

On May 23<sup>rd</sup> 2016, at the Criminal Courts of Justice, *Integrity Ireland* member Stephen Manning intends prosecuting five members of An Garda Síochána and two staff at the Garda Ombudsman Commission variously for assault, criminal damage, misconduct in public office and conspiracy to interfere in the administration of justice.



**The Facts – a statement by Stephen Manning:** (i) On November 9<sup>th</sup> 2015, at approximately 10.40am, I appeared (with two witnesses) for the 2<sup>nd</sup> time in a Dublin District Court to answer five nonsensical traffic summonses which arose out of a contrived effort by Gardaí and the DPP's Office to improperly interfere with our work with *Integrity Ireland* – especially our efforts to prosecute State employees for criminal acts. I had all my paperwork in order and was carrying proofs that these alleged traffic prosecutions were contrived and vexatious, but the Judge would not listen to what we had to say and **directed Gardaí to remove us**. At least **five Gardaí then manhandled me in an aggressive and violent manner**. My clothes were torn; my documents and files were scattered all around; and I received a number of injuries including to my shoulder, back, head, stomach and hand. Several **members of the public who were present in the Court made recordings of the assault** on their mobile phones. The assault continued outside in the corridor where an attempt was also made to seize my 16-year old daughter's phone, which she was using to record. I informed the Gardaí present that I intended to prosecute them for physical assault, and immediately went to the Bridewell Garda Station – along with my witnesses – to lodge a formal criminal complaint.

(ii) The criminal complaint was taken by the duty Sergeant on a GSOC form between 11.05 – 11.40am. While we were there, one of the assaulting Gardaí (MM) came in with some of my mislaid files and documents but my driving licence had mysteriously 'gone missing'. It has still not been returned. We then retired to a nearby location for lunch for an ad-hoc meeting with about a dozen members of *Integrity Ireland*. **At approximately 1.10pm two members of the public who were inside the Courtroom during the assault approached us and informed us that four Gardaí had returned to the Courtroom some time after the assault – but before lunch – and had called various members of the public outside**. Each person who was called outside thought they were being called out to discuss their own Court cases, but once outside, **they were directed to hand over their mobile phones. The Gardaí then deleted any pictures or videos relating to the assault. This is unquestionably a criminal act**, designed to suppress or delete evidence of a crime. Another Garda has confirmed that one of the Gardaí present was Garda (MM). We were informed that the CCTV footage automatically held by the *Courts Service Estate Management Unit* will identify the others.

(iii) On Monday December 14<sup>th</sup> 2015 my daughter and I were interviewed in Castlebar by a GSOC investigator. The GSOC investigator was an ex-Garda. In addition to the details of the assaults on both myself and my daughter, we informed the investigator of the criminal fact that four Gardaí had returned to the Courthouse and deleted video evidence, and that **we had eyewitnesses to prove this**. This information was also taken down, and the investigator assured us we would receive copies of the statements taken. But **GSOC has not supplied us with those statements**.

(iv) Emails and phone calls with GSOC **established that some definite criminal acts had taken place**. We told GSOC that we had some additional video footage that might be helpful in their investigation, which we would *"happily supply to them"* as soon as GSOC confirmed in writing that criminal acts had in fact occurred. We explained that **eyewitnesses were concerned about reprisals from Gardaí**, and so we needed this confirmation 'in writing' in order to protect those witnesses.

(v) On Monday January 25<sup>th</sup> we received a backdated letter from GSOC giving us only four days to send our additional video evidence otherwise, “*your complaint may be discontinued.*” We responded by email stating **we would gladly send the additional video evidence** as soon as they confirmed that they had secured the CCTV from the Courthouse and established that crimes had in fact been committed. **GSOC** acknowledged receipt of our email, but otherwise **failed to respond**.

(vi) After a course of physiotherapy and x-rays, **our doctor confirmed** that I had suffered some serious injuries in the November assault. Those **injuries** include a torn rotator cuff (shoulder) and a hernia in the abdomen **which will likely require surgery**. These facts were transmitted to GSOC leaving them in no doubt that I had been physically injured during the incident.

(vii) On Feb 19<sup>th</sup> (three weeks later) we received an email *claiming* that a letter was sent to us by a senior Case Officer at GSOC. **We did NOT receive any such letter**. A scanned copy of that supposedly ‘missing’ letter was attached, signed by Paul Hanna, stating that **our complaint had been ‘discontinued’** because WE (apparently) “*had not cooperated with the investigation.*”

(viii) We responded again, advising that we did NOT accept the closure of our complaint and that we would lodge criminal prosecutions if GSOC did not ‘investigate in the public interest’ (as per their stated mandate). Other than GSOC stating they would NOT communicate with us further, we were completely ignored. We reminded them that GSOC is, “*empowered to investigate Gardaí in the public interest even when NO complaint has been made*” – but again, we were completely ignored.

