



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

MAGISTRATE NATASHA GALEA SCIBERRAS B.A., LL.D.

Today: 10th August 2015

**The Police
(Inspector Godwin Scerri)**

vs

Barbora Kriskova

The Court,

Having seen the charges brought against the accused Barbora Kriskova of 20 years, daughter of Josev and Iva nee Suskova, born on the 12th of April 1994 in the Benesov and temporarily residing at Flat 7, Blue Water, Gulju Street, St. Paul's Bay, holder of Czech identification card number 203102396;

Accused with having on 10th August 2015 at around 03:00hrs, at the St. Paul's Bay Police Station:

Assaulted or resisted by violence or active force not amounting to public violence, any person lawfully charged with a public duty when in the execution of the law or a lawful order issued by a competent authority to the detriment of WPS 274 F. Quattromani and PC 312 J. Sultana in breach of Article 96(a) of Chapter 9 of the Laws of Malta;

And also accuse her of having on the same date, time, place and circumstances reviled, threatened or caused a bodily harm to PC 312 J. Sultana, while in the act of

discharging his duty or because of his having discharged such duty, or with intent to intimidate or unduly influence him in the discharge of such duty in breach of Article 95 of Chapter 9 of the Laws of Malta;

And accuse her of having on the same date and location, been in any public place or place open to the public, drunk and incapable of taking care of herself in breach of Article 338(ff) of the Chapter 9 of the Laws of Malta.

Having seen the acts of the proceedings and the documents exhibited;

Having heard the accused plead guilty to the charges brought against her, which plea she confirmed even after the Court, in terms of Section 453 of Chapter 9 of the Laws of Malta, warned her of the legal consequences thereof and allowed her sufficient time to reconsider her reply and retract it;

Having heard oral submissions by the parties regarding the punishment to be inflicted.

Considered that:

In view of the guilty plea filed by the accused, the Court cannot but find her guilty of the charges brought against her.

For the purpose of the punishment to be inflicted, the Court took into consideration the early guilty plea filed by the accused, that she cooperated with the Police during the investigation and that the Prosecution is not insisting upon an effective prison term. The Court on the other hand also took into account the gravity of the offences with which the accused is being charged.

Conclusion

For these reasons the Court, after having seen Sections 17(b), (d) and (f), 95, 96(a), 221 and 338(ff) of Chapter 9 of the Laws of Malta, finds the accused guilty of the charges brought against her and condemns her to a period of seven (7) months imprisonment which, by application of Section 28A of Chapter 9 of the Laws of Malta, is being suspended for a period of eighteen (18) months from today and to a fine (*multa*) of five thousand Euros (€5,000), which by application of Section 14(2) of Chapter 9 of the Laws of Malta, may be paid within three (3) months from today and shall be converted into a prison term in terms of law, should the accused fail to pay said fine within the term indicated.

The Court explained in clear and simple language the meaning of this judgement to the accused.

Natasha Galea Sciberras
Magistrate