

Garda Síochána Custody Record

Garda Station THOMASTOWN

District THOMASTOWN

No ES

L.84.

A. Details Concerning Person in Custody

1. Name PEERA NUNDE
 2. Address 3 CHARLOTTE ST. BALLYCOPPE, DUBLIN 15
 Home Circumstances Code ☐ 3. Alias
 4. Date of Birth 24/10/64 5. Sex M
 6. Marital Status W 7. Nationality INDIAN
 8. Height 5'9" 9. Hair Colour BROWN 10. Eye Colour BRO
 11. Complexion FAIR Facial Hair NO
 13. Eye type
 14. Any Distinguishing Marks/Deformities/Amputations/Scars/Facial Oddities /
 Alerts (Personality and Possible Tendencies)

Signature of Member [Signature]

B. Details of Arrest

15. Arrest — Time 7:35 PM Date 17/01
 16. Name of arresting member PC [Signature]
 17. Place of arrest CHARTERED
 18. Arrival at Station — Time 7:40 PM Date 17/01
 19. Offence(s) or other matter in respect of which arrest was made
 20. Any relevant particulars relating to physical or mental condition

Signature of Member [Signature]

DETENTION
 21. To be completed in respect of a person detained under section 4 of the Criminal Justice Act 1984:
 "I have reasonable grounds for believing that the detention of PEERA NUNDE is necessary for the proper investigation of the offence(s) in respect of which the said person has been arrested."
 Signature of Member-in-Charge [Signature] Time & Date 17/01 7:45 PM

C. Initial Action Taken

22. Information given to arrested person in accordance with Regulation 8(1).
 Time 7:45 PM Sig. of Member [Signature]
 23. Notice of rights
 Time 7:45 PM Sig. of Member [Signature]

24. I acknowledge receipt of notice of rights

Sig. of person in custody [Signature]
 Remarks:

Persons under 17 or mentally handicapped persons

25. Parent, guardian or spouse (as case may be) informed of arrest
 Time 8:00 PM Signature of Member [Signature]
 26. Where not possible to contact a parent, etc., information given to arrested person in accordance with Regulation 9(1X).
 Time 8:00 PM Signature of Member [Signature]
 27. To be completed where notification of solicitor or other person requested by person in custody or, where arrested person under 17 or mentally handicapped, on person's behalf.

Time	Time request made	Name & Status of person to be notified	Time request complied with	Initials

Remarks:

28. District Headquarters notified (Reg 10(2))
 Home District Headquarters notified (Reg 10(3))

D. Details of Any Action or Occurrence Involving the Person in Custody

Instructions:
 1. All other matters required by the Regulations on the treatment of persons in custody should be recorded in this section.
 2. Entries need not be restricted to one line.
 3. Where the authority of a member of a specified rank is required for any action taken, the name and rank of the member giving the authority is to be recorded.
 4. Where the consent of the person in custody is required for any action, that consent should be acknowledged in writing by the person on this record or a separate document, as the case may be.

Date	Time of action/ occurrence	Details of action/ occurrence	Member's signature/ initials
17/01	8:22 PM	Interview room with Paul Kennedy	[Signature]
17/01	8:27 PM	Warden	[Signature]
17/01	8:52 PM	Solicitor called for by Member	[Signature]
		Mr. Muggan Solicitor contacted and appeared	[Signature]
		to come to STP	[Signature]
17/01	8:50 PM	Warden Muggan	[Signature]
17/01	9:45 PM	Mr. Muggan Sol. arrived and taken to interview room	[Signature]
17/01	10:05 PM	Mr. Muggan from interview room	[Signature]
17/01	10:15 PM	Visit O.K.	[Signature]
17/01	10:35 PM	Staff Mucke signed	[Signature]
		Authorisation number	[Signature]
		C.T. (Mugger's signature)	[Signature]
17/01	11:05 PM	Warden O.K.	[Signature]
17/01	11:15 PM	Warden signed	[Signature]
		Authorisation number	[Signature]
		C.T. (Mugger's signature)	[Signature]
		act 1990 (named in)	[Signature]
17/01	11:15 PM	Warden O.K.	[Signature]
		Authorisation number	[Signature]

(If necessary additional pages with same (Section D) heading may be attached)

Peter ^{Donne} 7-5-61

[illegible]