(ix) We made a number of attempts to secure information and documentation from GSOC but all were either ignored or refused. We visited GSOC in person and advised GSOC Case Officers to attend Court as witnesses, but again they refused. Meanwhile, Garda Sgt (SB) informs us that GSOC wrote to him saying we had “withdrawn” our complaint. We ask GSOC for a copy of that specious letter. GSOC refuses again stating they will only cooperate on strength of a Court Order.

(x) We contacted the *Courts Service Management Offices* in Phoenix House and were informed of four important facts; (a) that they only had CCTV footage from *outside* the Courtroom (and therefore no footage of the main assault inside the Court); (b) that GSOC had (curiously) only requested the preservation of CCTV footage for the period 9.30 to 11.30am on the day in question (which does NOT cover the time when the incidents of criminal damage occurred outside the Court at about 12.30 – 1.00pm); (c) that GSOC had NOT even bothered to collect or view the said footage before officially closing the case; and (d) that all the other CCTV footage from that day had since been deleted ‘according to procedure’ despite the fact that formal criminal complaints had been lodged.

(xi) We made a number of attempts to apply for criminal summonses under the ‘Common Informer’ legislation, but on each occasion, the Dublin District Court Judges found some way to (illegitimately) avoid dealing with us – including exiting their Courtrooms without explanation – until this scheduled hearing on Monday **May 23<sup>rd</sup> at 12.00 midday in Court No 3 at the CCJ on Parkgate Street Dublin** (near Heuston Train Station) where we intend to press these criminal prosecutions on the basis of this undeniable evidence, and in the hope that our so-called ‘statutory authorities’ will now begin to realise that ‘Joe public’ has had enough of this longstanding systemic abuse of power, position and authority by people in the employ of the State – who are, ultimately, being paid for by us – apparently, to protect a corrupt status quo while feathering their own questionable nests.

### The main issues where we claim that criminality has occurred:

- A judge improperly directed Gardaí to remove a lay litigant from a public Courtroom.
- The Guards used excessive force and committed a series of criminal physical assaults causing unnecessary fear, alarm, distress (and physical injury) to otherwise law-abiding citizens.
- After hearing that we had lodged a criminal complaint, the Guards then returned and committed the crime of ‘criminal damage’ by seizing private property and deleting evidence from people’s phones without their permission.
- That GSOC deliberately failed to secure CCTV of the precise time when Gardaí deleted evidence from the phones.
- That the *Courts Service Estate Management Unit* did NOT automatically ‘preserve’ the CCTV footage for the whole day – despite being aware that a criminal complaint had been lodged.
- That GSOC did NOT contact any of the eyewitness whose information we gave to them.
- That GSOC deliberately misled us as to the progress of their supposed ‘investigation’.
- That GSOC improperly seized on the very first contrived opportunity – as orchestrated by them – to shut down the investigation.
- That GSOC Officer (PH) lied to the Garda Sgt (SB) stating that we had ‘withdrawn’ our complaint.
- That even though GSOC is empowered to investigate Gardaí ‘in the public interest even when NO complaint has been made’ – that they have nevertheless failed to do so.
- That GSOC offered us no right to appeal as is mandated in GSOC guidelines.
- That between certain District Court Judges, some Gardaí and GSOC Case Officers involved, that each has participated in a general conspiracy to suppress evidence of criminal activity; to deny a law-abiding citizen his right to justice through the Courts, and thereby conspire to interfere in the administration of justice.

**In conclusion:** That if any ordinary citizen (who did NOT work for the State) were to commit any of these crimes, they could be liable for a long stretch in prison. It is time to alert our so-called ‘statutory authorities’ that we will NOT put up with this appalling hypocrisy, corruption and blatant double-standards any more, and that on *each and every occasion* that we are wronged by someone in the employ of the State, that we WILL take the appropriate action – under the Common Informer legislation – to hold them fully and properly to account, under the law.

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**On Monday May 23<sup>rd</sup> at 6.00-8.00pm at the Red Cow Moran Hotel, Nass Road, Dublin 22, Integrity Ireland is sponsoring a free PowerPoint presentation entitled:**

**“The Common Informer Legislation & You – how to protect yourself from tricksters, tyrants, thugs and thieves in the Irish Justice System.”**

Admission is free, but seating is limited. So please come early to avoid disappointment, because...

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