

THE HIGH COURT

JUDICIAL REVIEW

[2017 No. 798 JR]

BETWEEN

STEPHEN MANNING

APPLICANT

AND

A JUDGE OF THE CIRCUIT COURT

RESPONDENT

JUDGMENT of Mr. Justice MacGrath delivered on the 3rd day of April, 2019.

1. The applicant was convicted of an offence contrary to s. 6 of the Criminal Justice (Public Order) Act, 1994 in the District Court on the 24th January, 2017 (*Director of Public Prosecutions v Granahan & Manning* (case no. 2016/40190). The charge and conviction arose from an incident which occurred at Castlebar District Court on 2nd September, 2015. He appealed this conviction to the Circuit Court. On the 4th May, 2017 his appeal was dismissed and he was sentenced to two months in prison.

2. By notice of motion dated 4th October, 2017, filed on 20th October, 2017, the applicant seeks leave to apply for judicial review for, *inter alia*, an order of *certiorari* quashing the said conviction in the Circuit Court on 4th May, 2007.

3. The proceedings were opened before Noonan J. on 23rd October, 2017 and he directed that the respondent be put on notice of the application.

4. An issue has arisen as to whether Noonan J. has already granted the applicant leave to apply by way of judicial review. Mr. Manning made submissions to the Court, relying upon the various orders, notices of motion and the wording of the Rules of the Superior Courts 1986 as being indicative of such order having been made. I have considered his submissions and all perfected orders made in this case and I am satisfied that an order granting leave to apply for judicial review has not been made. I therefore must consider the application on the basis that it is one for leave to apply for judicial review.

5. The grounds upon which the applicant seeks relief are as follows:-

"(d) Relief sought:

(i) *An Order of certiorari striking out the Applicant's unlawful conviction and subsequent incarceration on May 4th 2017 at the Circuit Court Appeal of District Court Case No 2-16/40910 'DPP vs Granahan & Manning' on the following grounds.*

- *That the Applicant was entitled to a presumption of innocence*
- *That the Applicant was denied effective legal representation*
- *That the Applicant was denied the right to enter a defence or call witnesses*
- *That the Court acted in excess and breach of its jurisdiction*
- *That the Court failed to observe constitutional and natural justice*
- *That the Court failed to act according to its legal duty*
- *That the trial Judges acted with extreme bias and prejudice throughout and in violation of their solemn Oaths of Office*
- *That there were flaws and errors on the face of the committal orders*
- *That there have been multiple breaches of the Applicant's fundamental rights as per the European Convention on Human Rights Act 2003, specifically Articles 1,5,6 & 7 as detailed in the supporting affidavit.*

(ii) *An Order for compensation for the period the Applicant was unlawfully imprisoned.*

(iii) *An Order for Damages.*

(iv) *Any other Order as deemed fit and appropriate by the Court in the overall interests of justice.*

(e) *Additional grounds upon which such relief is sought:*

(i) *This Application is made in specific context of Article 38 (1) of the Irish Constitution which states that; 'No person shall be tried on any criminal charge save in due course of law.'*

(ii) *Article 40 (1) of the Irish Constitution which states that; 'All citizens shall, as human persons, be held equal before the law.'*

(iii) *Article 40 (3) 1° of the Irish Constitution; 'The state guarantees in its law to respect, and, as far as*

practicable, by its laws to defend and vindicate the personal rights of the citizen.'

(iv) Article 40 (3) 2° of the Irish Constitution; 'The state shall, in particular, by its law 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.'

(v) Article 40 (4) 1° of the Irish Constitution; 'No citizen shall be deprived of his personal liberty save in accordance with law.'

(vi) Article 40 (6) 1° of the Irish Constitution; 'The state guarantees liberty for the exercise of the following rights, subject to public order and morality: the right of the citizens to express freely their convictions and opinions.'

(vii) 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.'"

6. While the application for judicial review was brought within six months of the making of the order in the Circuit Court, it was not brought within the required period of three months as provided for by the Rules of Superior Courts 1986, as amended.

7. The court has power to extend the time within which to do so under O. 84, r. 21, which provides:-

"(1) An application for leave to apply for judicial review shall be made within three months from the date when grounds for the application first arose.

(2) Where the relief sought is an order of certiorari in respect of any judgement, order, conviction or other proceeding, the date when grounds for the application first arose shall be taken to be the date of that judgement, order, conviction or proceeding.

