

THE HIGH COURT

JUDICIAL REVIEW

BETWEEN

STEPHEN MANNING

APPLICANT

AND

BRYAN SMYTH

RESPONDENT

EXPARTE DOCKET

The Applicant herein wishes to apply to this Honourable Court sitting at The Four Courts, Dublin on the day of 2016, at o'clock in the forenoon or at the first opportunity thereafter, wherein an application will be made for an Order pursuant to Order 84 Rule 20 of the Rules of the Superior Court for leave of this Honourable Court to bring the within proceedings and for Orders in the terms of the grounding application herein plus costs.

WHICH SAID APPLICATION will be grounded in the pleadings already had herein, the statement of grounds filed herewith, the Affidavit of Stephen Manning filed herewith, such oral and documentary evidence as may be adduced on behalf of the Applicant, the nature of the case and the reasons to be offered.

Dated this.....day of December 2016.

Signed:_____

Stephen Manning, Applicant

Mountain, Forthill, Ballyhaunis, Co. Mayo.

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GROUNDING AFFIDAVIT OF STEPHEN MANNING

I, Stephen Manning, publisher, who ordinarily resides at Forthill, Ballyhaunis in the County of Mayo, aged 18 years and upwards **MAKE OATH AND SAY** as follows:

1. I am the Applicant in this matter and I make this affidavit from facts within my own knowledge save where otherwise appears and whereso appears I believe the same to be true and accurate.
2. I refer to various documents, letters and notices as referenced throughout these pleadings; as well as to the book of exhibits attached in support of this affidavit marked 'Ex 1,2,3' etc. I further refer to copious materials, articles, letters, videos, recordings and posts online whose existence is self-evident and easily confirmed, but due to the great volume of the same cannot reasonably be attached, in paper form to this affidavit.
3. I currently reside at Forthill, Ballyhaunis, Co. Mayo, along with my wife and three school-age children, the youngest of whom has special needs. I assist my wife in her role as a full-time carer. I am an ex-university teacher and sports coach and a volunteer with *Special Olympics*. I am also a registered referee with the *Football Association of Ireland* (FAI). I ran as an independent candidate in the 2016 General Election (on a very modest budget) in order to draw particular attention to the issue of extensive corruption, misconduct and malfeasance in the agencies of the Irish State. I hold a PhD in Counselling Psychology and an MSc in Religious Education, as well as various international sporting qualifications dating back 40 years. I am currently the owner of '*CheckPoint Ireland*' which has a publishing operation that prints '*books with something to say*' as well as being the registered base for '*Integrity Ireland*' which is an Unincorporated Association registered under '*Class 45: Provision of Information Services Relating to Citizen's Rights*', as named in association with this case.
4. That I am acting as a lay-litigant in this matter without any legal help or support and without the financial means to pay for the same, that my family and I have been rendered virtually impecunious

in our sincere efforts to secure justice via the Irish ‘statutory authorities’ these past seven years and that I respectfully request that the Court takes this into consideration in considering this application.

* * *

5. Outline of Grounds for this Judicial Review Application: This Application is made in specific context of Article 35.2 of the Irish Constitution which states that judges MUST operate within the law and the Constitution: “*Judges shall be independent in the exercise of their judicial functions, subject only to this Constitution and the law.*” And in addition to the requirements of Article 34.6 (i) that all judges swear a solemn declaration ‘under God’ as follows:

“In the presence of Almighty God I do solemnly and sincerely promise and declare that I will duly and faithfully and to the best of my knowledge and power execute the office of Chief Justice (or as the case may be) without fear or favour, affection or ill-will towards any man, and that I will uphold the Constitution and the laws. May God direct and sustain me.”

6. Inasmuch as Articles 34.6 (i) & Article 35.2 are being repeatedly breached by certain members of the judiciary, and inasmuch as this brings the fundamental integrity of the Irish justice system into serious question and, arguably, renders any such Courts invalid by virtue of the fact that they are no longer operating within the bounds of the Constitution; and inasmuch as no person residing in this State (citizen or otherwise) should be forced, coerced or otherwise obliged to participate in unlawful or unconstitutional activity, then this Application goes to the heart of the Constitutional legitimacy of our District Courts in particular; of their essential lawfulness, and the validity of their jurisdiction.

