

# BANNED: WAYWARD CLERIC PUT OFF THE ROAD AFTER DRINK DRIVING

# WE UP OVER RAUL GINS

**EXCLUSIVE**  
BY PATRICK O'CONNELL  
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.

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 anything 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, Co Wexford was in excess of three times the legal limit when breathalysed after being observed swerving and crossing the white line in January 2020.

Referred to in court as James Nolan, he was charged with committing the offence of Misdemeanour, *Enniscorthy*, on January 23, 2020. Garda James Murphy gave evidence in the case and said that on the date mentioned he was an observer in a gardai patrol car when a report was received of a car driving erratically on the road from Killealy to Enniscorthy.

**DWIERING**  
Garda Murphy said that at 9.55pm he observed a black Audi swerving and crossing the white line at Milkhouse Road, Enniscorthy.

His colleague in the patrol car signalled for 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 intoxicant and that his speech was slurred.

Garda Murphy said he arrested the defendant on suspicion of drink driving at 10pm. The court heard that an alcohol breath test resulted in a reading of 80mg/100ml and that when questioned the defendant gave no reply.

The current legal limit for an experienced licensed driver is 22mg of alcohol per 100ml of breath.

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".

Fr Nolan said he spoke to James Nolan, said Garda Murphy: "I was a minute or my part on the side of the road" he added.

Inspector Pat Cody told the court there may have been discrepancies in time because gardai were taking time from their catches and from the time in the station.

"That was why they were a little off," he said.

## Priest more than three times over limit when stopped after erratic driving in his Audi



text machine in the station. She outlined how Fr Nolan was informed that another breath sample would be taken in 25 to 30 seconds.

Garda Byrne also confirmed that she observed the defendant for the regulatory 20 minute period prior to the test.

Fr Nolan's barrister questioned the

defence Judge Cheate said he was satisfied that the gardai carried out their duties in accordance 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 the geography of the garda station.



**HOLY SHOW**  
PHOTO: PFR James Nolan

fact Garda Byrne hadn't outlined her qualifications and experience in using the breathalyser equipment.

He also questioned whether or not Garda Byrne had fully complied with the requirements of observing the defendant for the required 20-minute period.

However, following her evi-

dence Judge Cheate said he was satisfied that the gardai carried out their duties in accordance 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 the 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 a 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



**COURT:** Our reporter Patrick O'Connell reports to the cleric this week

**66 An alcohol breath test resulted in a reading of 80mg/100ml the current legal limit is 22mg alcohol per 100ml**

the incident had lapsed in the interim. When asked by his barrister if there was a female present or not the defendant replied: "No."

Following the evidence Judge Cheate said Fr Nolan's evidence was "clearly unreliable."

**DOUBT**  
However, the barrister said the court "had to have a degree of doubt" based on the evidence presented but Judge Cheate replied: "There is always doubt in a criminal trial's theory; 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: "I was making a mistake. 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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**FLASH CAR:** Fr Nolan's Audi

