

Formal Notice & Advisory – Sent ‘Under Seal’ – March 2nd 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.....