

Direct experience/communications with the High Court, Information Commissioner and others related to my hearing

A week before my hearing I was informed by Gary Fitzgerald, the Information Commissioner's representative, that my case was struck out for non-attendance. He stated in part, *"There was a remote positive callover of all next week's cases this morning. Our counsel's devil attended the callover. However, by the time he logged into the callover, your case had been called. Since you were not in attendance the matter was struck out for non-attendance. As such next week's hearing date has been vacated and absent a court order the matter will not go ahead next week."*

Additionally, Gary stated, *"In order to have the matter relisted you need to contact the court Registrar, xxxxx."*

I contacted the Registrar and received a reply that cc'd Gary Fitzgerald:

"Mr. Landers,

You can attend court 13 on Monday to make the application to Judge Meenan at the end of the 10:30 list..

Gary,

You might note that Mr. Dennehy BL emailed me yesterday indicating he would be making an application this morning on behalf of Mr David. Brown BL who is representing the Commissioner. I am happy to forward that correspondence to you.

It would be quite common for the other party to call a case on for hearing at the postive, notwithstanding that it is not their case, particularly where there is a litigant in person involved who is not aware of the callover. This greatly assists Judge Meenan and myself with the administration of the list.

Kind regards,

xxxxx

*Non Jury/Judicial Review Registrar
High Court"*

It would seem the Information Commissioner, up to his usual tricks, wanted to make it as difficult as possible for me to get a hearing.

Note: In addition to Gary Fitzgerald, David Browne BL was the counsel at my High Court hearing making the case for the Information Commissioner. Incidentally, it was noticed by me and those who accompanied me in court that Mr. Browne seemed quite nervous while presenting the case on behalf of the Information Commissioner. I'm not sure if you can tell this from the recording of the hearing but it should be very clear from my [rebuttal](#) (follow case study order/steps before reading) that he seemed propped up and directed by the judge. Additionally, my party and I noticed an individual sitting at the back of the court room from the beginning of the hearing. He was wearing a mask and we didn't know why he was there. I also noticed him communicating with the Information Commissioner's defense team when I came back from lunch a little bit early and checked to see if the court room had reopened. They were standing in a small vestibule before the entrance to the hall where the court room entrance was located. They seemed to look a bit surprised, like a deer in the headlights, when they saw me.

Immediately after the judge's decision/judgement on my case, the Information Commissioner made a request of me and cc'd Sara McQuade (High Court). The request was:

"On reading the judgment the Commissioner proposes the following terms of a court order:

- 1. That the matter be struck out;*
- 2. That the applicant pays the respondents costs, to be adjudicated on in default of agreement.*

We don't think that any further order is necessary. If you agree with this order then we can ask the court to make it on consent. If you object to any or all of it please let me know by reply."

Therefore, the Information Commissioner wanted to strike out my case and get me to pay all costs. I ultimately objected to all of it. But not long after this request and my email to Judge Ferriter on the day I received his judgement where I objected to it (see Fourth email string further below), Sara McQuade sent me an email (March 25) that stated in part, " *Dear Mr Launders , Mr Justice Ferriter has asked me to inform the parties that short submissions on the form of the order including costs will be listed virtually before him at 2pm on Monday the 4th April 2022 .He does not require submissions in advance .* "

So, a date had been set (April 4) regarding short submissions on the form of the order **including** costs. I thought this to be too little time for me to prepare short submissions as I knew I would need a copy of the hearing transcript to prepare properly, and so I requested more time (made a reasonable request for a postponement) so that I would not be put at a disadvantage by being subjected to an expedited hearing without representation (which the judge knew) and where the Information Commissioner was going to request that my case be struck out.

I replied (March 25) to above email from Sara by stating, "*My concern is that I'm in the process of requesting a transcript of the hearing as you are aware, and so in order to ensure the accuracy of my short submissions on the form of the order I will need to refer to the transcript. I'm sure the court doesn't even rely on memory alone.*

Could you ask Mr. Ferriter if he could postpone the virtual meeting until after I have received a copy of the transcript."

To which Sara replied (March 29), “*Dear Mr Landers ,Mr Justice Judge Ferriter has confirmed that the costs and formal orders matters are before him for 4th April at 2pm and in the matter of your Notice of Motion for the DAR you have short service with liberty to issue and file same in the Central Office returnable to*

Judge Ferriter virtually at 2pm on the 4th April ..Provided it is properly before the Court on the 4th April this Motion can be addressed then

When issuing and filing said Motion please bring this email to the attention of the Central Office and this will assist you in filing same.”

I still insisted on a postponement as per my reply below to above reply by Sara:

From: maurice landers mauricelanders@yahoo.com

To: SaraMcQuade@courts.ie saramcquade@courts.ie

Sent: Tuesday, March 29, 2022, 08:28:09 AM EDT

Subject: Re: : 2020 53mca Maurice Landers(litigant in person) applicant in person v The Information Commissioner

Hi Sara,

I still respectfully request a postponement of the costs and short submissions on the form of the order virtual meeting as I will obviously need time to review the transcript so that I am fully prepared to address these matters. As Mr. Ferriter knows, I’m representing myself and therefore am without the guidance of an Irish lawyer (I had informed the judge during the hearing, by referencing my Exhibit 2, that I had contacted over 1000 Irish lawyers/firms and none would take my case, most didn’t even respond).

This meeting is effectively another hearing addressing a serious issue, the matter of my case being struck out. I find it very unusual that a High Court judge, considering the above and the following, would not grant a very reasonable request for a postponement to allow a lay litigant time to properly prepare. Does the judge not understand that you cannot practically have both a DAR request and the above costs and short submissions on the form of the order addressed at the same meeting? The reason for requesting the DAR transcript is to allow me to prepare for the costs and short submissions on the form of the order meeting. This is quite obvious even to a lay litigant.

