

## FORMAL NOTICE & ADVISORY

To: Mr Justice Frank Clarke, Chief Justice  
The Supreme Court of Ireland  
The Four Courts, Inns Quay,  
Dublin 7

3 pages 'under seal' by email  
& by recorded post  
'cc' all Supreme Court Judges  
& interested parties  
March 2<sup>nd</sup> 2020

Dear Chief Justice Clarke / Sir – and all sitting Justices of the Supreme Court;

We write (yet again) in respect of our reporting obligations under *The Criminal Justice Act 2011* in view of the repeat failures and refusals of the statutory authorities to act according to law, and in context of previous correspondence, legal Notices and advisories which were copied in to all Justices of the Supreme Court regarding the catalogue of serious, repeat, criminal actions and activities on the part of a great many 'Officers of the Court' in open and direct (criminal) violation of: (i) Common Law; (ii) Irish Law; (iii) the Irish Constitution; (iv) European Union Law and Directives; (v) International Conventions on Human Rights; (vi) of case law and legal precedent; (vii) of Superior Court Rules and Procedures; (viii) of internationally-recognised justice-related principles such as the Bangalore Principles and the Copenhagen Criteria; (ix) of Data Protection law; and (x) of existing, explicit and unequivocal Rulings of the Irish Superior Courts by a number of Justices both sitting and retired, whose formal judgements, valid rulings, Court orders and 'considered legal decisions' are being contemptuously and scandalously ignored, suppressed and/or denied by our Courts, in what has become a truly ludicrous, nonsensical, perverse, shocking and shameful so-called 'application of the Rule of Law' in what can only be described as, "*these scandalously-sordid legal circumstances*".

You will note the absence of titular honorifics in this letter in respect of certain persons. This is simply to demonstrate a self-evident truism; that whatever the presumed titles or stated 'positions of authority' being claimed or asserted by any given individual, the fact is that with great legal authority comes great responsibility, including the moral obligation to act with integrity in accordance with the law and the Constitution. Consequently, when any so-called 'judge' sets about with criminal purpose and intent so as to deliberately interfere with, obstruct or pervert justice, then clearly, that person has abandoned any right to the respect of the public, and any informed person who continues to obsequiously parrot these hollow and hypocritical honorifics is merely participating in the lie. I am NOT any such person. Accordingly, and until such time as those named persons are prepared to purge their own outrageous contempt of their own Courts and undertake to 'correct the record' in an open and honest manner, and demonstrate that they will conduct themselves according to the *minimum* ethical and moral standards required of persons holding such high offices – I for one will not participate in the lie, nor subject myself to the indignity of proffering supposed 'titular respect' for those who are taking astonishing liberties with the trust and confidence of the Irish public, and who are in effect 'openly scandalising the Courts' and bringing the Irish judiciary and the whole of the Irish justice system into serious disrepute by persistently failing and refusing to simply apply the law according to their solemn, Constitutional oaths of office.

Our previous recent correspondence to the Chief Justice (which was copied 'under seal' to all sitting Justices of the Supreme Court) made two points abundantly clear: (i) That a series of criminal frauds were being orchestrated and facilitated in the Courts with the active knowledge and participation of several senior judges; and (ii) that due to their existing proven failures and/or refusals (at best) to act honestly and ethically according to their solemn oaths of office, that it would of course be absolutely inappropriate and indeed preposterous for certain named persons to 'look into' our latest proofs of additional criminal conduct by Judges MacGrath, Daly, Birmingham and O'Donnell (on the backs of proven criminal conduct by several other judges, guards, lawyers, elected officials, and agents of the DPP's Office, including Loftus, Kiely, Briscoe and McLaughlin) and that obviously, some other Justice of the Supreme Court should therefore be assigned to deal with our most recent O.58 r.14(ii) appeal against the increasingly tedious, adverse and arguably now pitiable refusals of the Supreme Court Office to accept any paperwork which identifies the endemic criminality at play 'in high places'.

