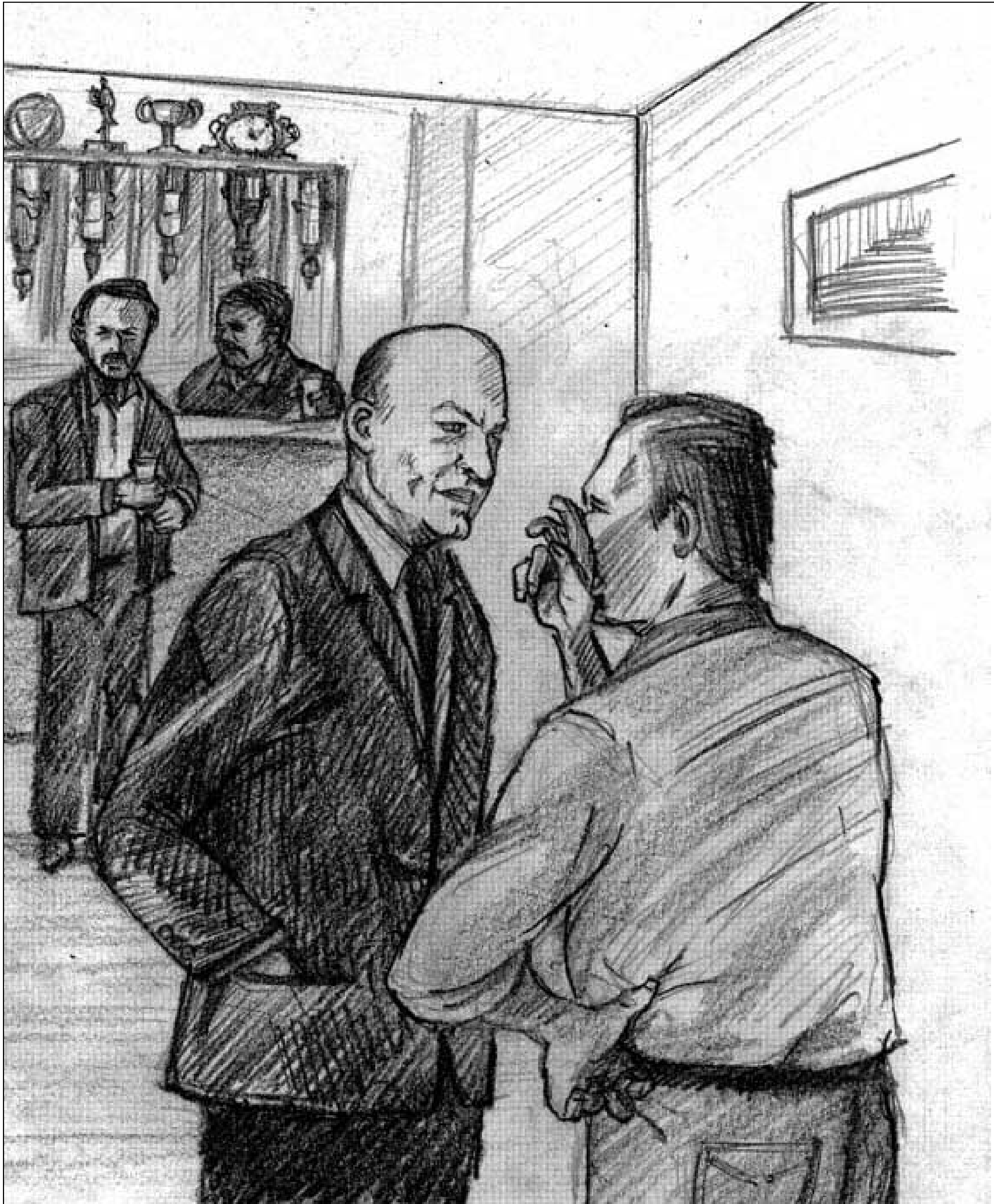


# Manwel Grech Mallia



The main protagonist of this week's special report is Manwel Grech Mallia. Unlike the report of the main Commission, Dr Azzopardi's minority report gives Grech Mallia's evidence a lot of importance and weight. Azzopardi's report differs from that of the Commission on another very important count in that while the main Commission dismisses, almost out of hand, Grech Mallia's evidence and while not actually calling him a liar, does accuse him of inventing where his memory fails him, Dr Azzopardi says that his evidence is credible and of value.