I may even be appealing the judge's decision in which case it seems very unusual that a High Court judge would seek to expedite a meeting where the other party is trying to get the judge to strike out my case. If I am going to appeal, I will have to try and find a lawyer. This will take time, and may even be impossible as per my above reference to Exhibit 2. It seems inappropriate that a judge would go ahead with a meeting to strike out a case in such circumstances.

Having expressed serious reservations about the judge's decision on my case, I lack confidence that this virtual meeting will be fair, and therefore I want to be as prepared as possible as any party would. This meeting seems very immature and I don't want to be put in a position where my ignorance of Irish law is taken advantage of.

I'm sure the judge would not want to put me in such an unfair and disadvantaged position, particularly as a lay litigant. The judge has access to all my documents including the transcript of proceedings, and therefore it is only fair that I too have the same access to the DAR transcript before I attend this unusually timed virtual meeting. The balance of justice requires that I too have such access.

I will add to this that the judge's decision and subsequent actions is putting a toll on my health. I'm currently not feeling very well having been quite stressed about what I deem to be a miscarriage of justice. I may not even feel up to attending this meeting next Monday depending on how the week trn.

Thank you in advance,

Maurice D. Landers

Finally, Sara McQuade responded that the form of the order and costs will only be listed for mention on April 4 (see email dated March 30, 2022, immediately below) as long as the judge received the transcript Notice of Motion/Affidavit by April 4. I managed to get the Notice of Motion/Affidavit for the transcript request submitted on time, and at the virtual hearing on April 4 I was able to get the judge to grant my request by releasing an audio version of the transcript. I also got a date set for the **form of the order and costs** (April 25th – see extract below email immediately below).

From: "saramcquade@courts.ie" saramcquade@courts.ie

To: Gary Fitzgerald <Gary.Fitzgerald@ombudsman.ie>; maurice landers mauricelanders@yahoo.com

Sent: Wednesday, March 30, 2022 at 05:53:57 AM EDT

Subject: 2020 53mca Maurice Landers(litigant in person) applicant in person v The Information Commissioner

Dear all,

Mr Justice Ferriter has asked me to clarify with the parties that if the Notice of Motion for the DAR is issued, filed and made returnable to him virtually at 2pm on the 4th April 2022 the costs and final orders will only be listed for mention at 2pm on the 4th April 2022.

An email granting short service of said Notice of Motion has already issued to Mr Landers for his benefit and the attention of the Central Office.

Regards

Sara McQuade

Registrar

Central Office Registrars

Four Courts

Dublin 7

Tel: 018886574

Email saramcquade@courts.ie

Below is an extract from the DAR Order made by Mr Justice Ferriter on April 4th.

“And IT IS ORDERED that the issue of the form of the Order and costs the subject of the said hearing on the 24th February 2022 be adjourned for virtual hearing before this Court at 2pm on Monday the 25th April 2022”

After I received the audio version of the transcript, I prepared my submission on the form of the order and costs for the hearing on April 25th. But here's the thing; the judge only mentioned costs at the virtual hearing on April 25 (I not only had to fly back to Ireland to attend in person, but I also rented out conference facilities in New York City to attend virtual meetings). When I referred to the submission (see my [rebuttal](#) but follow case study order/steps before reading) I had made on April 20th which I had sent to Sara McQuade (all communications with judge/High Court were made via Sara's email address after my hearing in Ireland on Feb. 24th) the judge told me that he hadn't received it. I told him I had sent it to Sara's email address, and he informed me that she had since retired from the High Court (that was convenient!).

The Information Commissioner's representative (Gary Fitzgerald) confirmed that he had received it (I had cc'd him on it) and so the judge asked him to send it to another email address (to Registrar Yvonne Finnegan) so that he could read it. The judge then took 15 mins. time out from the hearing to read it once he had received it.

I found all this unusual in that if a Registrar retires, their email box would obviously be redirected to that of another Registrar so that they could continue where the retiree left off. This is critical in the High Court where communications regarding current and future cases must be addressed. When the judge came back, I clarified with him before he spoke that this hearing and my submission related to not just costs but also the **form of the order as per his own order** (extract above). But the judge told me that he was only addressing costs thereby ignoring the form of the order and most of my submission.

He then ruled against me and told me I had to pay all costs associated with the Information Commissioner's defense of my allegations. And that was it. He ended the case. Obviously, my submission (which he had no doubt already read before my hearing on Apr. 25) proved that his original judgement was complete nonsense and an abuse of the statute and therefore he had no choice but to ignore it and not address what he himself had ordered.

A couple points to make here to add context and should they indicate anything unusual (which they may or may not)

a)

I include a copy of the judge's final order after his judgement on March 15 and my final hearing on April 25, 2022 ([MCA 53 220425](#)). I didn't receive a copy of this order until I requested it from the High Court on July 14th, 2022. I had contacted the Registrar who took over from Sara McQuade, Yvonne Finnegan, for a copy of it on July 11 but never heard back from her. I therefore contacted High Court Central Office (highcourtbespeaks@courts.ie) and was provided with a non-attested (plain) copy as per my request. *"Can you email me or send me a copy of the judge's order on my case. I don't need an attested order for now, just a plain copy."*

While ultimately, I made the decision not to appeal my case after my interaction with the Court of Appeal and Sara McQuade (second and third email strings further below) and after having further researched the process involved on courts.ie (it would have been a daunting task as a lay litigant), I'm not sure why the Registrar (Yvonne Finnegan) would not reply to my request for a copy of the final order on my case? *"Additionally, I didn't receive correspondence re. the final order that was made. Can you send me a copy. I was ordered to pay all costs."*

Yvonne would have been unaware of my decision not to appeal. If you take a look at the order ([MCA 53 220425](#)), it was perfected (where the Registrar, Yvonne, signs off on the order) on June 8, 2022. The last communication I had with Yvonne was on April 27, 2022, two days after my final hearing on April 25, 2022, when I had sent her documents relating to my transcript request that I had sent to Sara McQuade on April 8. The reason I sent these to Yvonne was to make sure she had them for reference since she had taken over from Sara, and during my hearing on April 25, the judge said he never received my submission even though I had sent it to Sara's email address. Even though I had already received the DAR, I didn't want anyone coming back to me later saying they never received the documents pertaining to it. You just can't trust these guys.