7. I say that I attended the District Court in Chancery Lane, Dublin on July 15th 2015 on foot of five traffic summonses that related to an alleged ‘bus lane’ infringement that had occurred 10 months previously on September 17th 2014. I say that these summonses were patently spurious, malicious, vexatious and contrived as follows:

- i. The alleged ‘bus lane incident’ was an act of premeditated entrapment carried out by Dublin Gardaí while I was en route to speak at a protest at the Dáil. That I had an eyewitness with me and we recorded the said event.
- ii. That the summonses were issued four months outside of the statutory time limit, and immediately after I had initiated a private criminal prosecution against a Garda Sergeant in Castlebar for assault.
- iii. That the summonses made several patently false and misleading claims and allegations (such as no tax, no NCT, no insurance, no licence etc).
- iv. That after multiple costly and time-consuming hearings in the District and Circuit Courts over a period spanning many months that ALL of the charges were eventually struck out.

8. I say that Judge James Faughnan was presiding on July 15th 2015 and that he point-blank failed or refused to engage with my request that the Court strike out the charges in circumstances where:

- i. The prosecuting Garda hadn’t turned up in Court.
- ii. The summonses were issued over four months out-of-time (and therefore statute-barred).
- iii. Where I informed the Judge that I was a victim of obviously false and vexatious charges and that I had the evidence on my person to prove it.*

* *I had all of the relevant paperwork with me proving tax, insurance, NCT etc.*

8a. I say that Judge Faughnan adjourned the matter for another four months against the Applicant's repeated objections and then exited the Court while the Applicant was trying to speak.

9. I say that I returned to the same Court on November 9th 2015 with Judge Alan Mitchell presiding. That I attempted to explain the situation to Judge Mitchell and present my evidence of road tax, insurance, NCT etc, but that the Judge indicated that he intended to adjourn the matter again. That when I verbally objected, that the Judge gestured to Gardaí to remove me from the Court. That I then suffered a physical assault inside the Courtroom which developed into a violent assault in the Court hallway. Assaults were also committed as against an *Integrity Ireland* colleague and my then 15-year old daughter. My clothes were torn; my files and documents were strewn about; and I suffered a number of physical injuries, two of which have required hospitalisation and surgery.

10. I say that I immediately made a formal criminal complaint to the Bridewell Garda Station. I say that a number of members of the public had taken video recordings of the assaults on their mobile phones. I say that after I had made the formal complaint that Gardaí subsequently returned to the Courthouse and removed said persons one-by-one from the Courtroom, seized their mobile phones and then unlawfully deleted the evidence from those persons' phones in an act of 'criminal damage'.

11. I say that I was advised that the matter would be investigated by GSOC. However, I would later discover a series of anomalies and apparent deceptions on the part of the GSOC investigating team which amounted to a conspiracy to cover up the said crimes. I say that I can demonstrate this to the Court along the following general lines:

- That GSOC advised me that my original complaint (of assault) was 'admissible' and that an investigation was 'underway'.
- That upon receiving the additional proofs of a deliberate act of 'criminal damage' by the said Gardaí that 'difficulties' then arose with GSOC.
- That despite assurances to the contrary, that NO witnesses were ever contacted by GSOC.
- That the CCTV footage which was 'secured' by GSOC covered the wrong time periods.
- That in any event, GSOC did NOT view or collect the CCTV evidence from the Courts Service.
- That important (alleged) correspondence from GSOC inexplicably 'went missing'.
- That claims, assertions and facts in said correspondence were later proven to be false.
- That GSOC informed the Gardaí that I had 'withdrawn' my complaint – which was a lie.
- That GSOC shut down the investigation against my express and repeated objections on the contrived premise that I was 'not cooperating'.
- That I wrote to Justice Ellen Ring, Chairperson of GSOC advising what was happening and requesting a meeting. That request was denied.
- That this is just one example amongst several of my own experience and scores in the experience of other members of *Integrity Ireland*, where GSOC has utterly failed (at best) to properly investigate Garda wrongdoing.

12. I say that having had numerous letters of complaint and requests for appeals either ignored, stonewalled or 'selectively refused' by GSOC over a number of years, that I decided to prosecute the 5 said members of An Garda Síochána and 2 GSOC Staff in my own name under the 'common informer' legislation, and prepared the respective paperwork for submission to the District Court.

