WORLD May 16, 2021 May 16, 2021 WORLD

BANNED: WAYWARD CLERIC PUT OFF THE ROAD AFTER DRINK DRIVING



CRIME JOURNALIST OF THE YEAR MEET the Audi-driving priest hit with a three-year road ban after he was nabbed by gardai intoxicated

behind the wheel. Fr James Nolan from Davidstown, Enniscorthy, Co Wexford was in excess of three times the legal limit when breathylsed after being observed swerving and crossing the white line in January 2020.

Approached by the Sunday World this week and asked whether he would like to say anything regarding his conviction, an embarrassed Fr Nolan said he would not. "No I won't say anything," he told our reporter. "I've had the exposure and it's not nice. I won't say anything and you don't say

ince. I won't say anything and you don't say inything either." Fr Nolan, whose ban doesn't come into

effect until later this year, then hopped into his 151 Audi and drove away. The cleric, with an address in Davidstown, Enniscorthy had his case heard before Judge John Cheatle at Gorey District Court. Referred to in court as James Nolan, he was

charged with committing the offence at Mile-house Road, Enniscorthy, on January 23, 2020. Garda James Murphy gave evidence in the case and said that on the date mentioned he scas an observer in a earda natrol car when a report was received of a car driving erratical-ly on the road from Kiltealy to Enniscorthy.

SWERVING

Garda Murphy said that at 9.55pm he observed a black Audi swerving and cross-ing the white line at Milehouse Road, His colleague in the patrol car signalled

for the driver to stop and Garda Murphy got tor the driver to stop and Garda Murphy got out and spoke to the driver. He told the judge that when speaking to the driver he got a strong smell of an intox-icant and that his speech was slurred. Garda Murphy saidhe arrested the defend-ant on suspicion of drink driving at 10pm.

The court heard that an alcohol broath text sulted in a reading of 80mg/100ml and that

when cautioned the defendant gave no reply The current legal limit for an experience censed driver is 22mg of alcohol per 100ml Fr Nolan's barrister questioned the officer

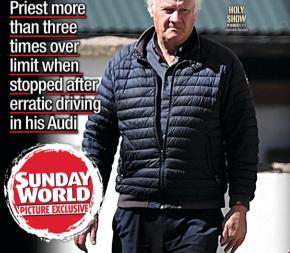
about the times given in evidence and those noted in his notebook, but Garda Murphy said any discrepancies were a mistake on his part "at the side of the road".
"It was 21.56 that I spoke to James Nolan."

aid Garda Murphy. "It was a mistake on my part on the side of the road," he added. Inspector Pat Cody told the court there may

have been discrenancies in times because th gardai were taking times from their watches nd from the clock in the station That was why they were a little off," he

Fr Nolan's barrister expressed concern that the defendant was subjected to garda rocedures before being informed of his

otice of rights. Garda Sinead Byrne also gave evidence in the case as the operator of the breath



fact Garda Byrne hadn't outlined her

qualifications and experience of using the

He also questioned whether or not Garda Byrne had fully complied with the require-ment of observing the defendant for the

required 20-minute period.

tioned whether or not Garda

breathalyser equipment.

She outlined how Fr Nolan was informed that another breath sample would be taken

Garda Byrne also confirmed that she ob-

served the defendant for the regulatory 20

ninute period prior to the test.

Fr Nolan's barrister questioned the

FLASH CAR:

66An alcoho dence Judge Cheatle said he was satisfied that the gardai carried out their duties in breath test occordance with regulations Fr Nolan also took the stand and when questioned by Insp Pat Cody he said that as an ordinary citizen he wasn't familiar with he geography of the garda station. Fr Nolan confirmed there was a garda present at the desk in the station 'for the duration' he was there. The defendant at first said there "was no evidence of a female garda present while I was seated" but under further questioning from Insp Cody said: "I was conscious of

female garda around me.

Insp Cody then asked Fr Nolan if he had a problem with his memory and in

response the accused said he was tired at the time. He also said his memory of

resulted in a reading of 80mg/I00ml the current

However, the barrister said the court "had to have

legal limit is 2Žmg alcohol

the incident had lapsed in the interim.

When asked by his barrister if there was a fe-male present or not the defendant replied: "No." Following the evidence Judge Cheatle said Fr Nolan's evidence was "clearly unreliable," DOUBT

COURT: Our

reporter Patrick

a degree of doubt" based on the evidence presented but Judge Cheatle replied: "There is always doubt in out juage Crienter repair. I river is arrays and it in a case but I don't think there is reasonable doubt in this and I am satisfied the state has proven its case." When asked about Fr Nolan's circumstances the barrister said of his client: "He had moder-

ate means. He is a community person. The judge then imposed a three-year driving ban and fined him €250. The driving ban will come into effect on November 4, 2021.

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