We sense somewhat that it will not come as any great surprise that Chief Justice Clarke nevertheless directed Mr John Mahon of the Supreme Court Office to advise us that he (Mr Clarke) had somewhat ridiculously – and in blatant violation of the concepts of; (a) judicial prejudice, (b) open conflicts of interest, and (c) impartiality, referred the matter back to O'Donnell J., despite the fact that criminal complaints have already been lodged with An Garda Síochána and applications for criminal summons have already been initiated in the C.C.J. that name Judges McGrath, Daly, Birmingham and O'Donnell (amongst several others) as the accused – along with the Minister for Justice Charles Flanagan and a number of senior persons from the DPP's Office, in the face of undisputed evidence of clear and undeniable, repeat, chronic criminal activity. The fact alone that Colin Daly, in his role as President of the District Court presided over such a risibly absurd and brazenly unlawful sitting at the C.C.J. on November 20<sup>th</sup> last, where Mr Daly not only completely ignored the law and Superior Court Rulings and precedent, but he also committed several additional offences against S.7 of *The Criminal Law Act 1997*, by clearly, knowingly, and with scienter and malintent acting to impede the lawful prosecution of persons whom he absolutely KNEW had committed criminal offences. As such, Mr Daly too has now earned himself an ignominious place in the ever-lengthening queue of Irish judges who act with utter contempt for the law, for the Constitution, for the principles of justice, honesty and integrity, and for the long-suffering Irish public whom they are ultimately supposed to be serving.

In spite of all of this accumulated wrongdoing by his 'honourable colleagues' Mr O'Donnell has since concocted yet another witheringly offensive 'Ruling' text which is so selectively-evasive, deceptive, disingenuous, contrived and misleading as to the facts and realities—complete with the pathetically-provocative upside-down signature of the S.C. Registrar—that we are not even going to dignify that insulting text with any formal response at this juncture other than to denounce it as the scandalous piece of devious, obfuscatory tripe that it is, and to advise Mr O'Donnell that a second application for a criminal summons will now be applied for in his name in the District Court for the deliberate and conscious construction of inaccurate and misleading personal data in contravention of GDPR – and we look forwards to his compliance with the said lawful summons as-and-when it is issued.

It remains a self-evident truism and a matter of simple common sense that no citizen or resident of this State is obliged to participate in criminal activity – no matter what the lordly, grandiose titles that dishonourable miscreants persist in assigning themselves. The fact alone that O'Donnell J. would make impertinent reference to some of the *factual* contents of my affidavits as potentially 'legally scandalous' opens up two pertinent and pressing questions: (i) If any honest litigant who truthfully documents serial criminal offences on the part of our national judges can then be accused of 'legally scandalising the Courts' – then what charges should be laid at the feet of those judges for actually creating and committing those criminal offences in the first place? Because there can be no doubt whatsoever that fraud, perjury, criminal damage, collusion and contempt of Court (and/or the active facilitation of the same) are all, by definition, "*criminal offences*" against the administration of justice. (ii) Accordingly, we hereby challenge (as respectfully as we must, of course) Mr O'Donnell – or indeed any of the other 40-or-so accused judges that are named in our **2020 I-I Report**, "*Criminality in the Irish Courts*" to simply take "*the appropriate action under the law*" and either resign in disgrace without further ado or, charge us with defamation, perjury, criminal harassment or contempt of Court.. which in turn would allow us the opportunity to explore these themes and accusations – complete with the indisputable evidence – where all will be open to public scrutiny in our 'open public Courts'. But of course, that is never going to happen under THIS particular regime – is it? Because we have so much evidence of serious, repeat, chronic judicial misconduct; of breathtakingly arrogant violations of the Rule of Law; and of criminal conspiracies and cover-ups at the highest levels, that the only possible outcome of any public hearing (as is our right under Article 34.1) would be 'serious professional embarrassment' (at very best), and, if we were to have our way, and the law was applied "*equally to all*" as per Article 40.1, then some lengthy prison sentences also await many so-called 'Officers of the Court' and other senior officials and office holders. It is truly a

troubling state of affairs when a litigant has just and righteous cause to level serious criminal accusations of this nature at some of the highest offices of the land. It is even more troubling that the ONLY response to date from those accused is to further conspire and collude together to try to suppress, ignore, deny or deflect these accusations whilst abusing all of the available levers of statutory power to target, harass, obstruct and vilify those of us who are brave enough to speak out!

