee)(ff) of Chapter 9 of the Laws of Malta

Having seen the consent of the Attorney General for this case to be tried summarily and that the defendant had no objection to the case being so tried.

Having seen that during the hearing held today the defendant admitted the charges brought against him and that he confirmed this admission of guilt even after having been given time to reconsider his plea.

Kopja Informali ta' Sentenza

Having heard the submissions of the parties regarding the penalty to be meted out.

Having seen the acts of the proceedings.

Having considered

That the defendant admitted the charges brought against him; these are consequently sufficiently proved.

With regards the penalty to be meted out the Court took into consideration the nature of the offences of which the defendant is being found guilty, his eventual cooperation with the police, his admission at an early stage of the proceedings as well as his clean conviction sheet. The Court also took into consideration the fact that no police officer was injured in this incident and that the prosecuting officer was not insisting on a custodial sentence.

For these reasons the Court, after having seen sections 95, 96, 338(dd)(ee)(ff) of Chapter 9 of the Laws of Malta, on his admission finds the defendant guilty of the charges brought against him and whilst discharging him on condition that he does not commit an other offence in the period of two years, condemns him to a fine of four thousand Euro (€4,000) which is to be paid in monthly installments of one hundred and twenty Euro (€120) with the first payment being due on the 15th March 2015.

The Court explained to the defendant in ordinary language the significance of this judgement and of the consequences should he commit an other offence in the period of two years.

< Sentenza Finali >

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