13. I say that I made seven unsuccessful attempts in succession in the District Court to process these particular applications for the purposes of issuing criminal summonses against the seven accused, and that the failure of each of those legitimate attempts was due solely to the unlawful conduct of certain District Court Judges who variously failed, refused or avoided to adhere to the terms of *The Petty Sessions (Ireland) Act 1851* in circumstances where they had each been made explicitly aware of the terms of the said Act – not only by this Applicant, but also in a Courts Service Memo circulated to all District Court Judges in 2015 for the express purposes of familiarising the District Courts and the Judiciary with the proper procedures and processes.

14. I say that on various dates leading up to May 9th 2016 that the following Judges of the District Court (and with the possible exception of Judge Alan Mitichell who did actually present an apparently ‘reasonable explanation’ for NOT acting on these application on the day) that each acted in deliberate and flagrant breach of the respective legislation, of Superior Court Rulings and of their solemn Oaths of Office, and in doing so that each knowingly and with malintent acted in a manner that was intended to obstruct, interfere with or pervert justice – which is a serious criminal offence.

- Judge Mary Devins – on two occasions. (i) In Castlebar Courthouse, (ii) in Ballina Courthouse.
- Judge Alan Mitchell – in Castlebar Courthouse.
- Judge Miriam Walsh – on two occasions in Chancery Lane District Court.
- Judge James Faughnan – in Castlebar Courthouse.
- Judge Miriam Malone – in Chancery Lane District Court.

15. That I can provide documentary evidence and multiple eyewitnesses in support of the fact that the aforesaid Judges did indeed act as stated, and that a number of other District Court Judges have acted likewise in other ‘common informer’ cases, and that I registered formal complaints on each occasion with An Garda Síochána, with the President of the District Court, and with the Minister for Justice Frances Fitzgerald – but apparently, to no avail.

16. That on Monday May 9th 2016, utterly frustrated and exasperated by our experiences to date, we approached the Court of Judge Michael Walsh at the C.C.J. ‘unannounced’ and delivered our ‘C.I.’ applications to the Clerk . However, Judge Walsh refused to deal with our C.I. applications on the day and adjourned the matter for two weeks back to his own Court on May 23rd 2016 on the premise that, “*this could take some time*”. When we explained that an adjournment would place us ‘out of time’ for some of the summary applications, Judge Walsh asked us why we were coming to him “*at the very last minute*”? We explained that several District Court Judges in succession had already (unlawfully) failed or refused to deal with our applications, and that the ‘six months statutory period’ since the assault of November 9th 2015 would technically expire that day. Judge Walsh then ‘stopped the clock running’. We felt reassured that this had the effect of suspending any statutory time limits.

17. I say that at the scheduled hearing of May 23rd 2016 (which was NOT listed at the C.C.J. or online), that we arrived with our witnesses and evidence ready to go but Judge Walsh adjourned the matter again to Court No 2 on September 2nd 2016 on the premise that we would need to go before Judge Bryan Smyth and, “*use the special I.T. facilities in Court No 2 to demonstrate our evidence.*” This adjournment later proved to be unnecessary, and the ‘*I.T. requirement*’ erroneous.

18. I say that on September 2nd 2016 we arrived again at the C.C.J. complete with witnesses, ready for a hearing in this matter, but Judge Smyth was not there as expected. Instead, Judge John Lindsay

was sitting. Given that Judge Lindsay had likewise previously refused to act on ‘common informer’ applications presented to him on June 16th in Castlebar; and given he had threatened me with jail and had me ejected from the Courtroom without proper cause; and given we had lodged a formal complaint about Judge Lindsay’s conduct and behaviour that day; I felt obliged to (respectfully) ask him to recuse himself, and the matter was adjourned again to September 19th.

19. At the hearing of September 19th the Respondent Judge Bryan Smyth made several attempts to ‘rule out’ the legitimate common informer applications before him, before eventually allowing me to press my case in the witness box, whereupon I was advised that there was in fact ‘no need’ for the case to have been ‘specially assigned’ to Court No 2 because we were to give oral evidence only (which then raises questions as to the stated reasons for the previously-imposed ‘necessary’ adjournments by Judge Michael Walsh).

