## IRISH TIMES WEEKEND EDITION

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"Stuff that's not necessarily intuitive, rt lists because they especially if you're scared out of your wits and are standing up in court for the first shared by the Chief time. You do not know how to behave.

The Law Society and Bar Council have also expressed concern. "The Bar of ould, for free, advise Ireland has concerns about lay litigants obtaining advice from unqualified persons," said spokeswoman Shirley Coulter. "The use of professional barrister services in court is in the best interests of clients and is the most efficient and effective way to ensure the proper administration of justice."

Ken Murphy of the Law Society said: "No sensible person would allow themselves be operated on by someone who had no qualification in medicine. That common sense approach should be followed in legal matters, also.

"The public should be very wary of relying on the theories, judgment or advice in legal matters of individuals who have no qualification in the law."

Murphy and others in the legal world have been irritated by a book entitled DIY Justice in Ireland-Prosecuting by Common Informer published by Integrity Ireland, one of several small groups who allege that Ireland's legal system is corrupt.

Protests have led to the suspension of court sittings. In Castlebar Circuit Court, members of Integrity Ireland and Land League West sprinkled holy water and recited the Rosary. In another, individuals tried to place a judge under citizen's arrest.

Meanwhile, a group called Freemen of the Land have upset hearings, arguing that all presented may not law is contractual; in other words, it only applies if a person consents to it. Believers refuse to answer or obey the court, saying they have not granted it jurisdiction.

Such protests have led to a security reto legal advice and view by the Courts Service. Repossession hearing lists are examined beforehand to s a lay litigant," she see if extra security is needed. One Circuit Court judge refuses to hear cases unless isation has recently there is a garda present.

Not every lawyer is critical of the motivacourt: "It covered tions of such groups, even if they doubt the vulnerable people who are going into a appearing against lay litigants. "The court ticularly the entire legal profession is judge 'judge' he re- advice given "I've talked to some of the

## The private prosecutor: taking on courts, gardaí and even judges

## Case study

Stephen Manning was sentenced to two months in jail last week. However, he was not in Castlebar District Court to hear the judge's ruling on a charge of breaching the peace in the town's courthouse last year. Instead, he was in Dublin, trying to hand in a petition to the Supreme Court.

Manning continues to deny the Castlebar charge and says he was never told he was due in court. He is now on bail pending an appeal. "It's scary, it's very scary," he

Manning, a retired teacher, has been in many courts. In the beginning, he was there with other members of his group, Integrity Ireland. to protest against home repossessions in Mayo.

More recently, however, he has begun to use an obscure legal provision dating from Victorian times which allows private citizens to criminally prosecute those they believe have broken the law.

Under the 1851 Petty Sessions Act a person can ask a judge to issue a summons for a suspected lawbreaker. A garda or lawyer is not required. The standard of evidence necessary for issuing a summons is quite

The private prosecutor can take a case to its end, one that could involve jail for a person found guilty. If the allegations are serious, the Director of Public Prosecutions will take over and has the option of proceeding with the case, or dropping it.

He started trying to bring his own prosecutions, he says, because "there was so much wrongdoing going on by agents and agencies of the State". So far, he has taken actions against gardaí, court staff and judges.

Despite making initial headway in some cases, he has yet to succeed in convicting anyone. Failure, however, proves to his eyes that he is right about the system, not that he was wrong to take the actions.

"Clearly, the decisions are made from on high that 'we



The quick and easy (lawful way to take on tricksters, gants, thugs and thiere n the laish Justice System

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do not let our guys get prosecuted because if the public gets to hear they can do this, we're finished'".

Last year, Manning was an unsuccessful candidate in the general election, running in Mayo. He got 157 first preference votes.

He has published a book. DIY Justice in Ireland-Prosecuting by Common Informer which is subtitled: "The quick and easy (lawful) way to take on tricksters, tyrants, thugs and thieves in the Irish Justice System."

Besides offering guidance on private prosecution and citizens' arrests, it lambastes the Courts Service as a private corporation whose objective is to "turn a profit" and accuses the legal profession of being "rife" with malpractice, fraud, perjury and deception.

"I know I must sound like a conspiracy nut, and I used to think like that when I heard people talking like this, but it is my honest opinion that we have a very seriously corrupt justice system," he said.

CONOR GALLAGHER

"You can see where they are coming from. On the other hand they are giving to be identified. questionable information to very

vacuum," said the lawyer, who did not wish

"Very often they are quite sincere people who really believe that they have a cause Barristers and solicitors often dread and that the world is against them and par-

Stephen Manning has use legal provision dating from times which allows private criminally prosecute those have broken the law. PHOTOM

have no case, that it's comple They think they have been o that they have a very good ca

Lay litigants are much criminal courts where the defendants who cannot aff receive legal aid. People themselves in criminal cas dismissed their legal team be not like the advice given to th

Conspiracy

Barrister Maurice Coffey man who had fired his lega second last day of the trial whole thing was a conspirac guards, the judge, the priso his own barrister. He said the wasn't in on the conspiracy w

Despite prosecuting the ca to guide the accused in his de tively, you have to wear both make it clear that I was steeri I had to remind the judge things on his behalf.

"I lent the accused law boo like that. It would be an criminal matters. You would very careful that everyth correctly," Coffey said.

"Barristers throw our eye when we hear there is a lay litis one who is defending themse it just adds to the inefficacy of

"They don't understand ho amine. They start making spe of asking questions. You when there's a lay litigant for purely because you know it' painful to get to the finish line

However, he has some them: "To fight a civil ca