

## **CASE OUTLINE**

R V McLOVE

The aggrieved in this matter is Shelagh McLOVE

The suspect in this matter is Eoin McLOVE

Charging advice is sought for proposed charges of common assault and driving with excess alcohol on 01/06.

This is a DV case.

The suspect was released on licence on 01/06 when he struck the complainant to the left side of her face twice with a remote control, causing her to fall and sustain a cut to the side of her head. The suspect left and was stopped by police on the next road whilst driving a Nissan. The suspect refused to provide a roadside breath sample but took part in the intoxilyser procedure and provided a breath sample with the lowest reading being 112mg.

Shelagh McLOVE drank 3 bottles of wine with Lucy DOYLE on 01/06 until DOYLE went at 20:00. The suspect returned to the house at 21:00 and she describes being struck by the suspect with a remote control twice after the suspect had been out drinking. She ran to the bathroom and called the police. The suspect was shouting threats at her as she called the police.

Lucy DOYLE is a friend of the complainant who lives next door, she had been drinking alcohol with the complainant during 01/06 until she went home at 20:30. They drank 4 bottles of wine and a large bottle of WKD blue. At 21:30 approx, she heard screams and the complainant shouting "STOP HITTING ME"

PC JONES noted the complainant was intoxicated and saw an injury to her head. His BWV was turned on.

PC BLAYNEE stopped the suspect when he was driving and arrested him before conducting the intoxilyser procedure.

999 recording contains a man shouting.

### **Defendant Interview**

R V McLOVE

Interview summary

No comment

### **Visually Recorded Evidence**

BWV of PC JONES of his attendance at the scene, the complainant's intoxication and her injuries are visible.

### **Injuries**

R V McLOVE

Cut to the side of the complainant's head and swelling to her face

**Fingerprint/Forensic/Drugs Evidence**

N/A

**Issues**

No comment interview

**COMMENTS**

PCDR

This is a case of a Domestic related assault – sect 39 and driving with excess alcohol matter.

Supervisor comments:

1. The anticipated plea is Not guilty
2. The suspect is in custody pending a pre charge decision
3. The statutory time limit expires 28/11
4. I have reviewed this case in accordance with the Directors guidance Version 6 and have considered the impact of potentially disclosable material on the decision to charge including unexamined material or material that could be obtained through further lines of enquiry.
5. I have reviewed the case on the full code test and I am happy that all reasonable lines of enquiry have been considered and it is in the public interest to proceed for these reasons there is a complaint- injuries to match and a DV history between the parties – a witness heard screaming and shouting  
a PC stopped the suspect whilst he was driving before conducting the intoxilyser procedure -

This has now been referred for a charging decision.