Friday the 21st day of December 2001

BEFORE MR JUSTICE MURPHY

**IN THE MATTER OF AN APPLICATION UNDER SECTION 4(5) OF THE
CRIMINAL JUSTICE (FORENSIC EVIDENCE) ACT 1990**

AND IN THE MATTER OF A POTENTIAL PROSECUTION ENTITLED

THE PEOPLE AT THE SUIT OF THE DIRECTOR OF PUBLIC

PROSECUTIONS

V

PETER DUNNE AND PATRICK McCARTHY

**EX PARTE APPLICATION ON BEHALF OF THE DIRECTOR OF PUBLIC
PROSECUTIONS**

Upon application of Counsel for the Director of Public Prosecutions made Ex Parte to the Court this day seeking an Order pursuant to Section 4(5) of the Criminal Justice (Forensic Evidence) Act 1990 covering bodily samples taken from Peter Dunne of 3 Charlotte Street, Rugby CP21 3HG, England and originally of Moyne Lower, Enniscorthy in the County of Wexford and Patrick McCarthy of 49 Talbot Green, Wexford in the County of Wexford on the 1st day of July 2001 at Thomastown Garda Station, Thomastown in the County of Kilkenny

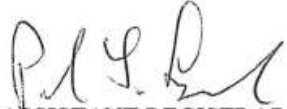
And on hearing said Counsel

IT IS ORDERED pursuant to Section 4(5) of the Criminal Justice (Forensic Evidence) Act 1990 that the said samples of Peter Dunne and Patrick McCarthy be retained for a period of six months from the 31st day of December 2001

G.1.

THE HIGH COURT

And IT IS ORDERED that the said Peter Dunne and Patrick McCarthy be served with a copy of this Order with liberty to the said Peter Dunne or Patrick McCarthy to apply to discharge the aforesaid Order on notice to the Applicant.


ASSISTANT REGISTRAR

A COPY WHICH I ATTEST


FOR REGISTRAR

Friday the 28th day of June 2002

BEFORE MR JUSTICE Ó CAOIMH

**IN THE MATTER OF AN APPLICATION UNDER SECTION 4(5) OF THE
CRIMINAL JUSTICE (FORENSIC EVIDENCE) ACT 1990 AND IN THE
MATTER OF A POTENTIAL PROSECUTION ENTITLED**

**THE PEOPLE AT THE SUIT OF THE DIRECTOR OF PUBLIC
PROSECUTIONS**

AND

PETER DUNNE AND PATRICK McCARTHY

Upon application of Counsel for the Director of Public Prosecutions made Ex Parte unto the Court this day for an Order pursuant to Section 4(5) of the Criminal Justice (Forensic Evidence) Act 1990 covering bodily samples taken from Peter Dunne of 3 Charlotte Street Rugby CP21 3HG England and originally of Moyne Lower Enniscorthy in the County of Wexford and Patrick McCarthy of 49 Talbot Green Wexford in the County of Wexford on the 1st day of July 2001 at Thomastown Garda Station Thomastown in the County of Kilkenny AND upon reading the Affidavit of Patrick J M Whelan filed on the 27th day of June 2002 and the documents and exhibits therein referred to and upon hearing said Counsel

IT IS ORDERED pursuant to Section 4(5) of the Criminal Justice (Forensic Evidence) Act 1990 that the said samples of Peter Dunne and Patrick McCarthy be retained for a period of six months from the 1st day of July 2002

G.1.

THE HIGH COURT

And IT IS ORDERED that the said Peter Dunne and Patrick McCarthy
be served with a copy of this Order with liberty to the said Peter Dunne or Patrick
McCarthy to apply to discharge the aforesaid Order on notice to the Applicant


REGISTRAR

Chief Prosecution Solicitor
Solicitors for the Director of Public Prosecutions

sm(2750ss)GF

A COPY WHICH I ATTEST


FOR REGISTRAR

THE HIGH COURT

2001 No 2750 SS

Thursday the 19th day of December 2002

BEFORE MR JUSTICE Ó CAOIMH

**IN THE MATTER OF AN APPLICATION UNDER SECTION 4(5) OF THE
CRIMINAL JUSTICE (FORENSIC EVIDENCE) ACT 1990 AND**

IN THE MATTER OF A POTENTIAL PROSECUTION ENTITLED

THE PEOPLE AT THE SUIT OF THE DIRECTOR OF PUBLIC

PROSECUTIONS

V

PETER DUNNE

Upon application of Counsel for the Director of Public Prosecutions made ex parte unto the Court this day seeking an Order pursuant to Section 4(5) of the Criminal Justice (Forensic Evidence) Act 1990 covering bodily samples taken from Peter Dunne of 3 Charlotte Street Rugby CP21 3HG England and originally of Moyne Lower Enniscorthy in the County of Wexford on the 1st day of July 2001 at Thomastown Garda Station Thomastown in the County of Kilkenny

Whereupon and on reading the Affidavit of Patrick J M Whelan filed on the 19th day of December 2002 the Order dated the 21st day of December 2001 the Order dated the 28th day of June 2002 and on hearing said Counsel