ON THE other hand, in contrast to the witnesses we have seen so far, Manwel Grech Mallia's witness is credible and of great value. He was ready to make a signed declaration about the facts and irregularities he had to face. It is not relevant whether he made the declaration spontaneously or whether he was asked to do so, so long as he made it voluntarily. It is also irrelevant whether or not he was asked to do so by Joseph R. Aquilina or anybody else, as long as it was voluntarily done.

In my opinion, his declaration is just and I don't see why it should not be given its due consideration. The appropriate criterion to apply when it comes to material that assesses proof is quality; one witness, if he is believed is enough to prove a fact. The fact that what Grech Mallia said to sustain his written declaration was repudiated by people who could have been implicated in certain irregularities, or who could have known that irregularities were happening which it was their duty to stop, does not necessarily mean that his declaration is not true. Those others had ulterior motives not to give the whole truth. This witness said that on one site in San Gwann, "It seemed that that there were where two (hired) dumpers while in fact there was only one."

Besides this, it was also made to seem that there was an Austin Cambridge, number H3516, but this was not there. The machinery used to be marked with pins on a chart. When he went to Hal Far and reported all this to Michael Farrugia and to John Camilleri, as he was duty-bound to do. Camilleri looked at Farrugia and said "You don't know to whom they belong?" and told him what he had to do.

Later he was approached by a certain Felic Farrugia who told him "By any chance, do you plan to raise the dead?" Grech Mallia immediately understood that that dumper that was not in place but was being rented for payment belonged to Felic Farrugia (page 345 of the transcription).

Regarding the Austin Cambridge, number H3516 that also

was not the case.

The fact that Michael Farrugia, Felic Farrugia and John Camilleri did not corroborate what Grech Mallia (as was to be expected), is not enough for me to say that the evidence of Grech Mallia is not true. I believe him but I do not believe these three. This is a witness who suffered a lot because he said the truth and because he continued to say the truth in spite of being victimised. He was beaten up by Mario Zammit at the Hal Far headquarters while performing his duties and even spent some time with a police guard outside his door because of a bomb threat (page 351)

Which is why I don't agree with the appreciation of his evidence as it appears in the report of the majority and I absolutely do not agree with what was said in page 69 of the report where the following is written:

"Without wanting to say that Mr Grech Mallia is in any way giving false evidence, this Commission is getting the impression that he made the declaration that he did on January 22, on the request of somebody, and that he remembered some minor incident that had happened years before and he blew it up and decorated it. Even though there was a fragment of truth about the incident, Mr Grech Mallia, when it came to giving details, invented where he could not remember."

Would that there were more people like Mr Grech Mallia in Malta who have the courage and the moral conviction to say what is true and who remain saying the truth in spite of being victimised and threatened. His conduct deserves praise. I want to repeat that the fact that he was asked to make a declaration after he had left the Auxiliaries does not detract anything from the value of the aforementioned declaration once there is no doubt that it was made solely voluntarily. Therefore, I cannot agree with the conclusion of the majority on page 70 of the report which states that:

"Therefore, this commission feels that the declaration of Mr Grech Mallia, besides the way it came to

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coded pins on a wall-chart:

So Manwel Grech Mallia had the means to know what machines appeared as having been hired but which were not actually on-site. Besides, Grech Mallia gave sworn evidence about what John Camilleri had told him, that is to throw the log book of the missing dumper off Had Dingli. So it is not up to him to say whether or not in view of the fact that the dumpers did not have log books, this makes any sense or not.