(3) Notwithstanding sub-rule (1), the Court may, on an application for that purpose, extend the period within which an application for leave to apply for judicial review may be made, but the Court shall only extend such period if it is satisfied that:-

(a) there is good and sufficient reason for doing so, and

(b) the circumstances that resulted in the failure to make the application for leave within the period mentioned in sub-rule (1) either—

(i) were outside the control of, or

(ii) could not reasonably have been anticipated by the applicant for such extension.

(4) In considering whether good and sufficient reason exists for the purposes of sub-rule (3), the court may have regard to the effect which an extension of the period referred to in that sub-rule might have on a respondent or third party.

(5) An application for an extension referred to in sub-rule (3) shall be grounded upon an affidavit sworn by or on behalf of the applicant which shall set out the reasons for the applicant's failure to make the application for leave within the period prescribed by sub-rule (1) and shall verify any facts relied on in support of those reasons.

(6) Nothing in sub-rules (1), (3) or (4) shall prevent the Court dismissing the application for judicial review on the ground that the applicant's delay in applying for leave to apply for judicial review (even if otherwise within the period prescribed by sub-rule (1) or within an extended period allowed by an order made in accordance with sub-rule (3)) has caused or is likely to cause prejudice to a respondent or third party.

(7) The preceding sub-rules are without prejudice to any statutory provision which has the effect of limiting the time within which an application for judicial review may be made."

8. The applicant explains that there are two reasons for his delay. First, he states that he had understood, from the Courts Service website, that where the relief sought was *certiorari*, the time limit provided under O. 84 of the Rules of Superior Courts was six months. He is a lay litigant who contends that he had at all times intended to apply within the requisite period, and that the Courts Service website entry caused confusion and led him into error. He further contends that recently he had been alerted to an amendment to O. 84, r. 21, which he maintains was not in the main body of the text on the Courts Service website, which had the effect of reducing the time for applications from six months to three months. In any event, he states that without legal help he could not reasonably have been expected to be aware of the contents of the amendment to the Rules. He has not been legally represented at any stage of these proceedings.

9. Second, the applicant maintains that new evidence came to light on 20th July, 2017 and that leave to seek judicial review was brought within three months of this discovery. The new evidence on which he relies is an audio recording of the occurrence at Castlebar District Court on 2nd September, 2015. He alleges that the public order charge was contrived and was the product of conspiracy by the State and its agents to interfere with, obstruct or pervert the course of justice. He also refers to various complaints which he made and the fact that he brought four unsuccessful applications pursuant to Article 40.4 of the Constitution regarding his detention following conviction.

10. As the order under challenge is the order of the Circuit Court, the discovery by the applicant of what is contended to be new evidence of what is alleged to have occurred in the District Court in September, 2015, in my view, cannot form the basis of an application for an extension of time within which to bring this application, nor can it be an excuse for the delay in so doing. This judicial review is concerned, and can only be concerned, with the Circuit Court proceedings and the process by which the impugned order was made.

11. The application for an extension of time is made within Mr. Manning's grounding affidavit. While the respondent has not consented to the application, its opposition to the application has not been pursued with great vigour, no prejudice is claimed and the averments

of the reason for Mr. Manning's misunderstanding of the relevant time limits are not contradicted on affidavit or otherwise.

12. Although it may be said that the applicant has advanced two reasons which might not necessarily be consistent, in the circumstances and in the interests of justice, on the basis of the first reason put forward by Mr. Manning, namely the misunderstanding brought about his reading of the website, and in the light of the attitude adopted by the respondent regarding this application, I propose to make an order extending the time within which to bring this application for leave to apply for judicial review.

13. It is important that it is made clear from the outset that the applicant's application for leave is guided by what is pleaded. Thus the claim is confined to the relief sought in the notice of motion on the basis of the grounds set out in the statement of grounds which I have set out in full above. In paragraph 26 of his affidavit sworn on 20th October, 2017 Mr. Manning outlines his complaint regarding the Circuit Court hearing and para. 50 confirms that the relief sought relates to the hearing in the Circuit Court and the order made on 4th May, 2017.

14. The events giving rise to the charge and conviction in this case occurred during the course of sitting of the District Court at Castlebar in September, 2015. On 24th January, 2017 in the District Court, Mr. Manning was convicted and sentenced to imprisonment. While he has outlined in detail what he believes and contends to be want of due process and illegalities in the course of that hearing, both inside and outside court, the conviction was appealed by him and his appeal was heard in the Circuit Court over the course of a number of days in May, 2017. He was convicted and his appeal was dismissed.