Anyhow, to stay on point, Yvonne had stated in part in her email reply to me (April 27) re. the above reference material I sent her, *“The matter has concluded and final orders have been made.”* Why then did it take from April 27 to June 8 to perfect the final order? And even though my recent request of Yvonne on July 11 for a copy of the final order was a few days past the time limit to lodge an appeal, which according to the Court of Appeal is 28 days after the order has been perfected (unless I have a letter from all parties consenting to the late lodgment of the appeal, or a Notice of Motion seeking an extension of time), was there a reason behind Yvonne’s delay in perfecting the order and not responding to my request. Perhaps I’m just over analyzing? But perhaps The Devil is in the Details?

I understand that the onus was likely on me, even though I was a lay litigant, to keep track of when the order was perfected so that I didn’t lose the opportunity to appeal. And I had decided not to appeal anyways. But when you take everything into account, the Information Commissioner’s actions and judge Ferriter’s bogus ruling above, then perhaps the above point adds some additional color. Those of you in the ‘court’ business I’m sure can determine this.

Should anything come of my case study like for example a significant public response (I know, wishful thinking says you! :), then I would expect a subsequent additional coverup on the part of the judicial system and more lies, and so while such a public response is a lot of optimism on my part, please stay tuned to the beginning of the case study section (above the Introduction) for possible further updates. The Irish Government will never change if it knows it can get away with it i.e., when there is no public outcry.

b)

I was going to appeal judge Ferriter’s ruling. I contacted the Court of Appeal to see if they could assist me with the process. Based on their feedback, I contacted Sara McQuade (Registrar – High Court) for an attested High Court order and to ask whether my case had been perfected. My point is, since according to the Court of Appeal (third email string further below) one has 28 days from the date the High Court Registrar perfects the Order to lodge an appeal, I find it unusual that Sara McQuade would be confused when I stated below (second email string further below), *“Has my case/judgement been perfected yet?”*

She was after all the Registrar and would know that a request for an attested order and whether my **case/judgement** had been perfected could only relate to a possible appeal by me. She could have easily replied by saying something to the effect that, I (me) can request an attested order on my case/judgement after my final hearing on April 25. I figured that much out by myself! How could she confuse *“Has my case/judgement been perfected yet?”* with an order re. the DAR (Digital/Audio Recording). She already knew I was aware of the difference as after she sent me the perfected DAR order, I replied:

“Thank you Sara.

If I were to request a transcribed copy of the DAR, how much would this cost?”

c)

I mentioned above that I was told by judge Ferriter during my second hearing on April 25th that Sara had since retired from the High Court. Therefore, her retirement began before my second hearing date on April 25th and after April 6th (two days after my 'for mention' for the DAR) which is when she last communicated with me. I believe she must have retired on either the 6th or 7th as when I went back through my emails, I noticed an auto reply from Sara on April 8th (to an email I sent her on the same day) that stated in part,

"I am out of the office until 08/02/2030.

I will respond to your message when I return."

In retrospect, I guess this is how she informed email senders of her retirement by putting a distant date (08/02/2030) in the 'I am out of the office until' message. That said, I didn't receive the same auto reply on April 20th when I sent my submission on the form of the order and costs ([rebuttal](#) but follow case study order/steps before reading) to the High Court (Sara) and the Information Commissioner (Gary Fitzgerald cc'd) before my second hearing date on April 25th.

Sara was aware that I was likely going to make a submission for my second hearing on April 25th on the form of the order and costs because I had sent her the email below on March 29th wherein I mentioned that I needed time *"to be as prepared as possible as any party would"*. It just seems unusual that I would be led to believe that the High Court (Sara) had personally received my rebuttal five days before my second hearing date on April 25th by my not having received an auto reply like the one above to the email in which it was sent.

This along with Sara's convenient retirement gave the judge the excuse during the hearing on April 25th to say that he didn't receive my rebuttal and that he would take 15 mins time out from the hearing to read it. The Information Commissioner on the other hand had received the submission (rebuttal) as I had cc'd him on it, and he stated this at the hearing. I guess he could have informed me that Sara had retired because he and other lawyers seem to have good relationships with the Registrars and court staff from my observations, but as mentioned above, he wanted to make it as difficult as possible for me to get a hearing and so I suppose lightning would have to strike twice before the Information Commissioner did anything ethical.

(End of points)

As you'll see from the order ([MCA 53 220425](#)), my case was struck out and I was ordered to pay all costs. I was actually unaware that my case had been struck out (even though I knew the Information Commissioner was seeking this) as during my final hearing I only heard the judge make an order on costs (listen to 'Final Hearing April 25th Audio file'). If you recall, he had unfairly limited my final hearing to costs while ignoring the form of the order.

Note - when reviewing the Transcript/Audio files, you will notice that **nowhere does the judge simply ask or confirm my point of law**. The first thing you would think he would do, if he was at all 'confused', is ask me which section of the FOI Act 2014 my case was relying upon. This is because he wanted to steer away from a point of law he knew I had stated in my affidavit and at the hearing, that is, Section 23, the 'inadequacy' of the Information Commissioner's decision, in order to get the Information Commissioner off the hook by changing my point of law during the hearing to a section that was impossible for me to win on. If there was any 'confusion' (which there wasn't) as regards what my point of law was, all he had to do was ask. In fact, he stopped me at one point when I tried to correct the Information Commissioner's counsel who at the beginning of his defense began to state a different point of law. In Ireland, the judge and defense team it seems can change your point of law as they see fit? There's one for the European legal books!

