



MALTA

COURT OF MAGISTRATES (MALTA)
AS A COURT OF CRIMINAL JUDICATURE
MAGISTRATE DR.
MARSEANN FARRUGIA

Sitting of the 21 st August, 2015

Number 21/2015

The Police

(Inspector Priscilla Caruana Lee)

vs.

Daniel Eberhard

Veronika Zakon

Werner Eberle

The Court,

Informal Copy of Judgement

Having seen the charge brought against:

Daniel Eberhard of 25 years, born in Bern, Switzerland on the 7th September 1989, son of Paul Eberhard and Doris Kurschatke, residing at the Excelsior Hotel, Floriana Room 943 and German identity card number 802800248.

Veronika Zakon of 27 years, born in Amberg, Germany on the 3rd January 1988, daughter of Josef Zakon and Ladislava nee' Penaskova, residing at the Excelsior Hotel, Floriana Room 943 and German identity card number 802880627.

Werner Eberle of 27 years, born in Dachau, Germany on the 26/03/1986, son of Karl Eberle and Christine Schleipfer, residing at the Marina Hotel, Room 610, Sliema and German identity card number LF32VGXR7.

Charged with having on the 21st August 2015 between 04:00 Hours and 05:00 Hours, whilst in Valletta and on these Islands;

1) Made way into a restricted area at Saint John's Cathedral without the necessary permits and this in breach of Article 330 of Chapter 9 of the Laws of Malta.

After having heard the evidence and seen all the records of the case.

After having heard all the three accused plead guilty to the charge at an early stage of the proceedings.

After having heard the oral submissions of the parties on the punishment.

Considered that:

From the evidence brought forward and from the guilty plea filed by the accused persons themselves, the Court concludes that the accused persons are guilty of the charge laid against them.

Informal Copy of Judgement

Although, it is not one of the most serious offences, the three accused themselves admitted that they were aware that they were not allowed to enter the restricted area at Saint John's Cathedral and climb the scaffolding (which is currently there), until they reached the roof of the Cathedral, thereby illegally entering into the property of third parties.

However, the Court took into consideration the fact that the accused persons admitted to the charge at a very early stage of the proceedings, and that they co-operated with the police.

The Court, after seeing Article 330(b) of Chapter 9 of the Laws of Malta, finds the three accused persons guilty as charged, and condemns them to a fine (*multa*) of fifty Euro (€50.00) each, which is to be paid by the 28th of August 2015. If any one of the guilty persons fail to pay the fine, or any part thereof, within the time-limit prescribed, the whole amount outstanding shall become immediately due and payable, and in default of payment thereof, the outstanding amount shall be converted into imprisonment at the rate of one day for every thirty-five Euro (€35.00) or part thereof, which is still due.

< Final Judgement >

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