

MEMORANDUM TO CABINETRepatriation of Carmel Abela from the Bahamas

Carmel Abela, a citizen of Malta, arrived in the Bahamas with a group of some forty Maltese on the 23rd January, 1965, to take up employment at the King's Inn Hotel, Freeport.

It had been noticed by some of the group that Abela was inclined to be difficult and was not cheerfully responsive to orders. En route he threatened the security officer who was travelling with the group.

On Friday 29th January, 1965 at the King's Inn, Abela for no known reason attacked Joseph Caruana, another Maltese, with a knife and viciously stabbed him to death. It is reported that after the deceased fell to the ground, Abela is said to have expressed pleasure at the killing. When arrested by the Police he asked to see a "mental doctor".

Abela was charged with Caruana's murder. He was admitted to Sandilands Hospital on the 1st February, 1965 and was found to be suffering from Chronic Paranoid Schizophrenia. The medical evidence given in Court was to the effect that Abela was not fit to plead. Abela was detained at Sandilands Hospital "until pleasure of H.E. is ascertained", by the order of the Supreme Court dated 26th July, 1965.

His past history reveals that his illness is of long standing and it is unlikely that he will recover in the near future. Dr. S. Padlowski, a psychiatrist who examined Abela, feels that from the medical point of view Abela should be repatriated and treated in a mental hospital. He adds further that his chances of recovery are further decreased due to the strange environment in which he is confined and isolation from his family. In the circumstances the Bahamas Government feel that Abela should be repatriated and treated in his own environment.

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In January, 1966 the Colonial Office wrote to ask whether the Government of Malta agreed to Abela's repatriation, the cost of the passages including those of the two escorts, to be met by Abela's former employers, the King's Inn, Freeport.

The Chief Government Medical Officer was asked for his comments regarding Abela's repatriation and eventual admission to the mental hospital. The Chief Government Medical Officer replied that he had no objections provided certain conditions were fulfilled. He also raised certain legal points which were referred to the Crown Advocate General for his guidance.

The Crown Advocate General replied that Abela could be repatriated under The Colonial Prisoners Removal Act, 1884 which was a law which had effect as part of the law of Malta immediately before independence and which continued to have effect after independence by Sec. 11(1) of the Malta Independence Order, 1964. Abela would be dealt with under Section 10 of the 1884 Act. Furthermore the Crown Advocate General advised that as soon as Abela arrived in Malta in custody under a warrant issued under the Colonial Prisoners Removal Act, 1884, all laws and regulations in force in Malta should apply to him as if he had been detained in custody by reason of his having been charged with an offence in Malta to be tried on the ground of his insanity. Consequently Abela would be confined in a mental hospital as if a Court in Malta had in view of that finding, ordered Abela to be kept in strict custody in the Hospital for Mental Diseases under the corresponding provisions of the Criminal Code.

The necessary removal order by one of H.H. Principal Secretaries of State, as required by the 1884 Act has already been issued. It now remains for the Government of Malta to agree to Abela's repatriation in accordance with Section III of the Colonial Prisoners Removal Order in Council, 1907.

In the light of the foregoing it is submitted that Abela's repatriation be considered with the utmost urgency.

16th February, 1967.

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