Besides this, there is the question of the Austin Cambridge, number H3516, about which there is this in the report:

". . . Now, as regards to the car H3516, the Commission cannot understand the mystery surrounding its ownership, because Mr Grech Mallia himself says to who it belonged, that is, to a certain Sebastian Vassallo, whose address Mr Grech Mallia knows and which he mentions in the declaration."

In my opinion the mystery is not about the ownership of the car, but about the fact that this car was not available although hired to the Auxiliaries. In other words, you have a car for which use money is being paid to its owner, but instead of finding this car at the disposal of those who are paying for it, it is to be found elsewhere. Grech Mallia gave evidence that this car was meant to be in a particular district, but was not in fact. In his declaration he says that this used to belong to a certain Sebastian Vassallo known as Sjanu, of 'Providence', Lorenzo Gafa Street, Siggiewi. And then:

"Michael Farrugia told him 'then take the book of that particular car and give it to Joe Vella.' . . . so that he would sign for its presence, as I can't sign for it. Obviously."

Grech Mallia said in his declaration that he finished up by making a note in the log-book that the Austin Cambridge was not available and he stopped making entries. I wouldn't be surprised that, in spite of all this, Felic Farrugia, Michael Farrugia and John Camilleri deny what has been said about the on-site machines, and I therefore choose to believe Manwel Grech Mallia.

### **Louis Psaila**

The evidence of Louis Psaila merits deep reflection. There is no doubt that this witness tried to

hide his responsibility from his violent behaviour when he attacked the residence of the Minister Louis Galea and terrorised all those that were inside, which incident even involved the shooting of a firearm. In fact criminal proceedings were initiated against him and he was found guilty under a sentence handed out by a Magistrate's Court.

Now this witness said that he had two dumpers hired out by the Auxiliaries under his name. However, he continued to say that he was on very good terms and well-acquainted with the Nationalist Party club of Siggiewi:

"And I used to hear people saying that they were hiring dumpers, and on one occasion when I was at the club there was the minister and I told him."

The witness said that on one occasion late in the evening after a parliamentary session, they went to the house of the witness and they spoke and they drank and the witness was interested in renting a bulldozer. According to him, the minister had to send the papers with the rates.

Later he saw the minister at the club and said to him:

"I don't want the bulldozer because of the expenses . . . I wish to have four dumpers . . . I told him that I insisted like anybody else. . . . I met him at his house and he told me 'two'. I said 'three'. . . . I said 'four' again because that is what we had spoken about and I said 'and one for you'. He said 'no. I don't anything like this.'"

And then he sent him to speak to Anthony Vella. Vella insisted that only two could be hired out to him and in fact that is what happened. The witness added that the minister remained definite about not hiring three vehicles. So the witness said 'then I'm going to put one down on the name of my father-in-law.' But since he had been boarded out, this could not happen. So the witness managed to persuade Anthony Vella to put the third dumper on his friend's name, a certain Charles Galea from Hal-Qormi, who live at 'Mon Reve', Triq il-Mejjilla, Qormi. The witness confirmed that the hired dumper in the name of Charles Galea belonged to him (the witness).

*Next week Minority Report focuses on Louis Pisani and David Jones*

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## **This witness said that on one site in San Gwann, "It seemed that that there were two (hired) dumpers while in fact there was only one"**

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was not in place was being hired out for payment, the witness said to Michael Farrugia, "Tell me where the car is and I will make use of it." Michael Farrugia gave the relevant hire-book of this car to another person (the witness indicated this person to be Joe Vella of Birzebbugia) "To sign for him that it was being used" (page 346) when this

be, has no value or importance and cannot lead to anything."

Although the dumpers had no log books and although it does not seem that there was any written inventory, they knew what machines were disposable and where they were deployed and this because the location of the machines was marked by colour-