Therefore, based on my knowledge of the meaning of the term struck out, a case can be struck out if, while not exhaustive, it is (one or more of) untrue, scandalous, vexatious, frivolous, prejudicial or unnecessary at any stage. So, this is how the judge viewed my Reports, researched and prepared over a period now spanning about eight years and culminating in the case I brought before him. There's another one for the European legal books! When you try and hold the Irish Government accountable, this is how you're treated by the judiciary. It's certainly a strong disincentive to ever challenging Irish Government fraud.

All the years I spent preparing my Reports which ultimately led to my High Court action, the costs involved, the dedication...all for nothing (officially anyhow). In fact, I was actually viewed as the antagonist in all of this.

Lesson learned!

I haven't yet received a bill from the Information Commissioner (order was perfected on June 8, 2022), but I'm guessing now that I've published my case study, one could be on its way. It's been about four months since the order was perfected and so receiving a bill at this stage would obviously be a reaction to my having published my case study. I'll update the beginning of this case study (above the Introduction) to let you know if I do receive one.

Incidentally, after my hearing, when I tried to get a transcript of it, I asked the High Court if they had a sample/template of the Notice of Motion and Grounding Affidavit required by the court to make a transcript request. I stated that I just needed to get the general wording correct and so I was not requesting legal advice. I was informed by Sara McQuade, the Registrar present at my hearing, that the High Court doesn't provide this service.

Therefore, I decided to contact all the District Courts (lower courts) throughout Ireland to see if they could provide me with said documents which I guessed would be similar to what the High Court would require. They were quite helpful (some even provided template Notice of Motion/Affidavits) by providing me with enough feedback, which along with the use of a U.S. based lawyer (because not even one Irish lawyer/firm would take my case thereby requiring me

to avail of the services of a non-Irish based law firm) allowed me to put together my transcript request. Incidentally, one of my requests to the Cork District Court was forwarded to High Court Central Office I assume because the District Court assumed that such a request could be handled and resolved by the main office. Sara McQuade at Central Office handled the response (first email string immediately below). I'm not sure why she needed to send me such an email and cc a load of other people on it (including the judicial council?), but what do I know :)

First email string

From: maurice landers mauricelanders@yahoo.com

To: SaraMcQuade@courts.ie saramcquade@courts.ie

Cc: corkro@courts.ie <corkro@courts.ie>; angelambrennan@courts.ie <angelambrennan@courts.ie>; amxdenning@courts.ie <amxdenning@courts.ie>; keoghtg@eircom.net <keoghtg@eircom.net>;

dermot_v._mooney/courts@courts.ie <dermot_v._mooney/courts@courts.ie>; alanabyrne@courts.ie <alanabyrne@courts.ie>; marymurphy@judicialcouncil.ie <marymurphy@judicialcouncil.ie>; patrickajohnson@courts.ie <patrickajohnson@courts.ie>; stephenjmccartney@courts.ie <stephenjmccartney@courts.ie>; aislingoneill@courts.ie <aislingoneill@courts.ie>;

david_g._lawler/courts@courts.ie <david_g._lawler/courts@courts.ie>; grainneaoloughlen@courts.ie <grainneaoloughlen@courts.ie>;

kevinpo'neill@judicialcouncil.ie <kevinpo'neill@judicialcouncil.ie>; paulamhealy@courts.ie <paulamhealy@courts.ie>; saramcquade@courts.ie <saramcquade@courts.ie>; tompkinirons@courts.ie tompkinirons@courts.ie

Sent: Thursday, March 24, 2022, 09:37:43 AM EDT

Subject: Re: Request for information

Yes, you did Sara. I had also requested the general wording that goes into such docs. Thank you. But I didn't send you another request for this information. Is the below Regional Office who referred my email to you not aware that the High Court doesn't offer this service?

Apologies, but I have no control over what other offices do. I did get a request this morning from Central Office requesting my record no. in response to the Cork office forwarding them my email below. Not sure why they'd ask for my record no. if they can't provide such a service?

Anyhow, I got the information I was looking for. It's pretty basic, general guidance wording. Apologies again for any confusion.

Kind regards,

Maurice

From: "saramcquade@courts.ie" saramcquade@courts.ie
To: maurice landers mauricelanders@yahoo.com
Cc: "CorkRO@Courts.ie" <CorkRO@Courts.ie>; "AngelaMBrennan@courts.ie" <AngelaMBrennan@courts.ie>; "amxdenning@courts.ie" <amxdenning@courts.ie>; "keoghtg@eircom.net" <keoghtg@eircom.net>; "Dermot_V._Mooney/Courts@courts.ie" <Dermot_V._Mooney/Courts@courts.ie>; "AlanAByrne@courts.ie" <AlanAByrne@courts.ie>; "MaryMurphy@judicialcouncil.ie" <MaryMurphy@judicialcouncil.ie>; "PatrickAJohnson@courts.ie" <PatrickAJohnson@courts.ie>; "StephenJMcCartney@courts.ie" <StephenJMcCartney@courts.ie>; "AislingONeill@courts.ie" <AislingONeill@courts.ie>; "David_G._Lawler/Courts@courts.ie" <David_G._Lawler/Courts@courts.ie>; "GrainneAOLoghlen@courts.ie" <GrainneAOLoghlen@courts.ie>; "KevinPO'Neill@judicialcouncil.ie" <KevinPO'Neill@judicialcouncil.ie>; "PaulaMHealy@courts.ie" <PaulaMHealy@courts.ie>; "SaraMcQuade@courts.ie" <SaraMcQuade@courts.ie>; "TomPKinirons@courts.ie" TomPKinirons@courts.ie
Sent: Thursday, March 24, 2022, 08:42:04 AM EDT
Subject: Re: Fw: Request for information

Mr Landers , the email below has been referred to the Central Office .On the 18th March you emailed me asking for a sample/template of a Notice of Motion/grounding affidavit relating to your request for a transcript per S.I. No. 101 of 2013 – Superior Court Rules (Recording of Proceedings)

I replied on the 21/3/2022 that I did not.

