

## POLICE REPORT

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Defendant 1: EOIN MCLOVE

Anticipated plea: Not guilty

Defendant 2:

Anticipated plea: - select -

**1. Summary of the Key Evidence** - 'Key evidence' establishes every element of the offence and that the defendant committed the offence with the necessary criminal intent.

- ◆ Set out the facts in chronological order, telling the story and covering the 'points to prove'
- ◆ The summary must be balanced and fair
- ◆ Record address and contact details of civilian witnesses on MG9 (and *all dates to avoid on MG10*).

Key evidence: THE DEFENDANT WAS RELEASED FROM PRISON ON LICENCE ON THE 29<sup>TH</sup> MAY AND RETURNED TO LIVE WITH THE COMPLAINANT. HE HAD ASSURED THE COMPLAINANT THAT HE HAD GIVEN UP ALCOHOL AS THIS HAD BEEN AN ISSUE IN THEIR RELATIONSHIP PREVIOUSLY.

On the 1<sup>st</sup> JUNE THE DEFENDANT ARGUED WITH THE COMPLAINANT WHICH RESULTED IN THE DEFENDANT LEAVING THEIR HOUSE AT AROUND 11AM.

THE DEFENDANT RETURNED THAT EVENING AT AROUND 9PM AND HE WAS INTOXICATED. AN ARGUMENT STARTED BECAUSE THE DEFENDANT HAD BEEN DRINKING. THE COMPLAINANT ASKED THE DEFENDANT TO GO TO BED TO SLEEP THE ALCOHOL OFF, THE DEFENDANT REACTED BY PICKING UP A REMOTE CONTROL FROM THE LIVING ROOM AND STRIKING THE COMPLAINANT TWICE TO THE LEFT HAND SIDE OF THE FACE. THIS CAUSED THE COMPLAINANT TO FALL TO THE FLOOR INTO THE KITCHEN AND SUSTAIN A CUT TO THE SIDE OF HER HEAD.

ATTENDING POLICE OFFICERS SAW THE INJURY AND FRESH SWELLING.

THE DEFENDANT WAS ARRESTED BY ANOTHER OFFICER ON THE NEXT ROAD ALONG DRIVING A NISSAN CAR. HE WAS STOPPED, NOTED TO BE UNDER THE INFLUENCE OF ALCOHOL AND AS SUCH A ROAD SIDE TEST WAS OFFERED BY REFUSED.

THE DEFENDANT PROVIDED AN EVIDENTIAL SAMPLE AT THE POLICE STATION OF 112MG IN BREATH.

Key witness(es) and their role (e.g. eye witness, person providing identity): SHELAGH MCLOVE - COMPLAINANT

LUCY DOYLE - NEIGHBOUR - HEARS SHOUTING AND CAN SAY NO INJURIES EXISTED AN HOUR BEFORE ON THE COMPLAINANT

PC BLAYNEE - STOPPED THE DEFENDANT AND CONDUCTED POLICE STATION TEST

State value of property stolen or damaged (or recovered). See Sec 9 for recording compensation details):

## 2. Defendant Interview

- ◆ Set out the explanation given by defendant as to **how/why offence happened**: include any **mitigation/remorse** put forward.
- ◆ Note any **Special Warnings** given.
- ◆ State if no comment made.
- ◆ Attach copy of CCTV if shown in the interview **(to file)**.

Defendant: EOIN MCLOVE

Date of interview: 02/06/20 06:00

Interviewing officer(s): PC JONES

Other person(s) present: DEF REP MR FINTAN STACK

Summary of defendant explanation: THE ALLEGATIONS WERE PUT TO THE DEFENDANT IN INTERVIEW. HE PROVIDED A NO COMMENT INTERVIEW

Defendant's response/reaction to CCTV (if 'key evidence' and shown in I/V): 999 TAPE WAS PLAYED TO DEFENDANT - HE DECLINED TO COMMENT

Relevant admissions and their start/finish counter reference times:

## 3. Non Key Evidence – list witnesses present but not 'key'. State what evidence they contribute e.g. additional eye witness, arresting officer, charging officer; officer seizing CCTV. Record contact details of civilian witnesses on MG9 and dates to avoid on MG10.