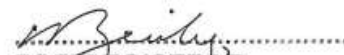
THE HIGH COURT

IT IS ORDERED pursuant to Section 4(5) of the Criminal Justice
(Forensic Evidence) Act 1990 that the said samples of Peter Dunne be retained for a
A period of twelve months from the 1st day of January 2003

And IT IS ORDERED that the said Peter Dunne be served with a copy
of this Order with liberty to the said Peter Dunne to apply to discharge the aforesaid
Order on Notice to the Applicant


REGISTRAR

A COPY WHICH I ATTEST


FOR REGISTRAR

Warrant "A"

IRELAND



To be handed to Mr. Price

AN CHUIRT DUICHE

THE DISTRICT COURT

District Court Area Of Thomastown District No.22.

WARRANT TO ARREST

Complainant: The Director of Public Prosecutions

Accused: Peter Dunne

WHEREAS a complaint has been made on oath and in writing that the said accused on the first day of July 2001 at the Quay, Thomastown, County Kilkenny in the District Court Area of Thomastown, District No.22, had sexual intercourse with a person who was mentally impaired.

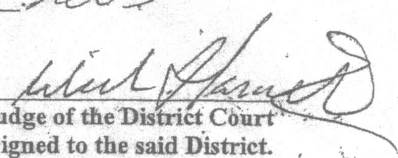
Contrary to Section 5(1) of the Criminal Law (Sexual Offences) Act, 1993.

THIS IS TO COMMAND YOU to whom this warrant is addressed to arrest the

said **Peter Dunne.**
formerly of **Moyne Lower, Enniscorthy, County Wexford, Ireland.**

and to bring him without any delay before me or another Judge to be dealt with according to law.

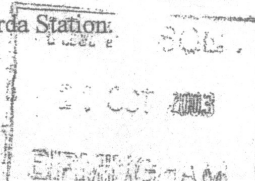
Dated this 15th day of September 2003

Signed: 

Judge of the District Court
assigned to the said District.

To the Superintendent of the Garda Síochána at Thomastown Garda Station.

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IRELAND



AN CHUIRT DUICHE

THE DISTRICT COURT

District Court Area Of Thomastown, District No.22.

CERTIFICATE

COMPLAINANT The Director of Public Prosecutions.

ACCUSED Peter Dunne

I, Liam Nolan, the undersigned Court Clerk to the District Court being duly authorised by the said Court hereby certify that the offence specified in the attached Warrant dated 15th day of September 2002 (marked "A" and signed by me for the purpose of identification) for the arrest of Peter Dunne,

namely the offence that he on the first day of July 2001 at the Quay, Thomastown, County Kilkenny in the District Court Area of Thomastown, District No.22, had sexual intercourse with a person who was mentally impaired.

Contrary to Section 5(1) of the Criminal Law (Sexual Offences) Act, 1993,

is under the Laws of Ireland an indictable offence (not being an offence triable on indictment only at the instance or with the consent of the accused) and not also a summary offence.

Signed : Liam Nolan

Court Clerk to the above Court and a person duly authorised to issue Certificates on behalf of the said Court in accordance with the Laws of Ireland.

This 15th day of September, 2002

IRELAND



AN CHUIRT DUICHE

THE DISTRICT COURT

District Court Area of Thomastown, District No.22.

CERTIFICATE

COMPLAINANT : The Director of Public Prosecutions.

ACCUSED : Peter Dunne

I, Liam McManus, the undersigned Court Clerk to The District Court in Ireland hereby certify that the attached document dated 15th day of September, 2007, (marked "A" and signed thereunder by Liam McManus Clerk to the Court) is a warrant of arrest which has been issued by a Judge of a Court in Ireland in accordance with the Laws of Ireland.

Signed : Liam McManus

This 15th day of September, 2007.

IRELAND



AN CÚIRT DÚICHE

THE DISTRICT COURT

District Court Area of Thomastown District No. 22

INFORMATION

Complainant : The Director of Public Prosecutions.

Accused : Peter Dunne

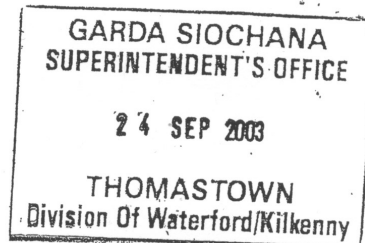
The information of Sergeant P. J. Whelan of Graiguenamanagh Garda Station who says on oath that I received a complaint on 1st July 2001, from a female. During the course of investigating this complaint one Peter Dunne, formerly of Moyne Lower, Enniscorthy, Co. Wexford and also formerly of 3 Charlotte Street, Rugby, CP2134B, England., was arrested and detained at Thomastown Garda Station on 1st July 2001. He was released without charge and an investigation file was forwarded to the Director of Public Prosecutions, who has directed that Mr Dunne be charged under Section 5(1) Criminal Law (Sexual Offences) Act 1993, and the informant binds himself to attend when and where called on to give evidence against the said accused for the said offence.