20. I say that I offered to produce documentary, audio and video evidence – backed up by eyewitness – as to the allegations against all seven accused, but Judge Smyth adjourned the hearing again to November 9th 2016 and refused to issue summonses against; (a) the supervising Garda Inspector Ann Markey and (b) two GSOC staff respectively (Paul Hanna and Shane White) for; (a) facilitating the original assaults against the Applicant and (b) for not properly investigating those assaults and additional acts of criminal damage, and thereby effectively covering-up the said crimes. One reason given for not issuing the summonses vs GSOC was that I had not appealed their decision to close the investigation. My counter-argument was that my whole position was in objection to the closure of the investigation, and that previous appeals to GSOC had been systematically ignored.

20a. I say that twelve summonses were issued variously as against the remaining four Gardaí that day for; (i) assault, (ii) assault causing harm, and (iii) criminal damage, and Judge Smyth signed the summonses – which were then duly served on the accused as required by District Court Rules.

21. At the re-scheduled hearing of November 9th 2016 (which again, was NOT listed either on the Courts.ie website nor on the Courts list for the day) the Respondent Judge Bryan Smyth engaged in several actions which I believe constitute grounds for this Application for Judicial Review as follows: That Judge Smyth;

- i. Repeatedly failed or refused to direct the four Gardaí to come into the Courtroom despite the fact that they were in a nearby room inside the Courthouse facility, and they had each been legitimately summonsed on Judge Smyth’s own signature to come into Court.
- ii. Refused to direct Counsel Kenneth Kerins or Solicitor Liz Hughes (who we have since discovered work with the *Garda Representative Association* and the *Department of Justice*) to divulge who *exactly* they were working for and if the State was in fact paying their fees?
- iii. Allowed Counsel for the accused to suggest, incredibly, that their documentation was absent Judge Smyth’s own signature in an all-too-obvious act of attempted fraud and interference in the process of justice.
- iv. Refused to direct Counsel to divulge who they received those fraudulent documents from.
- v. Ignored Judge Michael Walsh’s previous implied acceptance that the ‘C.I.’ applications WERE within time when he stopped the clock, and ruled that some of the ‘C.I.’ applications were now ‘statute barred’ despite the fact that we WERE in Judge Walsh’s Court six months to the day since the assaults, and despite the fact that it was the unlawful actions

of his own District Court colleagues in refusing to accept legitimate 'common informer' applications on seven occasions in succession which had directly caused any such delays.

vi. Judge Smyth then recused himself from proceedings on grounds which make no sense whatsoever to this Applicant, and adjourned the matter again to go before yet *another* Judge on February 2nd 2017 – which no doubt will cause multiple complications and delays, and which effectively destroys the very reason for the 'common informer' process in the first place; as a facility for ordinary citizens to take 'legal action' in their own names in a simple and effective way.

22. I believe it is important to note 'for the record' the crucial fact that in eliminating the 'summary' offences from the list of allegations as against the accused, that an opportunity now exists for the DPP to step in and 'assume jurisdiction' over the remaining indictable charges, and thereby exclude me from my originating role as lay-prosecutor.

23. I also believe it is important to note 'for the record' that Counsel for the Defence Kenneth Kerins made a specific point of telling the Judge that he was 'under express instructions' to maintain possession of those contrived documents (which were absent the Judge's signature) and which Mr Kerins had falsely claimed had been delivered by me to the accused. I believe it is right and appropriate for me to suggest that whoever was 'issuing instructions' to Mr Kerins was quite aware that those documents would comprise solid evidence of yet another act of criminal damage on the part of the Defence, and that it was therefore imperative that said documents did NOT go astray.

24. That in the event that the Defence has indeed been successful in having my jurisdiction as prosecutor neutralised in this case; that the DPP will then 'assume jurisdiction' for this matter, and we then face the bizarre scenario where the DPP's Office (funded by the State) will (ostensibly) be prosecuting employees of the State who are represented by a legal team who may – (or may not) – also be funded by the State. In short, that the contradictions in principle and the glaring conflicts of interest in any such scenario are an absolute affront to any mature or reasoned sense of justice

25. Furthermore, in circumstances where (if we are going to be absolutely meticulous) we WERE in fact before Judge Michael Walsh 'within six months' – because technically, 'six months' expired at the time of the offences which was between 11.00am and 12.30pm on November 9th 2015, then the Respondent's decision appears even more biased and compromised by the intentions of various agents and agencies of the State—as supported by circumstantial evidence—NOT to have errant Gardaí prosecuted and held to account by ordinary members of the public – regardless of the law.