15. In his grounding affidavit, Mr. Manning avers that during the course of the adjourned District Court hearings, unknown to him, a date for a resumed hearing was brought forward from 26th January, 2016 to 23rd January, 2017. He did not attend on that date and he was arrested as he was disembarking a train on his return from an appearance in the Supreme Court where he had been making an application. He was held overnight in garda custody on 23rd January, 2017. He avers that he was coerced against his will into lodging a Circuit Court appeal on 24th January, 2017. He believes that this was part of calculated deception by the Director of Public Prosecutions' prosecution team in collusion with other persons in State employment to deny him the opportunity of a fair hearing.

16. He avers that his defence consisted in part of audio recordings of the events on the day in question in Castlebar District Court in September, 2015, which recordings he states have been interfered with and that he was prevented from producing witnesses.

17. Mr. Manning maintains that he was denied legal representation in the Circuit Court and that the trial proceeded, despite his objection. There are other complaints which he has in respect of this hearing, including that he was denied access to the District Court case file, that the prosecution authorities refused to identify any victim of the alleged offences, that the trial judge failed or refused to speak into the official digital audio recording ("DAR") during the course of the hearing and that prosecution witnesses were permitted to remain in court during the prosecution case, in spite the applicant's repeated formal objections. In addition, he maintains that the Circuit Court judge refused to consider or enter into the record what he describes as evidence of serious prosecutorial misconduct and that the trial judge dismissed three of five prosecution witnesses before he had completed his cross-examination of them. In addition, it is alleged and contended that the trial judge refused several requests and formal applications for disclosure of evidence and thereafter terminated the trial at a point where he had called only one of a number of witnesses. Mr. Manning also avers to alleged impropriety in the conduct of the District Court proceedings; and it seems to that he now purports to introduce them into this case.

18. At para. 32 of his affidavit sworn on 9th October, 2017, Mr. Manning avers that he made five additional attempts between the District Court proceedings in January, 2017 and the commencement of a Circuit Court trial in May, 2017 to secure a legal aid certificate from the judges in question. It seems that he made applications to various judges and the Courts Service.

Test for leave to apply for judicial review

19. O. 84, r. 20 of the Rules of the Superior Courts requires leave of the Court to be sought in advance of making an application for judicial review.

20. In order to be granted leave to apply for judicial review, the applicant must satisfy the test set out in the decision of the Supreme Court in *G. v. Director of Public Prosecutions* [1994] 1 I.R. 374. Finlay C.J. set out the criteria and main principles to be applied by the court in determining whether to grant leave:-

"It is, I am satisfied, desirable before considering the specific issues in this case to set out in short form what appears to be the necessary ingredients which an applicant must satisfy in order to obtain liberty of the court to issue judicial review proceedings. An applicant must satisfy the court in a prima facie manner by the facts set out in his affidavit and submissions made in support of his application of the following matters:-

(a) That he has a sufficient interest in the matter to which the application relates to comply with rule 20 (4).

(b) That the facts averred in the affidavit would be sufficient, if proved, to support a stateable ground for the form of relief sought by way of judicial review.

(c) That on those facts an arguable case in law can be made that the applicant is entitled to the relief which he seeks.

(d) That the application has been made promptly and in any event within the three months or six months' time limits provided for in O. 84, r. 21 (1), or that the Court is satisfied that there is a good reason for extending the time limit. The Court, in my view, in considering this particular aspect of an application for liberty to institute proceedings by way of judicial review should, if possible, on the ex parte application, satisfy itself as to whether the requirement of promptness and of the time limit have been complied with, and if they have not been complied with, unless it is satisfied that it should extend the time, should refuse the application. If, however, an order refusing the application would not be appropriate unless the facts relied on to prove compliance with r. 21 (1) were subsequently not established, the Court should grant liberty to institute the proceedings if all other conditions are complied with, but should leave as a specific issue to the hearing, upon notice to the respondent, the question of compliance with the requirements of promptness and of the time limits.

(e) That the only effective remedy, on the facts established by the applicant, which the applicant could obtain would be an order by way of judicial review or, if there be an alternative remedy, that the application by way of judicial review is, on all the facts of the case, a more appropriate method of procedure.

