

I respectfully write to you today as a law abiding citizen and father of three children who, because of the improper, illegal and unconstitutional actions of various agents of the State, find myself in the impossible position where—if I am to abide by the law and the Constitution, and specifically to the *Reporting Obligations* of the **Criminal Justice Act 2011** —that I have no alternative but to bring the following grave matters to the direct attention of the Irish Judiciary in this public letter.

I have, for the past six years engaged truthfully, openly and in good faith with the Irish statutory authorities and the Courts in *attempting* to secure justice for myself and my family in the wake of over seven hundred incidents of harassment, intimidation, defamation, death threats, physical assaults and more, all of which have either been reported to the Gardaí or have formed the subject matter of civil cases which we have taken through our Courts. Yet despite overwhelming evidence in support of the facts and despite having named the perpetrators openly in formal criminal complaints and in sworn affidavits, not a single individual has been prosecuted by the Gardaí or has otherwise held accountable in the Courts. Indeed, all the indicators are, that the perpetrators of these crimes are being actively protected from prosecution through the illegal and improper activities of agents of the State – including (we regret to say) by Gardaí, senior civil servants and members of the Judiciary.

It is not our wish or intention to disrespect our Courts nor to impugn the good name of any member of the Judiciary who is carrying out their duties justly, diligently and ‘without fear or favour’, but some serious questions have to be asked when a law-abiding citizen is repeatedly thwarted, obstructed and denied justice over a period of several years; by the very people entrusted with the administration of the law and the protection of our Constitution.

In the experience of myself and a great many other citizens including scores of *Integrity Ireland* Members (who have documented their experiences in sworn affidavits currently before the Minister for Justice); the general perception is that our Courts are simply ‘unfit for purpose’ – unless that ‘purpose’ is to protect the establishment at all costs - even at the direct expense of truth and justice.

Given that our Judges are absolutely required to operate ‘*according to the law and the Constitution*’ and have each sworn a solemn oath to adjudicate matters ‘*without fear or favour*’ it is a scandal of alarming proportions that so many of our Judges are perceived as being unpredictable and inconsistent or, as mere puppets of the political establishment. With all due respect to the *best* of our Judges, it is unsettling to any right-thinking person that five out of six judicial appointments for example are politically motivated and that the JAAB (*the Judicial Appointments Advisory Board*) has failed to conduct even one single interview in over eleven years of existence. How is the public supposed to have confidence in a judicial appointments system that is so overtly compromised as to engender astonishment in the eyes of outside observers? And whilst it does not necessarily follow that Judges so appointed are *not* doing an excellent job, only a fool would not entertain the possibility in our Ireland of today that Judges so appointed would not feel politically and personally inclined to favour those whose patronage delivered them to their lofty positions. In this manner, the insidious tentacles of cronyism, nepotism and political patronage undermine the public’s confidence in the essential ‘independence’ of the Judiciary – not to mention other obvious issues of concern such as having no special training for prospective Judges – and having no workable mechanism by which erring Judges can be effectively curbed – because the current appeals system is so onerous to negotiate and so open to abuse as to be no effective deterrent to Judicial misfeasance, malfeasance

or incompetence. And if the common man loses confidence in the judiciary then arguably the judiciary have lost their moral authority. And without a moral dimension, authority quickly descends into tyranny.

The courts are our very last refuge. If they are not solidly rooted in the principles of justice, and if the ordinary citizen cannot rely on fair and expedient treatment then this is no 'justice system' worthy of the name. All we are asking for is fair treatment – as laid out in the respective legislation. It is all there in black and white. We have an absolute right to be treated with dignity, fairness and respect – especially by those who have been gifted so much power and authority and are being paid from the public purse. Surely it is not too much to ask that our Judges honour the principles of justice, and treat all men fairly, as laid down in our Constitution and in the Judges Oath of Office?

Anyway – to the matter at hand: Although we could quote literally scores of examples of improper conduct by senior Court Service Staff and members of the Judiciary as listed on the *Integrity Ireland HAFTA database* I will just highlight one particular issue concerning a matter coming before the new Appeals Court on January 30th next, where a non-national who has a longstanding criminal record in another jurisdiction has, with the apparent direct facilitation and support of a number of Court Registrars and Judges, made an absolute mockery and a farce of the Irish justice system, so much so that we took it upon ourselves to send a circular to the respective Courts Service Offices (in early November 2014) advising them that this individual was a criminal who had been refused audience by two Judges of the superior courts, on the grounds (as stated by us) that his multiple appearances in court were predicated on serial misrepresentations, deceptions and frauds including dozens of incidences of blatant perjury and forgery, and other criminal acts which, despite our most strident efforts are drawing no appropriate responses from the so-called 'statutory authorities'. Clearly something is very seriously amiss here.