26. I say that I have corresponded with the DPP's Office regarding these and other matters ongoing – including proofs of serious criminal activity by agents of the DPP's Office, by senior Gardaí and by Courts Service Management, and that I have found the various 'responses' from the DPP's Office to be overwhelmingly evasive, defensive, unhelpful and disingenuous, steeped in hubris and contempt, and seemingly designed to 'protect the establishment' at all costs – even at the price of justice.

27. I say that in these circumstances – whereby several District Court Judges in succession have engaged in unlawful conduct in NOT accepting these applications on time – and where Counsel for the Defence had attempted a blatant fraud on the Court – and where I as lay-prosecutor offered the Defence the opportunity for the accused to be tried summarily on all charges; that for the Respondent Judge Bryan Smyth to try to strictly apply the 'statute barred' rule in order to deny me

jurisdiction is an over-exacting and unjust interpretation of ‘the rules’ which is selectively biased and prejudiced in favour of the offenders and of their overtly secretive Defence team (whose funding remains unknown) and which serves to deny me the lawful right to prosecute in my own name.

28. I say that it is astounding to me as a lay litigant and as the prosecutor in this case that I am facing a Defence legal team whose funding remains unknown and unannounced; who have been allowed to keep that detail from me in circumstances where it would be patently ludicrous and in violation of all of the accepted concepts of a ‘publicly-funded justice system’ for agencies of the State (such as the Ministry for Justice or the DPP’s Office perhaps?) to be funding the defence of the accused (who each in turn also work for the State and are being paid from the public purse) in the face of overwhelming evidence of criminal conduct on their part – and being tried in a public Courtroom which is likewise being paid for by the public.

29. I say that I was so affronted by these developments in the Respondent’s Court – and most particularly by Judge Smyth’s inaction in the face of an obvious attempted fraud by the Defence Counsel, that I advised Judge Smyth on no less than three different occasions that I was on the verge of walking out and taking matters directly to the High Court – whereupon Counsel for the Defence Mr Kerins stated that he would immediately apply for a strike out if I exited the Courtroom. I note that Judge Smyth’s demeanour and comments to me asking, “*So, are you withdrawing from this case Dr Manning?*” suggests that any such application from the Defence would be immediately granted.

30. I say and believe that the underlying cause for all of the obstructionism, delays, contrivances and unlawful actions being deployed against myself and others in these efforts to process legitimate ‘common informer’ applications – is for fear that the public at large will wake up to the reality that there IS in fact a relatively simple process whereby we (the public) can hold errant authority figures to account in a direct and lawful way without incurring all of the usual costs and travails that so often accompany legal actions or formal complaints to the statutory authorities.

31. I say and believe that it is critically important that the Irish Superior Courts stand by their own recent rulings and decisions in these matters especially in circumstances whereby ‘due process’ and ‘proper procedure’ has been variously and selectively avoided, ignored, defied, flouted, bypassed or cynically misapplied by several District Court Judges in succession in a manner that does NOT properly reflect the facts and circumstances ongoing nor the offences committed by the accused, and which is therefore inconsistent with the aforesaid principles of natural justice, of common law (specifically *The Petty Sessions (Ireland) Act 1851*), of recent Superior Court rulings and decisions, and of the Applicant’s fundamental human right to access justice.

32. I say and believe that it is an appalling state of affairs when Judges of the land who are amongst the best paid in the world—in conjunction with various high-placed agents and agencies of the State—engage in unlawful and demonstrably criminal conduct for the purposes of covering-up the crimes and misconduct of their colleagues; and that it is an indictment of the abject failure of our justice system that it should now fall upon ordinary members of the public to approach the Superior Courts in order to secure even the most basic levels of justice – such as that espoused in the ‘common informer’ legislation as endorsed by Superior Courts rulings and decisions.

33. For the sake of clarity I quote here from p.4 & p.10 of the recently published ‘*D.I.Y. Justice in Ireland*’ booklet which outlines the ‘common informer’ process (underlines added for emphasis), as

well as the ‘standard advisory’ which was composed in the face of these repeated failures and refusals by these Judges to process these applications:

(p.4) *Prosecution by Common Informer under the Petty Sessions (Ireland) Act 1851. YOU can prosecute ANYONE as long as you have proof of a criminal offence. You do NOT need to go to the Gardai. You do NOT need a solicitor or a barrister. You approach the judge directly and explain the facts “in ordinary language” on a simple form. And best of all, the process is free.*

(p.10) The Supreme Court Ruling

On July 30th 2015, the Supreme Court of Ireland made a seventeen page ruling in a case which was initiated by Common Informer. The right to private criminal prosecution was unequivocally endorsed and guaranteed under the current legislation. The simple processes and procedures outlined in this book were likewise acknowledged and reinforced. At the time of writing therefore, there is no lawful way that anyone in authority can prevent any member of the public from initiating private criminal prosecutions against any other person. So, let’s make sure that justice, transparency & accountability matters!