These conditions or proofs are not intended to be exclusive and the court has a general discretion, since judicial review in many instances is an entirely discretionary remedy which may well include, amongst other things, consideration of whether the matter concerned is one of importance or of triviality and also as to whether the applicant has shown good faith in the making of an ex parte application.” (pp. 377 to 378).

In *G. v. DPP*, Denham J. observed that the burden on the applicant is light, the applicant being required to establish that he has made out a stateable case:-

“The burden of proof on an applicant to obtain liberty to apply for judicial review under the Rules of the Superior Courts O. 84, r. 20 is light. The applicant is required to establish that he has made out a stateable case, an arguable case in law. The application is made ex parte to a judge of the High Court as a judicial screening process, a preliminary hearing to determine if the applicant has such a stateable case.

This preliminary process of leave to apply for judicial review is similar to the prior procedure of seeking conditional orders of the prerogative writs. The aim is similar – to effect a screening process of litigation against public authorities and officers. It is to prevent an abuse of the process, trivial or unstateable cases proceeding, and thus impeding public authorities unnecessarily.” (pp. 381 to 382).

21. While the applicant relies on a number of the provisions of the Constitution in support of this claim, in truth, his claim is one that he did not receive a fair hearing, that he did not have, and was not provided with legal representation, and is one of alleged bias on the part of the judge. He alleges that there were multiple breaches of his rights under the European Convention on Human Rights Act, 2003, specifically Articles 1, 5, 6 and 7.

22. In a second affidavit sworn on 13th February, 2018, Mr. Manning repeats many of the criticisms made in his original affidavit. He avers that he has been denied due access to justice through the unlawful activities of various agents and agencies in the employment of the State. He alleges that he has been subjected to multiple false and vexatious allegations, unlawful surveillance and interference with post and email, and other acts of criminal harassment intimidation, illegal assaults, false imprisonment, fraud, deception, collusion, perjury and conspiracy to pervert the course of justice.

23. Mr. Manning also makes complaint about the manner in which the Chief State Solicitor’s Office initially dealt with this application and how the defence of the action has been transferred to the Director of Public Prosecutions. He says that the sequence of events in the conduct of the defence of this case underlines his repeated contention that State agencies are routinely engaged in what he describes as “*underhanded attempts to obstruct, pervert or interfere with justice*” in what he describes as “*these cases*”. Mr. Manning also makes complaint of being manhandled and unlawfully assaulted by members of An Garda Síochána during court hearings.

24. A replying affidavit was sworn by Mr. Raymond Briscoe on behalf of the respondent on 5th April, 2018. He is a solicitor in the Office of the Director of Public Prosecutions. Mr. Manning takes issue with the role of the Director of Public Prosecutions in the defence of these proceedings and capacity of Mr. Briscoe to deal with the matters, given that it was contended by Mr. Manning that Mr. Briscoe was not present during part of the hearing in the District Court.

25. Mr. Briscoe in his affidavit outlines the case of the respondent. While he rebuts certain of the allegations made by the applicant in respect of the hearing in the District Court and how that was conducted, as stated, these do not appear to me to be relevant to the basis upon which leave is sought, or the order which is the subject of this challenge.

26. Mr. Briscoe avers that the applicant’s appeal was heard over three days, 2nd May, 3rd May and 4th May, 2017 at Castlebar Courthouse. He avers that the prosecution called several witnesses including a Courts Service manager, a superintendent of An Garda Síochána, an investigating sergeant and two solicitors. Each witness, he avers, was cross-examined at length by the applicant.

27. Mr. Briscoe avers that on the first day of the hearing, Mr. Manning repeatedly complained that he had not been provided with a legal aid solicitor. He says that Mr. Manning had been written to by the Courts Service inviting him to attend court to apply for legal aid but Mr. Manning did not complete an appropriate application. According to Mr. Briscoe, the court repeatedly requested Mr. Manning to bring any solicitor of his choosing into court and the judge indicated that upon him doing so, he would be granted legal aid. According to Mr. Briscoe, Mr. Manning failed to do so and continued his submissions that the State was required to provide a solicitor to him by physically bringing a solicitor to court and directly instructing that solicitor to act for him in the proceedings. Mr. Briscoe also avers that the presiding judge ensured that the applicant was not prejudiced by the fact that he represented himself. Thus, for example, he eliminated unnecessary references made by the applicant to prejudicial evidence. Mr. Briscoe avers that Mr. Manning in his submissions alleged various conspiracy theories including that State forces had interfered with his phone and the phones of other members of the organisation Integrity Ireland.

