

I-I (brief) Update – December 17th 2015

Hi Folks – apologies for the short notice, but we have information to share which is vitally important for anyone seeking to use the Common Informer procedure in the Courts to pursue private prosecutions.

Basically, the Common Informer legislation dates back to 1851 and (according to several previous Court rulings) “*is enshrined in Common Law*”. At present, it is the ONLY way an ordinary citizen can take a private prosecution against another citizen. Most importantly, it is the ONLY way a private citizen can prosecute a banker, a lawyer, a garda, a registrar, or any other agent of the State WITHOUT going through An Garda Síochána and the DPP, or, through any of the ‘statutory oversight bodies’ (such as GSOC, the solicitors disciplinary tribunal etc.)

In short, the Common Informer legislation is the ONE and ONLY avenue left open to ordinary citizens when the various agencies of the State fail or refuse to prosecute wrongdoers.

The key elements of the Common Informer legislation are:

- The prosecutor (you) can approach a District Court judge directly with your complaint. There is no requirement to engage in convoluted legal procedures before speaking to the judge.
- The complaint can be delivered “*in shot form, in ordinary language*”.
- Provided the judge is convinced that an offence has taken place, he/she must issue a summons for the accused to appear in Court to answer the charges.
- No-one – not even the DPP can stop you from initiating the procedure.
- The DPP can only step in and take over if it is an indictable (serious) offence.
- The process is free!

This past week, however, we attempted again to lodge some complaints under this Common Informer legislation in Castlebar Courthouse and were told by the Courts Service and a visiting judge:

- A local judge has now directed that we must first lodge the papers at the Courts Service Office – where they will, eventually, at some time that suits them, assign us to a judge’s list.
- The complaint must detail the alleged complaint in specific legal terms, quoting all the relevant laws and statutes. If these are incorrect, the application for a summons will fail.
- The complaint must contain *prima facie* evidence (solid proofs) that a crime has been committed – otherwise, the application will fail. (We agree with this one of course).
- Each summons issued will now generate a fee to be paid to the Courts Service.
- And finally, and perhaps most disquieting of all, a ruling by the Supreme Court in July of this year (just after we initiated proceedings against a County Registrar and a Garda Sgt) seems to be suggesting that NO prosecutions will go ahead based on Common Informer procedures unless ‘consent’ is granted beforehand by the DPP. In other words, that the DPP’s Office (which is already notorious for NOT prosecuting the protected elite) will now have a veto on any Common Informer applications by ordinary citizens.



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We are looking into the detail of that ruling to see where it conflicts with something that is supposedly “enshrined in Common Law” and will update the I-I membership in due course. But meanwhile, the I-I Mayo Action Panel have set aside Saturday next Dec 19th to prepare a number of these Common Informer summons applications charging certain agents of the State (and others) with various crimes. Our intention is to submit them to the District Court on the last sitting before Christmas to see what happens next. This would be a good opportunity for anyone who wants to lodge their own Common Informer prosecutions in their own areas to come and participate. So, if you would like to be involved, please call or email us on admin@integrityireland.ie for further details. The meeting will be held in Ballyhaunis, Co. Mayo beginning 11am Saturday and continuing throughout the day until we are done. Train and bus services both pass through Ballyhaunis, and we will come and pick you up if required.

Secondly, we intend to be at the CCJ (Criminal Courts of Justice) on Parkgate Street (near Heuston train station) tomorrow (Friday 18th) to cover the case of Mickey McDonald, I-I member and water charges protestor, who is being charged (falsely it would seem) with assaulting gardai during a water protest. It is important that we do our best to attend these hearings whenever possible folks, because all the indicators are that we are heading inexorably towards Ireland becoming a police State, where the rules only apply to us (common folk); where the protected elite run roughshod over us time after time; and where any dissenting voices are quashed and punished.

We are also in the process of trying to arrange four regional meetings between now and January 11th 2016 for the purposes of organising I-I members and supporters into four regional groups. These meetings will comprise a 30-minute powerpoint presentation followed by a discussion and the appointment of local co-ordinators and facilitators. As we move into 1916 and the Centenary of the Easter rising, it is imperative that we organise ourselves so as to better support each other, as more and more layers of corruption and cronyism are exposed. So if you have a group who are ready to get properly organised, please let us know and we will schedule a meeting asap.

Finally, a heads-up for Wed January 13th 2016, where a raft of house repossession cases are scheduled to be heard in Castlebar. We are proposing to approach the Courthouse en-masse this time, and will require the support and participation of any and all other activist groups. We are seeking three undertakings from the Court in order for us (the people) to participate further with these proceedings:

That no more public Court hearings will be held in private.

That no more assaults will be committed by Gardai on members of the public who are acting lawfully.

That the public are allowed to record proceedings – due to the mountains of evidence that Courts Service records and recordings are being variously amended, altered, or conveniently switched off at times; and due to the lack of probity, accuracy and consistency when it comes to Court Orders.

We firmly believe that if we don't make a stand on these issues now, that this slide into injustice and abuse of our fundamental rights will accelerate with the appointment of a new government and a renewed 'mandate from the people' to do as they bloody-well want for the next five years! So please mark Wednesday January 13th into your diaries, because..

“One by one – together – we CAN make a difference!”