Accordingly, and in the face of continued unlawful stonewalling, of chronic lying, of frauds and criminal obstructionism by the Courts Service, by the DPP's Office, by certain members of An Garda Síochána and by far too many criminally-compromised judges, we now return to you Mr Clarke in your role as Chief Justice of Ireland asking the following three simple questions so that we can all have 'clarity of the record' and clear direction, as we continue our basic quest for simple justice.

**A.** You have been given all of the facts, details and evidence of a serious, prolonged criminal fraud being intentionally perpetrated on the Courts through the collusive, unlawful actions of various 'Officers of the Court'. My J.R. case 2017/798 has now been placed 'in legal limbo' through this deliberate fraud and through the subsequent ongoing failures and refusals of ALL of the Irish statutory authorities approached – including the Superior Courts – to properly deal with the matter.

**Q: How can I possibly advance my J.R. case without participating in this unlawful fraud?**

**B.** The terms of *the Petty Sessions (Ireland) Act 1851* provide for 'any person' to apply for and initiate criminal prosecutions as against 'any other person'. This has been specifically endorsed by the High Court, the Court of Appeal and the Supreme Court in recent years.

**Q: Why have multiple such valid applications been unlawfully ignored / denied / refused or 'disappeared' by over a dozen District Court Judges, and why are our Superior Courts and the Minister for Justice repeatedly failing or refusing to act lawfully, in face of multiple valid appeals, and several explicit, detailed complaints of serious judicial and DPP prosecutorial misconduct?**

**C.** You have been advised several times now that all of the so-called 'statutory oversight bodies' in this State are (generally speaking – and in the experience of thousands of our members) no more and no less than smoke-and-mirrors operations involved in systemic obstructionism and deception, whose primary agenda is to protect a largely corrupt status quo and NOT actually to 'deliver justice' to the people, as is so disingenuously stated 'on paper'.

**Q: Please identify THE supreme authority in this State to whom we should now turn to in respect of; (i) ongoing legal matters which have in effect been unlawfully suspended; (ii) the interpretation and application of EU law; and (iii) concerning repeat, criminal failures by the organs of the Irish State (including the Courts) to respect our fundamental human rights regarding access to justice?**

You will also find attached a 3<sup>rd</sup> 'QTC' document which is self-explanatory. You are respectfully required to answer the questions posed in a clear and unambiguous manner, failing which we must assume that you are refusing to respond, whereupon any such failure will be interpreted under the longstanding internationally-recognised '*Qui Tacet Consentire Videtur*' legal maxim, which in turn will endorse the stated facts and give the said 'QTC 3' NOTICE the power of law in this State.

Naturally Sir, and in respect of these troubling circumstances, any failure to respond within 7 days will be taken as a refusal, and we will act accordingly without further recourse to you.

This Notice has been forwarded to all Justices of the Supreme Court; to all Irish authorities; to TD's, Senators and mainstream media so as to avert the usual anticipated claims of deniability.

Awaiting your qualified response Sir, and trusting the position is clear.

Yours, Dr Stephen Manning, Mountain, Forthill, Ballyhaunis, Co. Mayo.

*A member of Integrity Ireland and Independent candidate for Co. Mayo.*

## Formal Notice & Advisory – Sent ‘Under Seal’ – March 2<sup>nd</sup> 2020

Dear Office Holder;

We write in respect of; (i) the repeat failures and refusals of a great many Irish officials and office holders over a period of many years, to properly respect, adhere to and apply the Rule of Law in this State; (ii) regarding the epidemic of criminal activity being committed by many such senior officials and office holders which is being foisted on the Irish public with impunity in clear-and-open, undisguised violation of our fundamental human rights; and (iii) of the parallel chronic failures and refusals of our so-called ‘Statutory Oversight Bodies’ - including our national Courts – to respond to these crimes and illegalities ‘in the appropriate manner’ according to their sworn mandates, and in keeping with the Rule of Law.