In my own case, it seems pointless trying to engage with the judicial process 'in good faith' while so many blatant breaches of the law and the Constitution are allowed to continue. Instead of remedying these flagrant offenses when the cases come before them, certain Judges have either completely ignored blatant acts of perjury, fraud, deception, forgery and collusion, or, have further compounded matters by issuing oral 'directions' in open Court in order to temporarily appease those present and avoid any uncomfortable developments – and then, afterwards, signing off on perfected Orders which bear little or no resemblance to the directions given in Court! When we then seek clarifications or explanations, we are variously ignored, rebuked or otherwise treated with contempt by certain Courts Service Staff who clearly struggle with any proper understanding of the concept of genuine 'public service'. A simple analogy would be to ask how you would react if, when waiting for a bus, the driver failed to stop; or, took you to the wrong destination; or, mounted the pavement and tried to run you over!? Don't you think you would have a right to report that driver? Should he not be sacked for failing to do his job properly? Why then, do we continue to put up with a so-called 'Courts Service' – that is anything but!

On Friday January 30th an Appeal by the aforesaid criminal is scheduled to be brought before the Court. He has absolutely no right of audience in these cases, yet several Judges and Registrars have it seems knowingly allowed him to bully and barge his way from hearing to hearing, making an absolute mockery and disgrace of our so-called justice system. In light of our numerous letters and notices to all parties concerned, any person – including any Courts Service Staff or member of the Judiciary who facilitates the progression of this utterly illegitimate Appeal on January 30th is clearly

and demonstrably complicit in facilitating a criminal who is engaged in a longstanding fraud on the Irish people and the Irish Courts. Accordingly, we respectfully ask each of the Presidents of the various Courts as listed below to ensure that all Judges and Courts Service Staff under their jurisdiction are alerted as to the facts of this particular case so that further abuses, and the resultant costs and embarrassment to our justice system, may be avoided.

I therefore respectfully reiterate my intention to maintain Constitutional integrity at the Appeal hearing scheduled for January 30th by declaring as absolutely illegal any attempt by Courts Service Staff or members of the Judiciary to facilitate said criminal other than by denying him the right of audience in the Irish Courts, as dictated by the law, by the Constitution, and by Superior Court Rules. In the event that said criminal is indeed further facilitated in this blatant and recurrent fraud, then any person so engaged will be invited to surrender themselves into custody under the terms of **Section 4(1) of the Criminal Law Act 1997** for the arrestable offence of, ‘*obstructing or attempting to obstruct, interfere with, or pervert the course of justice*’.

It remains only for me to emphasise most sincerely on a personal level, that this open letter to our Judges is not an attempt by me to *inappropriately* affect the progress of any case wherein I am a named party – other than to respectfully insist that my ‘*inalienable fundamental rights*’ – as per the law and the Constitution – are duly and properly respected. I believe it is fair to say that I speak for the great majority of the Irish public in drawing these matters to the public attention of our Judiciary – albeit through the vehicle of my own personal experiences in the Courts – for, based on the avalanche of complaints which continue to arrive for the *Integrity Ireland HAFTA Database*, there can no longer be any doubt that there is a major moral and Constitutional crisis in the manner in which thousands of legitimate cases are being dealt with, and adjudicated in our Courts.

We can but appeal to those members of the Judiciary who would act in good faith and conscience to redress these fundamental wrongs; please, please deliver us justice.

Sincerely,

Stephen Manning, Belcarra, Castlebar, Co. Mayo.
(Active Member of Integrity Ireland)



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Copies to:

The Hon. Mrs. Justice Susan Denham, Chief Justice, Chairperson of JAAB
The Hon. Mr. Justice Sean Ryan, President of the Court of Appeal, Board Member of JAAB
The Hon. Mr. Justice Nicholas Kearns, President of the High Court, Board Member of JAAB
The Hon. Mr. Justice Raymond Groarke, President of the Circuit Court, Board Member of JAAB
Her Honour Judge Rosemary Horgan, President of the District Court, Board Member of JAAB
Ms. Máire Whelan SC, Attorney General, Board Member of JAAB
Mr. David Barniville SC, Chairman of the Bar Council, Board Member of JAAB
Mr. John Shaw, Nominee of the Law Society, Board Member of JAAB
Dr. Simon Boucher, Board Member of JAAB and CEO at the Irish Management Institute (IMI)
Ms. Karen Dent, Board Member of JAAB, and Fine Gael political activist
Mr. Brendan Ryan BL, Secretary to the JAAB and CEO of the Courts Service
Frances Fitzgerald, TD, Minister for Justice