The Central Office does not provide such a service .

Regards, Sara McQuade

Central Office Registrars
Four Courts
Dublin 7
Tel: 018886574
Email saramcquade@courts.ie

From: Cork Regional Office/Courts
To: Central Office
Date: 23/03/2022 15:05
Subject: Fw: Request for information
Sent by: Miriam Stack

Hi All

Please see email below for your attention.

Kind Regards

Miriam
Southern Regional Office
An tSeirbhís Chúirteanna, Oifig Réigiúnach an Deiscirt, Teach na Cúirte, Sráid Anglesea,
Corcaigh T12 VY3F
The Courts Service, Southern Regional Office, The Courthouse, Anglesea Street, Cork T12
VY3F
corkro@courts.ie T: 021 4509374 Voip: 742 474
www.courts.ie

— Forwarded by Miriam Stack/Courts on 23/03/2022 14:47 —

From: “maurice landers” <mauricelanders@yahoo.com>
To: “maurice landers” <mauricelanders@yahoo.com>
Date: 23/03/2022 14:40
Subject: Request for information

Dear Court Office Services,

I’m trying to find out what needs to be included in the grounding affidavit when requesting a court transcript for a High Court case I was a party to. An affidavit provides evidence, and so my question is what evidence do you need to include in an affidavit for a transcript? Indeed, why do you need to file an affidavit along with a notice of motion?

It seems unnecessary? Are there any templates available of general wording/text used in affidavits and notices of motion for transcript requests?

Thank you in advance.

Kind regards,
Maurice D. Landers

Second email string – email communications between me and the High Court (Sara McQuade).

From: “saramcquade@courts.ie” saramcquade@courts.ie
To: maurice landers mauricelanders@yahoo.com
Sent: Wednesday, April 6, 2022, 11:16:53 AM EDT
Subject: Re: Re. Attested copy

Dear Mr Landers, I am unsure of the meaning the reference to case/judgment below.
A soft uncertified copy of the perfected order re the DAR made on the 4/4/2022 was cced to you on the 4th April .

Regards
Sara McQuade
Registrar

Central Office Registrars
Four Courts
Dublin 7
Tel: 018886574
Email saramcquade@courts.ie

From: “maurice landers” <mauricelanders@yahoo.com>
To: “SaraMcQuade@courts.ie” <SaraMcQuade@courts.ie>
Date: 06/04/2022 15:50
Subject: Re: Re. Attested copy

Hi Sara,

Has my case/judgement been perfected yet?

Kind regards,
Maurice

On Tuesday, April 5, 2022, 10:51:56 AM EDT, <saramcquade@courts.ie> wrote:

Dear Mr Landers, the Central Office are correct .They are responsible for issuing the official/attested orders .

Regards
Sara McQuade
Registrar

Central Office Registrars
Four Courts
Dublin 7
Tel: 018886574
Email saramcquade@courts.ie

From: "maurice landers" <mauricelanders@yahoo.com>
To: "saramcquade@courts.ie" <saramcquade@courts.ie>
Date: 05/04/2022 15:07
Subject: Re. Attested copy

Hi Sara,

I was told I had to contact Central Office for an attested Order of the High Court regarding my case.

Can I get this from you since you're the Registrar?

Many thanks,
Maurice

Third email string – feedback I received from the Court of Appeal.

From: “courtofappealcivil@courts.ie” courtofappealcivil@courts.ie
To: “mauricelanders@yahoo.com” mauricelanders@yahoo.com
Sent: Tuesday, April 5, 2022, 04:23:05 AM EDT
Subject: Re: Request for assistance

Dear Mr. Landers,

I refer to your email,

It is 28 days from the date the High Court Registrar perfects the Order,

This may be a different date from the day the Order is made, the Order will be available from the Central Office of the High Court on the same day it is perfected by the Registrar,

Kind Regards

Michael Fitzgerald | Office Manager, Office of The Court of Appeal – Civil
An tSeirbhís Chúirteanna, Urlár na talún, Áras Uí Dhálaigh, Na Ceithre Cúirteanna, Cé na nÓstaí, Baile Átha Cliath 7
The Courts Service, Ground Floor, Áras Uí Dhálaigh, Four Courts, Inns Quay, Dublin 7
Michael Fitzgerald@courts.ie | T: (01) 888 6127 M: 087 9496079
www.courts.ie

From: mauricelanders@yahoo.com
To: courtofappealcivil@Courts.ie
Date: 04/04/2022 20:45
Subject: Re: Request for assistance

Thank you again Michael.

When you say 28 days from perfection, is that 28 days from when I request the attested order or 28 days from when judgement was delivered on Mar. 15th?

I should have further questions.

Kind regards,
Maurice D. Landers

On Monday, April 4, 2022, 06:00:03 AM EDT, <courtofappealcivil@courts.ie> wrote:

Dear Maurice,

I refer to your email,

You can lodge an appeal under Order 86A, Rules of the Superior Court,

This Order permits you to lodge an appeal against a High Court Order, providing it is within the allotted time (28 days from the date of perfection),

If you are outside of this time you will require a letter from all parties consenting to the late lodgement of the appeal, or a Notice of Motion seeking an extension of time,

Kind Regards

Michael Fitzgerald | Office Manager, Office of The Court of Appeal – Civil
AntSeirbhís Chúirteanna, Urlár na talún, Áras Uí Dhálaigh, Na Ceithre Cúirteanna, Cé na nÓstaí, Baile Átha Cliath 7
The Courts Service, Ground Floor, Áras Uí Dhálaigh, Four Courts, Inns Quay, Dublin 7

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From: mauricelanders@yahoo.com
To: "court of appeal civil@Courts.ie" <court of appeal civil@courts.ie>
Date: 03/04/2022 04:17
Subject: Re: Request for assistance

Hi Michael,

I apologize, but I have one last question before I decide to lodge an appeal.