We therefore respectfully advise that in the overall interests of justice, transparency and accountability – as well as to bring clarity on these matters for all concerned – that we approach you today in your official role seeking your endorsement on the attached STATEMENT & DECLARATION (‘QTC No 3’) which should be understood in context of the two previous QTC Notices (copies attached) which we ask that you sign and return to us within 7 days please, or, in the alternative, that you indicate your dissent and/or any objections you may have to the accuracy and validity of the contents, and/or any objections to the use of this document in legal matters and future publications giving your full legal reasons in support of the same, failing which, we will presume your assent and implied consent under the longstanding legal maxim and principle ‘*Qui Tacet Consentire Videtur*’ (silence implies consent) whereupon this ‘QTC 3 Statement & Declaration’ will acquire the force of law as endorsed variously by the respective officials, office holders and authorities approached.

Given the obvious importance of these matters and the centrality of ‘The Rule of Law’ to: (i) Ireland’s standing as a ‘Modern Democratic Republic’; (ii) to the Republic of Ireland’s status as a ‘Sovereign State’; (iii) to Ireland’s membership of the United Nations; and (iv) to Ireland’s continued membership of the European Union – it is clearly a matter of the utmost urgency that you confirm – acting in your official role – the self-evident truths contained in the Statement & Declaration attached, noting that according to *GDPR* and *International Postal Union Law*, that we cannot accept return correspondence to an ‘Under Seal’ communication such as this from any other person other than the named addressee, unless any such return correspondence contains an ‘Authority to Act’ or similar original document, which is personally signed and dated by the named addressee.

Looking forwards to your prompt and accommodating response, and trusting the position is clear.

Yours,

Dr Stephen Manning  
Mountain, Forthill,  
Ballyhaunis, Co. Mayo.



*A member of Integrity Ireland and Independent candidate for Co. Mayo.*

## STATEMENT & DECLARATION

(‘QTC 3’ – March 2020)

1. Natural law (or moral law) is unwritten law that defines what is fundamentally ‘right and wrong’.
2. Positive law is written law which defines what is ‘legal or illegal’ at any given time, in any place.
3. Four primary sources of *positive* (vs. natural) law apply in Ireland. In order of supremacy these are: (i) European Union Law. (ii) The Irish Constitution. (iii) Irish Legislation. (iv) Common Law & Case Law.
4. Secondary sources of positive law are known as ‘statutory instruments’ including; (a) ministerial orders, (b) governmental regulations, (c) operational rules, and (d) bye-laws (for example). These are delegated to regulatory bodies and local authorities. But they **must** be consistent with, and based on, the legislation adopted by the Oireachtas; otherwise they can be challenged in the Courts.
5. To contravene the law by any act or omission is to commit an unlawful, illicit and/or criminal act. “Lawbreaking” is also variously defined as; ‘*crime, breach, malefaction, misbehaviour, misconduct, misdeed, misfeasance, malfeasance, nonfeasance, transgression, trespass, violation & wrongdoing.*’
6. Accordingly, any person who, with full knowledge, awareness and understanding of the same, deliberately and knowingly: (i) disregards, (ii) ignores, (iii) defies; (iv) disobeys; (v) contravenes, (vi) breaches, (vii) flouts, or (viii) violates any such primary or secondary source of law is—by virtue of the said illicit act or omission—committing a *prima facie* offence against the said law and is subject to the criminal penalties and/or legal consequences, if any, that apply in those circumstances.
7. Any such offending person including any Irish officials or office holders who engage in lawbreaking either; (a) in their private capacity as residents or citizens; and/or (b) in context of their public role or position, are subject to the respective legal consequences by way of: (i) criminal complaints to An Garda Síochána, and/or (ii) prosecution by the DPP; (iii) by way of private, criminal prosecution under *S.10 of the Petty Sessions (Ireland) Act 1851*, and (iv) are also subject to legitimate citizen’s arrest as per the terms of *S.4 of the Criminal Law Act 1997 & S.12 of the Criminal Damage Act 1991*.
8. In particular, any Irish judge who, with full knowledge, awareness and understanding of the same, deliberately and knowingly: (i) disregards, (ii) ignores, (iii) defies; (iv) disobeys; (v) contravenes, (vi) breaches, (vii) flouts, or (viii) violates any such *primary* source of law whilst engaged in their role as judge is—by virtue of the said illicit act or omission—in added violation of: (a) *the Universal Declaration of Human Rights*; (b) *The International Covenant on Civil and Political Rights*; (c) *The United Nations Basic Principles on the Independence of the Judiciary*; (d) *The Council of Europe’s European Charter on the Statute for Judges*; (e) *The European Convention on Human Rights (ECHR)*; and (f) *The (UN Drafted) Bangalore Principles of Judicial Conduct*—and any such offending judge is therefore committing a *prima facie* criminal offence as against the administration of justice, which in turn would constitute literal ‘judicial misbehaviour’ as per the terms of *Article 35.4(i) of the Irish Constitution*, which said ‘misbehaviour’ is grounds for impeachment and removal from office.
9. “Incapacity” is the second criteria under which a judge may be removed from office. Accordingly, should it be demonstrated that any given judge is physically, mentally or psychologically ‘incapable’ – or indeed has been rendered incapable of lawfully conducting his office through personal, moral, ethical, political or financial compromises, that any such judge should be removed from office.
10. Where proofs or supported allegations of judicial misbehaviour or incapacity are formally made known to any Member of Dáil Éireann or Seanad Éireann, the Constitution requires that the said person(s) refer the matter to the Government as per the terms of *Article 35.4(i) of the Constitution*.

