

SEEKING URGET LEGAL REPRESENTATION

Summary of Personal Damages/Human Rights Case vs the Irish State

1. My name is Dr Stephen Manning. I am a married father of 3 school-age children, one with special needs. I have dual British-Irish nationality and my wife is Japanese. I am an ex-university teacher, a book publisher and a sports official with no previous criminal record. I am a reasonably well-known anti-corruption and pro-justice spokesperson in Ireland who has been subjected to a series of 'targeted' acts of intimidation and harassment by agencies of the State since 2010.

2. I was recently unlawfully jailed for 2 months (without due legal representation and without even entering a defence) based on an alleged 'Section 6' public order offence that arose out of an incident in Sept 2015 where a District Court Judge abandoned his Court in a case where I was the lay-prosecutor; where the accused (a Garda Sgt) had failed for the 2nd time to appear on foot of criminal summonses issued by the same judge. The judge was basically shamed out of the Court by the public. No allegations were made against me on the day; no notes were taken by a dozen Gardaí present; and no formal complaints were made by anybody – not even by the Judge.

3. I received a (backdated) summons 9 months later, accompanied by 18 (contrived) witness statements by persons employed by the State. Most of those statements are directly contradicted by our audio & video evidence and by the DAR. Therefore, it can be clearly demonstrated that the alleged offence did NOT in fact occur as claimed. 25 members of the public present were not even questioned by the Gardaí, and I would NOT be allowed to call those people as witnesses.

4. Should you wish to take on this case, I have a detailed summary of the case progression which details so many 'irregularities' (including acts of serious prosecutorial misconduct and breaches of due process) as to beggar belief. These include (briefly):

- i. No plea ever being entered by me.
- ii. Legal aid being granted to me but not assigned despite six separate applications.
- iii. Being repeatedly (and unlawfully) refused access to my case file and my Garda records as well as other evidence in possession of the State.
- iv. Being forcefully 'escorted' from Court on two occasions while trying to make applications to the judges during the preliminary hearings.
- v. Having several applications refused outright by the judge(s) without explanation.
- vi. The Prosecution unlawfully erasing large sections of the DAR evidence (in blatant breach of a Court Order) and then committing perjury and trying to conceal this crime in Court.
- vii. Having the hearing dates changed without any notification to me at a time when the DPP Prosecution knew I was in Dublin pursuing a judicial review of this very case.
- viii. State witnesses remaining in Court while their colleagues were giving evidence.
- ix. The full Prosecution team being changed without any application to the Court or any notification to me after they had made their case but before I could call any witnesses.
- x. Not being allowed to call my own witnesses; not being allowed to enter a defence.
- xi. Being found 'guilty in absentia' from a rescheduled hearing I was NOT even notified of.
- xii. Being arrested off the train from Dublin (Jan 2017) and jailed overnight on a contrived bench warrant before being sentenced (without any proper trial) to two months in prison.
- xiii. Being forced to appeal to the Circuit Court under pain of immediate incarceration.
- xiv. The Circuit Court judge only hearing the prosecution case before terminating the appeal.
- xv. Being arrested and taken to jail on May 4th and kept there for nearly a month on obviously flawed paperwork (e.g. absent the sentencing judge's signature and containing other inaccuracies and falsehoods) and without me having had any legal representation.

5. I believe that the following legal rights (at the very least) have been breached:

- The right to a fair hearing before an independent and impartial tribunal.
- The right to be tried in my presence and to have legal aid assigned.
- The right to access evidence, and call witnesses, with adequate time and facilities.
- Articles 38 (i) & 40 (i) of the Irish Constitution.
- Articles 6 & 13 of the European Convention of Human Rights.
- Articles 47 & 48 of the E.U. Charter of Fundamental Rights.
- Article 1 of the Council of Europe.
- Articles 2 & 14 of the United Nations Covenant on Civil & Political Rights.
- Articles 8 & 10 of the United Nations Universal Declaration of Human Rights.

7. In light of the fact that I am being absolutely stonewalled by State agencies as regards getting documents, records or responses to formal correspondence (especially by the Courts Service, the DPP's Office and Garda Headquarters) I need some courageous, capable and determined legal assistance to at least TRY to get some justice in this sorry situation. Everything is meticulously documented and supported by Court papers, audio-video and/or credible eyewitnesses.

8. We also have 2 solid personal injuries cases against the State which I am eager to move forwards, as well as two outstanding civil Court judgements of over €25,000 which I could do with some help in collecting (this is optional). I have already submitted an application to the Injuries Board for personal damages for injuries sustained in a November 2015 (uncontested) unlawful Garda assault resulting in shoulder and hernia injuries – one of which has already been operated on – with the other injury pending a hospital appointment. The other personal damages claim concerns unassailable, documented proofs (official letters, video evidence etc) of a knowingly-false 'child protection' referral being made to TUSLA by local Gardaí. That case is already lodged in the High Court and is awaiting advancement.

9. We have been financially exhausted by these extended events, so any agreement as to legal assistance would have to be on State legal aid (which we would easily qualify for) or under some type of 'no-win no-fee' basis – or similar consideration. If you cannot be of assistance to us in this matter, please feel free to forward this summary to any of your colleagues who may be in a position to assist. Thank you.

Thanking you for your time and interest. Please direct any further enquiries to:

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Mountain, Forthill,
Ballyhaunis,
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Rep. of Ireland.

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Links:

- [4-page overview of this case](#)
- Flawed committal documents (i) [Originals](#) (ii) [Originals with explanatory notes](#)
- [International political magazine 'CICERO' covers the story](#)
- [20-minute video report](#) of the case and the trial
- [Case vs TUSLA / Gardaí etc](#)
- [Personal injuries claim vs State](#)
- [Other cases pending..](#)