



MALTA

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

**MAGISTRATE DR.
DOREEN CLARKE**

Sitting of the 6 th April, 2015

Number. 103/2015

The Police

(Inspector Pierre Grech)

vs

Julian Benjamin Astbury

Case Number: 103/2015

Today, the 6th April 2015

The Court

Having seen the charges against Julian Benjamin Astbury, 23 years of age, son of Julian and Caroline nee' Wynne, born Wrexham, United Kingdom on the 12/03/1992, residing at 8, Lys Tudela, Mild, UK, and holder of UK driving license number BD60420328,

Charged with having on these islands on the 5th April 2015 and the days prior to this date:

1. Supplied or distributed, or offered to supply or distribute dangerous drugs being a drug restricted and controlled under the provisions of the Kindred and Medical Profession Ordinance to person/s, who are not authorised person/s or for the use of other person/s, without being Fully authorised in breach of the Medical and Kindred Profession Ordinance Chapter 31 of the Laws of Malta and the Drugs (Control) Regulations, Legal Notice 22 of 1985 as amended;
2. Had in his possession the psychotropic and restricted drug without a special authorisation in writing by the superintendent of Public Health, in breach of the provisions of the Medical and Kindred Professions Ordinance Chapter 31 laws of Malta and the Drugs (Control) Regulations, Legal Notice 22 of 1985 as amended;
3. Had in his possession the drugs (*cocaine*) specified in the First Schedule of the Dangerous Drug Ordinance, Chapter101 of the Laws of Malta, when he was not in possession of an import or an export authorisation issued by the Chief Government Medical Officer in pursuance of the provisions of paragraphs 4 and 6 of the Ordinance, and when he was not licensed or otherwise authorised to manufacture or supply the mentioned drugs, and was not otherwise licensed by the President of Malta or authorised by the Internal Control of Dangerous Drugs Regulations (G.N.292/1939) to be in possession of the mentioned drugs, and failed to prove that the mentioned drugs was supplied to him for his

personal use, according to a medical prescription as provided in the said regulations, and this in breach of the 1939 Regulations, of the Internal Control of Dangerous Drugs (G.N.292/1939) as subsequently amended by the Dangerous Drugs Ordinance Chapter 101 of the Laws of Malta.

Having seen sections 40A and 120A of Chapter 31 of the Laws of Malta and the regulations of Legal Notice 22 of the year 1985, as well as parts 4 and 6 of Chapter 101 of the Laws of Malta and the regulations of Legal Notice 292 of the year 1939.

Having seen the Order of the Attorney General for this case to be tried summarily by this Court sitting as a Court of Criminal Judicature.

Having heard the defendant admit the charges brought against him and confirm his admission of guilt even after having been given time to reconsider his plea.

Having seen the documents filed by the prosecuting officer.

Having heard submissions regarding the penalty to be meted out.

Having considered

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

With regards the penalty to be meted out, the Court took into consideration the nature of the offences of which defendant is being found guilty, his co-operation

Informal Copy of Judgement

with the police, his clean conviction sheet, and his admission at the earliest stage of these proceedings.

Wherefore the Court, after having seen sections 40A and 120A of Chapter 31 of the Laws of Malta and the regulations of Legal Notice 22 of the year 1985 as well as parts 4 and 6 of Chapter 101 of the Laws of Malta and the regulations of Legal Notice 292 of the year 1939, on his admission finds defendant guilty of the charges brought against him and condemns him to six (6) months imprisonment and a fine of five hundred Euro (€500). The Court is ordering the destruction of the exhibits marked Dok PG7 under the supervision of the Registrar of this Court.

< Final Judgement >

-----END-----