Endorsed: (Name & Title).....Date/Seal.....

# NOTICE & CONSTITUTIONAL DECLARATION

*This formal NOTICE is hereby presented and served in support of my fundamental human rights (and of those of affiliated others) in support of the constitutional position; that we are indeed guaranteed by inalienable right the confirmed protections of the Irish Constitution and those of the European Union and cannot lawfully be instructed, coerced or directed by any agents of the Irish State to act in contravention of these fundamental doctrines, nor to knowingly engage in unlawful, unconstitutional or criminal activity, and the State is hereby held strictly liable for any such breaches thereof, including for any physical or psychological injuries or distress caused, and for all related costs and expenses.*

1. Irish judges ARE subject to the law and the Constitution.
2. Members of the public ARE entitled to a fair hearing in the Irish Courts.
3. Judges of the District Court, Circuit Court & High Court ARE obliged to adhere to Supreme Court rulings, decisions and directions.
4. When any person in the pay of the State commits a criminal offence, they ARE subject to justice in our Courts in the same way as the tax-paying public are.
5. If any given judge deliberately breaks the law, the Constitution, their solemn Oath of Office or any other Act or Statute in the Courtroom; then any such hearing, or any decisions or pronouncements so rendered are, self-evidently, void & invalid.
6. Members of the public are NOT obliged to comply with unlawful, unconstitutional or criminal directions from any statutory authority figure such as a member of An Garda Síochána, by Courts Service staff or by members of the Judiciary.
7. Law-abiding members of the public ARE guaranteed their constitutional safety and will NOT be unlawfully assaulted, injured or incarcerated whilst in the Courtroom.
8. All citizens and residents of this State have the right to issue private criminal proceedings, without cost or hindrance, against ANY other person, citizen or employee of the State under the terms of *The Petty Sessions (Ireland) Act 1851*.
9. Any such application, provided there is *prima facie* evidence of the crime alleged (and failing any extraordinary circumstances) MUST be dealt with on the day.
10. Notwithstanding the above, statutory provisions DO exist for the investigation of – and the removal of – judges of the various Courts for stated, *‘incapacity, infirmity, misbehaviour and/or misconduct’* (in general or on specific occasion) as follows:
  - S. 73 of The Courts of Justice Act 1924
  - S. 21 of The Courts of Justice (District Court) Act 1946
  - S. 10.1 (iv) of The Courts (Supplemental Provisions) Act, 1961
  - S. 9 of The Houses of the Oireachtas (Privileges and Procedures) Act 2013
  - Article 35.4 (i) of the Irish Constitution

## ENDORSED ‘QUI TACET CONSENTIT’ AUGUST 2016

By: **The President of Ireland**, Michael D. Higgins; **An Taoiseach** Enda Kenny TD; **Minister for Justice & Tánaiste** Frances Fitzgerald TD; **Garda Commissioner** Nóirín O’Sullivan; **Attorney General** Marie Whelan; **Director of Public Prosecutions** Claire Loftus; **Chief Justice** Susan Denham (and any and all State-sponsored affiliates or subordinates thereof).