If the judge decides to strike out my case, can I then appeal his original judgement (not the strike out decision) to the court of appeal civil?

Thank you again in advance.

Kind regards,
Maurice

On Friday, April 1, 2022, 09:12:21 AM EDT, maurice landers
<mauricelanders@yahoo.com>wrote:

Thankyou very much Michael.

Kind regards,
Maurice

On Friday, April 1, 2022, 08:28:31 AM
EDT, courtofappealcivil@Courts.ie <courtofappealcivil@courts.ie>wrote:

Dear Mr. Landers,

I refer to your email,

An attested Order of the High Court can be requested from The Central Office of The High Court,

An Order of the Court is what you are seeking to appeal, the written Judgment is the Judges reason for making the Order, they are 2 different things,

It is the attested Order that you will need to lodge your appeal,

Kind Regards

MichaelFitzgerald | Office Manager, Office of The Court of Appeal -Civil
AntSeirbhís Chúirteanna, Urlár na talún, Áras Uí Dhálaigh, Na Ceithre Cúirteanna,Céna nÓstaí, Baile Átha Cliath 7
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Michaelfitzgerald@courts.ie| T: (01) 888 6127 M: 087 9496079
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From: "mauricelanders"<mauricelanders@yahoo.com>
To: "courtofappealcivil@Courts.ie"<courtofappealcivil@Courts.ie>
Date: 01/04/2022 13:12
Subject: Re:Requestfor assistance

Thank you very much Alma.

Last question/s:

I take it I request an original attested High Court order from the registrar in my case?

I did receive the judgement via email (as an attachment). Is an attested order just a copy of this judgement with a stamp on it from High Court?

Kind regards,
Maurice

On Friday, April 1, 2022, 04:39:49 AM
EDT, courtofappealcivil@Courts.ie<courtofappealcivil@courts.ie>wrote:

Dear Mr Landers,

I wish to acknowledge receipt of your email below.

To appeal a high court order, you will need to lodge with us the original attested high Court order along with your Notice of Appeal (which I attach).

You have 28 days to appeal your order from the date of perfection of the order.

Unfortunately, we would not be in the position to recommend legal representation.

I hope this is of assistance.

Kind regards,

Alma Crosby
Court of Appeal – Civil.

From: mauricelanders@yahoo.com
To: courtofappealcivil@courts.ie
Date: 01/04/2022 02:26
Subject: Request for assistance

Dear Office of the Court of Appeal – Civil,

I recently lost my case at the High Court. I wish to appeal the decision. The judge completely ignored my point of law, instead assuming a point of law that I did not even reference against a particular section of the FOI Act 2014. The only point of law I referenced at my hearing was Section 23 and Section 45.

I represented myself at the High Court not out of choice but rather out of necessity as I could not find even one Irish lawyer/firm to take my case. I had contacted over 1000 lawyers/firms on the Law Society website. Exhibit 2 that I presented at my hearing provided details on this to the judge.

I believe the judge is now going to strike out my case at the request of the Information Commissioner. This way he can prevent me from getting my hands on the transcript of proceedings which will clearly show that he ignored my point of law and proof. I did prove my case.

I have been able to get him to separate a virtual meeting he scheduled on both my transcript request and on costs and the form of the orders into two meetings at different times/dates. I found it inappropriate that he would try to strike out my case not long after his judgement and at the request of the other party before I could request a transcript or even appeal my case.

I now have a virtual meeting on April 4 to request the transcript. I already sent in the Notice of Motion/Grounding affidavit to Central Office. The judge will rule on it if he receives it by April 4. He sent me an email granting short service of said Notice of Motion for the attention of the Central Office. He didn't do this out of the kindness of his heart as I had much back and forth with him (his registrar) after he scheduled this meeting to strike out my case.

He will only list for mention the costs and the form of orders at same meeting, and then I assume schedule a subsequent meeting to address these matters.

I looked on courts.ie for the correct appeal form to use. I found a format Appendix U No 6: Notice of appeal (ordinary appeal). Is this the right form to use?

Finally, do you know where I can find an Irish lawyer who can represent me at this appeal. I'm based in New York and it has been very difficult preparing for the High Court case, the learning

curve involved, doing it without representation and from the US etc. It will be very difficult to continue this again for an appeal. I'm not a lawyer, I'm a security guard and fire safety director in New York City. I have had to use a US law firm to assist me with my filing for the DAR. It certainly is an unfortunate state of affairs when an Irish citizen has to find a US law firm to assist him with an Irish legal case.

My case record no. is 2020/53/MCA. You can see it listed on the legal diary.

Thank you for any assistance you can give me. Further info on me and my efforts to hold the Irish Government accountable can be found on my US website, www.failte32.org. My website is a community platform and completely apolitical.