28. According to Mr. Briscoe, the DAR of the District Court proceedings in September, 2015 was introduced in evidence and played at length as evidence. Mr. Briscoe avers that the applicant could be heard on the DAR expressly seeking the presiding judge’s arrest and requesting a “*show of hands*” of support for that course of action.

29. Mr. Briscoe states that Mr. Manning called one defence witness, his co-defendant, Mr. Granahan. His evidence lasted a number of hours and no further defence witnesses were called. According to Mr. Briscoe, the applicant refused to continue to participate in his appeal and he was repeatedly warned by the judge that it was his appeal and that he would have to engage in the process. Mr. Briscoe states that Mr. Manning voluntarily disengaged from the appeal process and was thereafter convicted by the Circuit Court judge.

30. Finally, Mr. Briscoe avers to two separate judicial review proceedings brought by the applicant in respect of the proceedings in the District Court which included the seeking of orders for prohibition. Leave was refused on both occasions.

31. Mr. Briscoe concludes by stating that the applicant was at all times afforded fair procedures in the conduct of both his District Court trial and appeal before the Circuit Court.

32. In a further affidavit on 1st May, 2018, Mr. Manning outlines in detail what he describes as the obfuscation and obstruction on the part of the Chief State Solicitor’s Office and the Director of Public Prosecutions’ office in relation to the handling of the defence of this matter. It is his belief that he is being obstructed in relation to bringing his claim and furthermore there is no basis for the DPP’s Office to be involved.