Name of non-key witness(es) and their role:

## 4. Visually Recorded Evidence – CCTV, photos, mobile phone(s). Attach a copy (*identify playback format*). Custody suite CCTV should be included as unused material unless 'key evidence'.

Is there VRE? Yes If 'Yes', does it provide 'key evidence? Yes

Give details of what it shows (whether 'key' or not) and include tape counter reference times for relevant key sections (*i.e. defendant punching victim/kicking window*) MGDDA PROCEDURE CAPTURED ON CUSTODY CCTV - NOT PROVIDED AT PRESENT AS DEFENDANT IS EXPECTED TO PLEAD GUILTY TO THIS CHARGE.

## 5. Injuries – a medical statement is **NOT** required unless needed to interpret x-rays or describe injuries not visible to the naked eye. Victim(s)/eye witness/police officer should **describe any visible injuries**, photos should be taken and attached (if not taken, attached, state why).

Description of injuries: CUT TO THE LEFT TEMPLE AREA OF COMPLAINANT, SOME SWELLING - NJURIES CAPTURED ON BWF

## 6. Forensic Evidence – fingerprints, drugs evidence (weight, number of wraps, etc.). Include details such as street value and purity as this is essential for sentencing information. State if drugs field tested and by whom. State timescales for a full forensic statement (if required). **NA**

## 7. DIP testing – attach DT2 for prosecutor.

Def. 1: Tested? ☐ Trigger off.: ☐ Result: (pos/neg) - select - Drug: - select -  
 Def. 2: Tested? ☐ Trigger off.: ☐ Result: (pos/neg) - select - Drug: - select -

**8. Application for Order(s) on Conviction** – consider applying for an order on conviction, e.g compensation, forfeiture/destruction (see order list).

Defendant: EOIN MCLOVE

Order(s) applied for: Restraining order

**9. Application for Compensation** – state if an estimate. Attach quotes/receipts if available. An address for compensation **must** be provided on MG6. *(If more than one victim/defendant, list one after the other and give details in the description box).*

Defendant: Victim:

Description of injury/loss and or damage:

Amount of compensation applied for: Has an MG19 been sent to victim?:

**10. Other: MG18 (TICs)?** ☐ **Pre-cons/cautions attached ?** ☐ **MG6?** ☒

**11. Officer's certification:** I certify that to the best of my knowledge and belief, I have not withheld any material that might reasonably be expected to undermine the prosecution or might reasonably assist the defence in early preparation of their case, including the making of a bail application. I further certify that relevant material has been recorded and retained in accordance with the CPIA 1996, Code of Practice, as amended.

Name & rank/job title: PC JONES

Date: 02/06/2019

**12. Supervisor's certification:** The information in parts 1 – 9 is an accurate summary of the available evidence and complies with the DPP's guidance for a Streamlined Process. The file has been built to the required standard.

Name & rank/job title: PC BRENNAN

Signature: ..... Date: 02/06/20

**YOU MUST ALWAYS COMPLETE CONDITIONAL CAUTIONING SECTION BELOW.**

**Defendant:** (if more than one defendant, use additional page)

**Not suitable for conditional caution because**  
**Re-offending risk - not reduced by conditions**

**OR**

**Suitable for conditional caution because custody officer is satisfied:**

♦ There is sufficient evidence to charge the offence and defendant has not denied the offence or raised a

defence, and

- ◆ Conditions are capable of rehabilitating the offender or for making reparations for the offence, and
- ◆ Both the circumstances of the offence and the offender make it appropriate to offer a conditional caution, and
- ◆ The offence is one for which a conditional caution can be offered (see Annex A, DPP's Guidance)

### Proposed conditions

Condition	Compliance requirements including completion/progress check dates	Supporting evidence
1.		
2.		
3.		
4.		