Kind regards,
Maurice D. Landers

Fourth email string – Communications with the Supreme Court and Irish Legal Aid Board

From: maurice landers mauricelanders@yahoo.com

To: TinaMCrowther@courts.ie <TinaMCrowther@courts.ie>; "tinamcrowther@courts.ie" <tinamcrowther@courts.ie>; officeofthechiefjustice@courts.ie <officeofthechiefjustice@courts.ie>; supremecourtsubs@courts.ie <supremecourtsubs@courts.ie>; gerry.curran@courts.ie <gerry.curran@courts.ie>; supremecourtapps@courts.ie <supremecourtapps@courts.ie>; supremecourt@courts.ie <supremecourt@courts.ie>; info@judicialcouncil.ie <info@judicialcouncil.ie>; court ofappealcivil@Courts.ie court ofappealcivil@Courts.ie

Sent: Wednesday, April 27, 2022 at 09:56:20 AM EDT

Subject: Final judgement on my case

Dear Hon. Mr. Justice Donal O'Donnell, Chief Justice of Ireland,

Judicial Conduct Committee,

I sent the email below and attachment to Judge Ferriter via Sara McQuade's email address on April 20th, before my April 25th hearing on the form of the order and costs. When I went to read out the contents of the document attached, the judge said he never received it (right!). He therefore asked the Information Commissioner to send it to him (I had cc'd him on email) via Yvonne Finnegan's email address and said he would take 15 mins break to read it. When he came back, he said it was inadmissible and ultimately ordered me to pay any costs the Information Commissioner incurred.

He seemed confident and indifferent as regards any subsequent action I might take. I guess he's confident that any higher court will support his decision.

Therefore, having exhausted every practical avenue one in my position can take, I will just have to inform as many people as I can of my case study and get the message out there.

A Nation is founded not just on laws but also on the proper facilitation and implementation of them.

Based on my case and the judge's decision, this foundation has been completely bastardized. I don't know when all of this happened, but it happened right under our noses when we weren't looking by people bestowed (I emphasize the word bestowed) with great power by the people of Ireland.

The Irish Government is not above the law nor are the judges they put in these powerful positions, and I don't like to think what the consequences of this can be in time, with a better-informed public, considering Ireland's experience over the decades with the disenfranchised of another power system.

Ireland is lawless in that laws are applied on a preferential basis. It's a private club.

I personally don't like being disenfranchised by judges who are meant to provide me with recourse to justice, but I will seek solutions that learn from our history, not repeat it. Others may not.

No Nation once again...

Regards,

Maurice D. Landers

Dear Mr. Justice Ferriter,

I submit this supporting written argument (attached) for my hearing on April 25th as I believe my argument at my hearing on February 24th, 2022, was completely misinterpreted by the judge (I'll refer to "you" and "your" below). Therefore, I will just read verbatim from this written document (it will take approx. 10 to 15 mins since most if not all the points I raise have already been presented/exhibited during my first hearing) at the hearing so that there will be little chance of misinterpreting what I said.

Kind regards,

Maurice D. Landers

Note – attached to the above email string were the [Book of Pleadings](#) used at my first hearing, and my submission ([rebuttal](#)) to Justice Ferriter for my second hearing on Apr. 25, 2022 on the form of the order and costs.

Prior to the above email on April 27 I had sent the Chief Justice (after Judge Ferriter's ruling on March 15th), via most of the emails in the email immediately above, other communications relating to my case including my communication with Judge Ferriter immediately after he made his judgement on my case and my communications with the Irish Legal Aid Board. My communication with judge Ferriter is immediately below FYI and details of my communications with the Legal Aid Board are below that.

From: maurice landers mauricelanders@yahoo.com

To: SaraMcQuade@courts.ie saramcquade@courts.ie

Sent: Tuesday, March 15, 2022, 10:26:21 AM EDT

Subject: Re: : 2020 53mca Maurice Landers(ligant in person) applicant in person v The Information Commissioner

Dear Mr Justice Ferriter,

Your decision on my case is really disappointing. I believe you have done a great disservice to your profession and the country of Ireland.

While I was up to now unsure, to have now verified that protection of corruption extends beyond our oversight bodies and permeates Ireland's judicial system, I can now confidently inform various international institutions and individuals on how compromised Ireland's bastardized common law system is both in theory and in practice, and demonstrate to a wide audience how lacking Irish Judges like you are of the courage necessary to do the right thing (perhaps that's where the word 'lackey' comes from?).

You lied in your decision. You claimed irrationality as being my point of law. You focused on this one point I made so that you could give the Information Commissioner and 'out'. You know very well that my proof was based on Section 23, the 'inadequacy' of the Information Commissioner's decision. I stressed this very carefully during my argument. Indeed, it was the very basis of my proof. While I also claimed irrationality, unreasonableness and other adjectives present in the case law cited by the Information Commissioner, this was clearly supplemental and used for emphasis and rebuttal. It will be clear from the transcript I am now requesting that you did indeed lie in your ruling. But I have no doubt whatsoever that you have covered yourself legally. It's now clear that the judicial system, or application of the law, in Ireland is so subjective that it can be rendered meaningless at any time by judges like you.

My complete case/argument/proof will be uploaded to my website in time. It's important that there be a case study on this matter readily accessible to law schools and other institutions that will allow them to retry my case over and over again thereby determining the truthful decision that should have been made. Unlike your ruling, they will be able to read and see my proof. I'll settle for that.

I read very little in your decision about my argument/proof. As the Applicant, I would have thought that I'd at least have gotten equal billing. Most of your diatribe quoted from the Information Commissioner. You never even addressed my proof. And you had asked me during my argument whether I thought the internal audit plan referenced in my proof was actually referring to the audit plan presentations. I clearly responded that such a comparison was effectively untenable. You nodded your head which, while I can't state was your agreement, clearly indicated that you didn't disagree and you certainly did not require further explanation.

Understanding there is little shame in the world today, which unfortunately motivates people like you to make such compromised decisions, I just hope those around you, your peers, those close to you, will someday see you for what you are.

We're around the same age Mr Ferriter. As a lay litigant, I gave you, a High Court Judge, an opportunity to make a real difference. You decided otherwise. I tried for seven to eight years to get justice. That's what justice means to me. You wiped it all out in less than three weeks in your ruling. That's what justice means to you.