## FORMAL NOTICE / ADVISORY / DECLARATION & INFORMATION

This formal NOTICE containing a synopsis of Articles of the Constitution and of the respective Laws, Acts and Statutes that apply to civil and public servants, office holders and elected representatives, was formally and legally ‘served’ on the statutory authorities as listed at the foot of this document on three occasions in April and May of 2019 and therefore acquired the formal strength of law “*qui tacet consentit*” on Friday May 10<sup>th</sup> 2019.



[www.integrityireland.ie](http://www.integrityireland.ie)

1. ALL residents and citizens of this State – without exception – are subject to the law and the Constitution.
2. In addition, ‘Irish officials’ including civil servants, public servants and office holders are bound by their respective Codes of Conduct / Oaths of Office / Customer Charters.
3. Any non-statutory; (i) denials; (ii) inordinate delays; (iii) unqualified refusals; (iv) unexplained failures or departures from; and/or any (v) deliberate, calculated, reckless, negligent or conscious abuses of service due to members of the public, or to other agents or agencies of the State, would constitute a *prima facie* violation of the respective regulations.
4. Where any such violations can be attributed to; (a) dishonest, disingenuous, fraudulent, collusive or malicious actions or intentions on the part of the offender(s) and/or; (b) to discriminatory, prejudicial, unjust or inequitable motives; for the purposes of (c) visiting punitive, detrimental, unlawful or unconstitutional consequences, and/or amercement and personal distress on the persons suffering the said violations; that said violations would constitute “*corrupt*” and/or “*criminal*” acts as defined in the respective *Criminal Justice Acts*:
  - (i) “*corruptly*” includes acting with an improper purpose personally or by influencing another person whether – (a) by means of making a false or misleading statement; (b) by means of withholding, concealing, altering or destroying a document or other information, or; (c) by other means.
  - (ii) a crime or offence (or criminal offence) is an act harmful not only to some individual but also to a community, society or the state (“a public wrong”).
5. When any such violations are committed in context of; (i) the offender’s potential advancement in their statutory/ official role; (ii) for their own or another’s personal benefit; and/or (iii) in *de facto* expectation of the same; that such would constitute a “*consideration*” or “*advantage*” as defined in the *Criminal Justice (Corruption Offences) Act 2018*, & EU law.
6. When and where any such violations are knowingly committed in context of legal proceedings, that such would also constitute ‘offences against the administration of justice’.
7. That any knowing compliance, assistance or facilitation of any such improper or unlawful acts by any other person would constitute direct complicity with any such unlawful acts.
8. That as per the respective Irish and EU legislation, it remains unlawful for any resident or citizen of this State to knowingly participate in unlawful, corrupt or criminal activities.

**As endorsed by the Offices of: (i) The President of Ireland; (ii) The Taoiseach; (iii) The Chief Justice; (iv) The Attorney General; (v) The Minister for Justice; (vi) The DPP; (vii) The CSSO.**

## **“Qui Tacet Consentire Videtur” = “Silence Implies Consent”**

**(A two-page qualifier – with historical examples – to establish legal validity)**

This is an important legal maxim of long standing dating back to ancient times and which principle has been quoted in tracts by ancient Greek lawmakers and by early Christian scholars such as St. Augustine of Hippo (d.430 AD). In the 13<sup>th</sup> Century ‘*Qui Tacet Consentire Videtur*’ was formalised in the fundamental principles and legal maxims (‘*Regulae Juris*’) of Cannon Law including in the “*Corpus Juris Cannonici*” and in the “*Fifth Book of Decretals*” of Pope Gregory IX (d.1241 AD). Pope Boniface VIII (d.1303 AD) also refers to this maxim in the final title of, “*Liber Sextus Decretalium*”. The ‘QTC’ principle has since been cited and applied in numerous Court cases, organisations, and jurisdictions worldwide in various differing circumstances, and has been quoted in thousands of legal publications, including the ‘QTC’ Notices of 2016 and 2019 served on the Irish authorities by the *Integrity Ireland Association*.

**Long Form:** “*Qui tacet consentire videtur, ubi loqui debuit ac potuit*” (He who is silent, when he ought to have spoken and was able to, is taken to agree).