Signed PJ WHELAN Sergeant.
(Informant)

Sworn before me this 15th day of September 2003

At Thomastown District Court.

cc County Wick
Signed [Signature]
(Judge of the District Court.)
*I certify that this is a true copy of the original
which I have seen at Thomastown District Court on 15/9/03*
96 *Agreed: [Signature]*
District Court Clerk.



To Sergeants : Whelan, Heffernan or O'Neill

jointly or severally for legal execution.

Aiden Roche Superintendent
(AIDEN ROCHE)
Inspector acting Superintendent who has delegated his authority to me.

Dated this 24th day of September 2003

"A" this is the warrant referred to in my Certificate
dated 15th day of September 2003.

Signed Aiden Roche

Clerk to the District Court.

Dated 15th day of September 2003.

I, the undersigned, a Justice of the Peace
for the petty sessions area of Limerick, being
satisfied that this warrant may be endorsed
under section 1 of the Backing of Warrants
(Republic of Ireland) Act 1965, hereby
authorise any constable of the Limerick
Police force to execute this warrant in
England or Wales by bringing the said Peter
Dunne before a magistrates' court.

Dated 17th October, 2003

A2 Kennedy
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12.

Summary of Evidence

R v Peter Ivan DUNNE

Applications ☒ as appropriate Compensation ☐ Forfeiture ☐ Destruction ☐ Other ☒
 if 'Other' please specify Extradition to Republic of Ireland

On 1st July 2001 a ten-year-old mentally impaired girl attended Thomastown Garda Police Station and made a complaint that two men had had sexual intercourse with her, against her will in the early hours of the same day.

At the time there was a Funfair operating in the town and two suspects were arrested who were working with the fair. One of the suspects was the defendant and he was detained and questioned at Thomastown Garda Station.

Both of the suspects were released while a file was prepared for the Director of Public Prosecutions for Eire. The D.P.P. directed that both suspects be Charged under Section 1 of the 1993 Criminal Law Sexual Offences Act, which is having unlawful sexual intercourse with a mentally impaired person. There is no consent issue with this Charge.

On 15th September 2003 District Judge William Harnett at Thomastown District Court issued a Warrant of arrest for the defendant (Warrant 'A'). The warrant was endorsed as being for an Indictable Offence by Liam Nolan Court Clerk to the District Court (Form No 1) and as being a warrant of arrest issued in accordance of the Laws of Ireland (Form No 2).

The defendant was found to be residing at 3 Charlotte Street in Rugby and papers relating to the arrest of the defendant were passed to Rugby CID. On Friday 17th October 2003 the Warrant issued by Judge Harnett was presented to Justice of the Peace AE Kennedy at Rugby Magistrates Court and the facts explained to the J.P. who then Backed the warrant under the Backing of Warrants (Republic of Ireland) Act 1965.

(Continuation sheet Yes ☐ No ☐)

**WARRANT OF COMMITMENT OF PERSON ORDERED UP TO BE
DELIVERED UP**

In the Petty Sessional Division of (County of) Warwickshire

To each and all of the constables of and to the Governor of Her Majesty's prison at
..... *Blakenhurst*

Peter Dunne..... (hereinafter called the defendant) having been brought this
day before the Magistrates' Court sitting at Nuneaton pursuant to a warrant for
his/her arrest endorsed in accordance with section 1 of the Backing of Warrants
(Republic of Ireland) Act 1965

AND the Court having ordered that he/she should be delivered at some convenient
point of departure from England or Wales into the custody of a member of the police
force of the Republic of Ireland and be remanded in custody until so delivered.

YOU the said constables, are hereby commanded to convey the defendant to the said
prison and there deliver him/her to the Governor thereof, together with this warrant;
and you, the Governor of the said prison, to receive him/her into your custody and
keep him/her until he/she shall be duly conveyed to some convenient point of
departure from England or Wales in accordance with this warrant or otherwise
delivered in due course of law; and you, the said constables and the Governor of the
said prison or one or more of you to convey the defendant after the expiration of the
period of fifteen days from the date of this order if no application has been made by
him/her or on his/her behalf for a writ of habeas corpus or after he/she has consented
to be delivered up into the custody to the police force of the Republic of Ireland
before the expiration of the said period, from the said prison to some convenient point
of departure from England or Wales and there deliver him/her into the custody of a
member of the police force of the Republic of Ireland.

Dated the *21st* day of *October* 2003

A. G. Brereton

Justice of the Peace for the (county) aforesaid