I am nevertheless now satisfied in that my case has come to an end. I will at my leisure over the coming months spend time properly structuring my case study and then make it widely known for reference by many in future.

Sara, could you kindly provide me with a copy of the transcript for my case. Thank you in advance for your assistance.

Maurice D. Landers

I had contacted the Irish **Legal Aid Board** in the hope of getting around my being unable to find even one Irish lawyer to take my case (so that I could now appeal). Ultimately, I was told by the Legal Aid Board that *"...neither can we refer your case on to a solicitor or barrister as requested since you are not a legally aided client."* and that I would have to either contact the Law (Solicitors) Society of Ireland (remember them from my Reports!) or *"would need to meet the means test criteria and other law centre criteria."*

I told the Legal Aid Board that I wasn't looking for financial assistance (I wouldn't have met their financial criteria anyhow) but that, *"If you provide a Legal Aid Board solicitor to me, then I will be a legally aided client. And since I will be paying the going market rate fee for his/her services, this will be funds contributed to the Legal Aid Board. I don't need to be a financially aided client per your own application form which states, "Photo ID and proof of address are required where there is a financial or property element to your case. There will be a financial or*

*property element to **most** cases.”*” (I highlighted the word **most** here in this case study for emphasis).

I also refer you to the attached document ([Value for Money and Policy Review](#)), p.5, second paragraph, where it states, “*Referrals to Private Practitioners also constitutes output for the Legal Aid Board when these cases are closed and such referrals for District Court cases have increased significantly in recent years, reflecting the Board’s efforts to keep the waiting period for an appointment with a solicitor as low as possible.*”

Are we to seriously believe that the Irish Legal Aid Board could not refer me to a solicitor in its objective (p.4) to “*Access to justice underpins the legal aid scheme?*”. Particularly since it knew that not even one Irish law firm would take my case? It really is disgusting what’s going on here. Is it such a transgression to refer somebody who needs legal aid, regardless of whether they meet the technical criteria of the Legal Aid Board, to a solicitor?

Additionally, while I understand that the Court of Appeal (whom I also reached out to for assistance finding a lawyer to appeal my case) and the Supreme Court are not in the business of making referrals on behalf of lay litigants to lawyers, is there not some obligation on such bodies (the Chief Justice after all!) to address what they have been informed is a serious issue with the legal/judicial system in Ireland where an Irish citizen can’t even get one lawyer to take a case against the Irish Government? Are there not informal channels that can be accessed in the course of justice? I have no doubt these channels have been accessed before when it came to influencing the outcome of other cases (involving close business associates of the Irish Government), but in my case, the use of such channels would be highly appropriate to correct a miscarriage of justice.

The judgement on my case was posted on the courts.ie website about two weeks after the judge made it. I’m sure it was viewed by many Irish lawyers/solicitors in the course of their daily activities keeping themselves informed on the outcome of court cases, who might be appealing etc. Nobody expressed an interest in my case or a possible appeal of it. The Chief Justice, having been informed that I could not find legal representation (i.e., access to justice) having contacted statistically every lawyer/firm in Ireland including recently the Irish Legal Aid Board (as a last resort), obviously thought it unnecessary to use any type of appropriate informal channel to address this because otherwise I would have been contacted by a lawyer or somebody offering to assist me.

When not even one Irish lawyer/firm will take a case against the Irish Government as regards the mismanagement of funds or fraud, then you have a serious problem with your oversight/judicial system, and the Chief Justice of the Supreme Court of Ireland after having been informed about it should most certainly have used his powers to reach out to just one lawyer (even a court appointed one) to assist me with my appeal. When lawyers (statistically every lawyer/firm in Ireland) prevent the **facilitation** of the law by avoiding cases like mine, it’s incumbent upon the Chief Justice to act. And when judges **misapply** the law to rig the outcome, this action should be immediate.

Correction

Note – on p.97 of the [Book of Pleadings](#), that is, part of my affidavit to the High Court, 4th line down, I state, “I responded in part as follows:” referring to a reply by me to a communication from the Information Commissioner regarding its review (investigation/recommendation) of the NTMA’s decision to deny my FOI request for a copy of the internal audit plan prepared on their behalf by PwC.

The second point of my reply made a correction when I stated that I had no engagement with PwC. However, this correction was based on a misreading by me of what the Information Commissioner had said/quoted in his review (investigation/recommendation). But the reason I misread it is because the Information Commissioner conflated his own words/text at the beginning of his investigation/recommendation (p.280, first four lines) with a quote of what I had requested of the NTMA back in 2019.

In an email to the NTMA on July 1, 2019, I had made the following request of the NTMA CEO, Governance and management team: *As per my request below dated June 5, 2019, could you please provide me with a copy of the internal audit plan for the financial years ending 31 December 2009, 2010 and 2011 as per your engagement with PwC. This information should be publicly accessible.*

The Information Commissioner’s investigation/recommendation (p.280, first four lines) began: *I refer to a review by this Office of the decision of National Treasury Management Agency (NTMA) on your FOI request for access to records. In particular you requested internal audit plans for the financial years ending 31 December 2009, 2010 and 2011 as per your engagement with PwC”.*

That is, he put quotation marks at the end of the sentence after PwC. Compare what the Information Commissioner said above to what I had asked the NTMA further above.

I did not see these quotation marks at the end of the paragraph and read the paragraph as if it were the Information Commissioner’s own words/text. Therefore, I mistakenly thought he was referring to an engagement I had with PwC.

I’m concerned about the above type of carry on in formal legal documents written by the Information Commissioner. I don’t want to come across petty and over analyzing here but I had a similar experience with SIPO as detailed in my [update \(second\) Report](#) on page 58, paragraph beginning “**And finally**, although...” (middle of page).

I don’t believe these are errors, as such word or should I say punctuation play can change one’s reading of something.