33. In so far as the handling of this claim and the manner in which the respondent has dealt with it, the manner in which the file was transferred from the Chief State Solicitor's Office to the office of the Director of Public Prosecutions and the failure to comply with time limits, Mr. Manning brought an application for attachment and committal on 14th May, 2018. In his submissions to the Court he outlined that an order had been made by Noonan J. on 30th January, 2018 which he states has disappeared from court records. Mr. Manning clarified that this order related to the defence of the action and the transfer of files between the aforementioned offices.
34. In his notice of motion of 14th May, 2018, Mr. Manning relies upon the previous affidavit sworn by him on 1st May, 2018 and also a supplemental affidavit sworn on 14th May, 2018. He makes complaint of further obfuscation and stonewalling on the part of both offices, in failing to acknowledge formal correspondence, ignoring issues requiring a response, attempting to mislead both him and the court in various ways, attempting to rely on excessive formalism and openly breaching the rules of court. Mr. Manning takes particular objection to the manner in which carriage of the case was transferred from the Chief State Solicitor's Office to the office of the Director of Public Prosecutions and he maintains that this was done in an unlawful manner and without appropriate motions on notice to him. He protests that he has been given no formal reason or explanation for the unilateral transfer of the defence of the application from the Chief State Solicitor's Office to the Director of Public Prosecutions. He maintains that it is the Director of Public Prosecution's stated statutory role to prosecute on behalf of the people of Ireland, and not to defend, which is the role of the Chief State Solicitor's Office. He queries why the court has permitted this to occur.
35. Mr. Manning also complains about the manner in which the respondents failed to comply with time limits as specified in the order of Noonan J. relating to the filing of replying affidavits and submissions. I refer to para. 12 *et seq* of Mr. Manning's affidavit of 1st May, 2018 in this regard. It seems that an affidavit was emailed on 5th April, 2018 and that the respondent indicated that it would not be filing submissions. Mr. Manning states that the affidavit contained no visible indicators that it had been properly filed and that it was in any event out of time. He criticised the contents of the replying affidavit as failing to remotely address the critical detail of his original grounding affidavit. Mr. Manning raises issues concerning the contents of Mr. Briscoe's affidavit and the contents of correspondence between the parties.
36. The application for attachment and committal for breach of the court order, as stated above, related to the breach of Noonan J.'s order of 13th February, 2018. By that order, the respondent was given liberty to file a replying affidavit by 6th March, 2018, the applicant was at liberty to file a further affidavit by 26th March, 2018 and both parties were granted leave to deliver written submissions. Mr. Manning delivered further affidavits and written submissions but the respondents indicated that they would not deliver written submissions and the replying affidavit of Mr. Briscoe was delivered late. This application was subject of an order made by this court on 5th June, 2018 whereby time was extended by two weeks for the delivery of Mr. Briscoe's affidavits. Mr. Manning was given liberty to file an additional affidavit within two weeks from the date of delivery of Mr. Briscoe's affidavit. Mr. Manning delivered his submissions on 19th June, 2018 and a further affidavit on that date.
37. In his affidavit of 19th June, 2018, the applicant, *inter alia*, addressed the contents of Mr. Briscoe's affidavit of 5th April, 2018. He takes issue with many of the averments in Mr. Briscoe's affidavit and queries why Mr. Briscoe does not directly address allegations made against him personally. He also takes issue with Mr. Briscoe's averment that he had an involvement in the District Court proceedings. It seems clear, however, that Mr. Briscoe was involved in the presentation of the prosecution case in the Circuit Court. Mr. Manning also outlines the manner in which legal representation was dealt with in the District Court but again I must reiterate that what is before this Court is not what occurred in the District Court but what occurred in the Circuit Court.
38. Of significance in this affidavit, however, is Mr. Manning's contention that he made a number of oral and written submissions for legal aid and he disputes the averments of Mr. Briscoe as to what occurred in the Circuit Court in respect of legal aid. In essence, Mr. Manning maintains that he was not afforded a realistic and appropriate offer of legal representation or legal aid. He further avers that whatever facilities the Circuit Court judge may or may not have made available to him were outweighed by what he describes as the judge's overbearing manner. There is therefore an issue as to the extent to which the applicant, Mr. Manning, was afforded right to legal representation. In his affidavit sworn on 18th July, 2018, Mr. Manning exhibits a chronology regarding applications made by him for legal aid which includes at para. B that on 2nd May, 2017 he applied to the Circuit Court Judge who granted him legal aid but allegedly informed him that the case would continue nonetheless in his absence "*if he goes out to seek a solicitor*".
39. Mr. Manning has continuously stated during the course of this case that the notice of motion for attachment and committal was not dealt with. As far as this court is concerned, and if clarification is necessary, it was dealt with by granting an extension the time for the delivery of affidavits. Further, I can see no basis for the complaint that the office of the Director of Public Prosecutions has taken carriage of the defence of the claim.
40. In the circumstances, in view of the low threshold required to be met on this application, and given the disputed contest on the facts, I believe it is appropriate to grant leave to Mr. Manning to apply for judicial review for the relief claimed in paras (d)(i) d(ii), d(iii) and d(iv) of the statement of grounds on the grounds set out in paras e(i) to (vii).
41. In the course of the many extensive affidavits filed in support of this application, including those sworn in reply to the affidavits sworn on behalf of the respondent, Mr. Manning raises a multiplicity of issues. These include allegations against members of court staff, members of An Garda Síochána, solicitors who have been involved in this and other cases concerning him as applicant, accused, defendant or common informer, and members of the judiciary who have dealt with applications or have made decisions in relation to cases concerning him. He alleges that some or all of these officials and office holders are involved in a conspiracy against him.
42. It appears to me that Mr. Manning is seeking to make this application for judicial review a vehicle for the many complaints and grievances which he has against some or all of the officials, professionals, gardaí and office holders with whom he has come in contact and with whom he has grievances. He has sought to introduce evidence and allegations on a considerable number of matters relating to his dealings with the State generally, and also matters in relation to the District Court proceedings, complaints in respect of how his Article 40 applications and other judicial review proceedings were dealt with. It is apparent from the history of this case as outlined in the affidavits that the applicant lodged a number of applications in respect of the District Court hearing and his subsequent detention and what he described as two constitutional applications to the Supreme Court regarding his own prosecution of certain individuals. Such incidents are part of a more widespread conspiracy which Mr. Manning alleges against officers and employees of the Director of Public Prosecutions, the Courts Service and members of the judiciary. In my view, these matters, complaints or charges do not properly arise for consideration on this application.
43. I wish to emphasise that this case is concerned with, and must be confined to, the relief claimed by the applicant, namely his challenge to the decision and order of the Circuit Court made on 4th May, 2017, on the grounds alleged and specified. These proceedings are not, and will not be permitted to be, a vehicle for all and every complaint and grievance aired by Mr. Manning in his affidavits, including his allegations of conspiracies on the part of State authorities; nor will the applicant be permitted to introduce through the backdoor matters which have already been the subject of applications and final court rulings, including matters raised in

challenges made and refused in respect of the District Court proceedings.