34. In summary; that ‘the Court’ i.e. the Respondent Judge Smyth presiding in the said case has; (1) acted in excess and breach of his jurisdiction as a District Court Judge; (2) that the Respondent has failed to observe constitutional and natural justice; and (3) has likewise failed to act according to his legal duty inasmuch as the following Articles of the Irish Constitution have been breached:

- (i) **Article 40 (1) of the Irish Constitution** which states that; “*All citizens shall, as human persons, be held equal before the law.*”
- (ii) **Article 40 (3) 1° of the Irish Constitution;** “*The state guarantees in its laws to respect, and, as far as practicable, by its laws to defend and vindicate the personal rights of the citizen.*”
- (iii) **Article 40 (3) 2° of the Irish Constitution;** “*The state shall, in particular, by its laws protect as best it may from unjust attack and, in the case of injustice done, vindicate the life, person, good name, and property rights of every citizen.*”
- (vi) **Article 35.2 of the Irish Constitution** which states that judges MUST operate within the law and the Constitution: “*Judges shall be independent in the exercise of their judicial functions, subject only to this Constitution and the law.*”

35. In addition, that the following principles of natural justice, of common law and of fundamental human rights and freedoms as laid out in the European Court and the European Commission have been, and continue to be breached in this case as follows.

- Respect for the rule of law.
- Fairness in the administration of justice.
- The provision of an effective remedy.
- The right to liberty and security.
- Equality of arms.
- The disclosure of incriminating or exonerating materials.
- The duty of Gardai (and GSOC) to seek out and preserve evidence.
- The ideals and values of a democratic society.

36. It is upon these combined premises and upon the additional premise that the 'C.I.' process should NOT be unduly delayed or otherwise obstructed [provided the *prima facie* criteria that a crime has been committed has been established] that I hereby respectfully seek the following reliefs:

(i) An Order of Certiorari quashing and reversing the decision of District Court Judge Bryan Smith on November 9th 2016 to dismiss summary charges of assault as against four members of An Garda Síochána on a ‘one day out of time’ basis in circumstances whereby several District Court Judges in succession had unlawfully failed or refused to accept (and/or properly process) legitimate applications put before them well within the statutory 6-month time limit.

(ii) An Order of Mandamus directing a criminal investigation into circumstances whereby Counsel for the Defendants attempted to present fraudulent documents into said Court on the same date;

(iii) **An Order of Certiorari and/or Mandamus** quashing and reversing the decision of Judge Bryan Smyth on Sept 19th 2016 NOT to issue criminal summonses as against a Garda Inspector and two GSOC staff members in circumstances where *prima facie* evidence of their participation in criminal offences had been presented to the Court as per the ‘common informer’ process and legislation.

(iv) **An Order of Mandamus** directing all agents and agencies of the State – in particular the Courts Service and all District Court Judges to respect the findings, rulings and directions of the Superior Courts regarding the legitimacy of the ‘common informer’ legislation and the processes and procedures to be followed as outlined in the *‘Generic Statement for Common Informer Applications’*.

(v) **An Order for Costs, Expenses and/or Damages** – as appropriate to the circumstances – to be awarded to the Applicant by this Honourable Court.

37. In the event that the Applicant's requests at Paragraphs 36. (i)-(v) above are refused in part or whole by the High Court – that this matter be moved directly without delay on appeal to the Supreme Court on the basis of Article 34.5.(iv) of the Constitution which states:

"Notwithstanding section 4.1° hereof, [referring to the newly-established Court of Appeal] the Supreme Court shall, subject to such regulations as may be prescribed by law, have appellate jurisdiction from a decision of the High Court if the Supreme Court is satisfied that there are exceptional circumstances warranting a direct appeal to it, and a precondition for the Supreme Court being so satisfied is the presence of either or both of the following factors:

- (i) *The decision involves a matter of general public importance;*
 - (ii) *The interests of justice.”*

Practising Solicitor / Commissioner for Oaths