German: “*Schweigen impliziert Zustimmung*”

Spanish: “*Quien calla, otorga*”

French: “*Procédure d'approbation tacite*”

Polish: “*Cisza oznacza zgodę*”

Italian: “*Chi tace acconsente*”

English: “*Silence implies consent*”

### **NOTABLE EXAMPLES OF ‘QTC’ USE IN THE MODERN ERA**

**In the EU / NATO / OSCE:** A silence procedure or tacit acceptance procedure is a way of formally adopting texts, often, but not exclusively in international political context. Silence procedure is employed by NATO, the OSCE, in the framework of the Common Foreign and Security Policy of the European Union (EU) and in numerous other international bodies. A proposal with strong support is deemed to have been agreed unless any member raises an objection to it before a precise deadline: silence signifies assent – or, at least, acquiescence.

**Council of the European Union (2009):** Article 12(2) of the Rules of Procedure of the Council of the European Union states: “On the initiative of the Presidency, the Council may act by means of a simplified written procedure called ‘silence procedure’.”

**Organization for Security and Co-operation in Europe (OSCE) (2006):** An expression of the silence procedure is contained in Annex 1(A) “Application of a silence procedure in the Permanent Council and the Forum for Security Co-operation” of the Rules of Procedure of the OSCE:

1. The Chairperson may suggest the adoption of a decision through a silence procedure. Such a suggestion shall be made during a meeting, with an indication of the exact time for the expiration of the period of silence. If there is no objection expressed by a Representative at that meeting, the decision shall be regarded as placed under a silence procedure.



## A Few Other Notable Examples of the Historical use of 'QTC':

**England: July 6, 1535:** Execution of Sir Thomas Moore.

1848. Quoted in 'The law lexicon, or dictionary of jurisprudence' By Barrister John Jane Smith Wharton P.565

**India: June 6<sup>th</sup> 2011:** B. Shanmugam vs Thulasirama Reddy HIGH COURT OF JUDICATURE AT MADRAS: the Madras High Court referring to the maxim 'Qui Tacet Consentire Videtur,' held that the silence of counsel implied their assent to the course adopted by the judge, and a man who does not speak when he ought shall not be heard when he desires to speak.

**USA: January 25<sup>th</sup> 1937:** Lawrence v Houghton 296 Massachusetts. 407 October 7, 1936 - January 25, 1937 Court Below: Superior Court, Barnstable County.

*Benton v. Hatch*, 122 N.Y. 322 (N.Y. 1890)

*Beebe v Bank of New York* 1. J.R. 529 (as quoted in *An Analytical and Practical Synopsis of All the Cases Argued and Reversed in Law & Equity... 1799 – 1849*)

*Also specifically referenced in cases of adverse possession in Massachusetts:*

- *Pollard v. Barnes*, 2 Cush. 191.
- *Bodfish v. Bodfish*, 105 Mass. 317.
- *Curtis v. Brown*, 219 Mass. 157,
- *McDonough v. Everett*, 237 Mass. 378,
- *Dow v. Dow*, 243 Mass. 587.

**Ireland: 2016 -** Murdoch & Hunt's Dictionary of Irish Law, Sixth Ed p.1389.

05 February, 2014, The Irish News article about Unionism in the North

<http://www.irishnews.com/opinion/2014/02/05/news/unionists-still-under-1904-ethnic-umbrella-82852/>

June 20<sup>th</sup> 1997, Irish Times article about murders in Lurgan

<https://www.irishtimes.com/opinion/letters/murders-in-lurgan-1.83747>

April 12<sup>th</sup> 2010, "Time to Give Good Priests a Break" article in the Irish Times

<https://www.irishtimes.com/opinion/letters/time-to-give-good-priests-a-break-1.651186>

The 'QTC' Notices of 2016 and 2019 as served on all senior legal and statutory Irish authorities, unchallenged, by the *Integrity Ireland Association* and subsequently published and quoted in articles, legal Notices, affidavits and Superior Court cases.

**Thousands of examples..** where this 'QTC' legal principle is quoted, dating back to Ancient Greek Texts, can be found here:

<https://archive.org/search.php?query=qui+tacet+consentire+videture&sin=TXT&page=2>