

I have previously made a joint submission with a fellow lay litigant [REDACTED] which was very brief, however after attending the workshop hosted in the Distillery building and the request by the President of the High Court Justice Kelly for further submissions i feel i have more to contribute after getting a better understanding of the ultimate goals of this review. While there were many topics discussed at the workshop on that day the main topic of interest for myself is that of the lay litigant who find themselves before the Civil Courts with no support or legal representation. This matter was mainly addressed by the main guest speaker from Northern Ireland who i found inspiring to listen to and his speech was an eye opener as to the way the legal system in Northern Ireland have started over the last 5 years to embrace the use of McKenzie friends which is in stark contrast to the reality in this Jurisdiction. [REDACTED]

[REDACTED]. However not all blame can lay at the door of the Judiciary or Court service for this non interaction between parties as this issue has not been addressed in any meaningful terms from any side. In my view both sides (the Judiciary and lay litigants) view each other with suspicion and while i understand it must be extremely frustrating for a trained legal profession who has risen to the rank of Judge to end up having to look down from the bench and see yet another lay litigant with an affidavit full of copy and paste nonsenses the contents of which the unfortunate lay litigant has no clue of its meaning. Unfortunately this is all the lay litigant has to submit as there is no support for lay litigants in any shape or form to help them either enter a defense or even understand the basics of what is actually going on. [REDACTED]

[REDACTED] who find themselves before the Courts have never been in trouble of any description in their lives and would have no idea of what goes on in Court let alone defend themselves against a trained Barrister. [REDACTED] going to Court don't even know where to stand when they are called let alone how to address a Judge. [REDACTED]

[REDACTED]

While the lay litigant may be in breach of some form of contract that he engaged in it is pretty hard for lay litigants to swallow talk of not paying a debt on time when the institution bringing you to court has went completely bust and ran to the taxpayer to keep them in jobs and pensions and who are now taking the high moral ground regarding missing payments on a loan and using the Courts to inflict drastic measures. If you step back and actually think of what happened financially in our Country and how certain institutions got saved for the good of the Country apparently you would have to pinch yourself to snap out of it when you are then told there is no financial assistance for you going to defend yourself in a Civil Court. Anyway that has nothing to do with a Court of law as the facts are the facts no matter how immoral they may be. This is where the them and us mentality starts to creep into conversation and it is understandably very hard for a lay litigant to understand that no matter what the financial institution did in the past has absolutely nothing to do with the case before the court and now you see lay litigants getting dragged in all directions with advice from all sorts who have no clue of the Law. Lay litigants have nowhere to go and no one to follow and when there is nowhere to go and no one to follow then lay litigants will just end up following the [REDACTED]

[REDACTED], or [REDACTED], but please

ask yourself [REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]. Where the lay litigant has nowhere to go and is defending themselves they need to research there own case and find out case law, procedures for lodging paperwork, and any other material that would be of assistance in helping them when going to Court, you will only get out of something what you put in, but where would you find such material ? one would think maybe in the Court house offices, please have a look sometime there is nothing there of any use, the State will not pay for a legal team so they have washed their hands of the matter so all that is left is the Court service. [REDACTED]

[REDACTED] but ask yourself this one question ?, if you were looking at the prospect of losing your home and you and your family were facing living on the street do you actually thing you would careless about blocking up the Court system or taking up some Judges time ? , most people i know would do everything they could to keep their family safe and in the family unit, yes the economy went bad and people lost jobs and could not pay mortgages and loans but the very ones who were instrumental in causing all this mess are the very ones who went completely bust and are now the same ones bringing the people to Court on a Summary basis .

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED] When comments about lay litigants reach the press the [REDACTED] is O dear another Judge was delayed getting home for dinner today, surely the [REDACTED] that they are running late coming from Court and wont make it home until at least 3.30 for dinner. [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED] The small information desk in the Four Courts is hidden away and the layout of the Courts is just mind boggling. In this day and age the Courts service don't even have an interactive maps. if you were to treat the Court service as a business then over 35% of your customers have no facilities whatsoever. No room to ask directions, no room to even photocopy a page, no room to even look at a law book and you wounder why lay litigants are walking around like headless chickens, they have nowhere to go and no one to give direction of any description. Try walking into the high court some day and place yourself in the shoes of a lay litigant who has just been served a thing called a Civil bill, have a look around, where would you go, who would you ask, what would you do, its frightening and intimidating for people who have no clue as to whats goes on. It is now time for the Court service to consider setting aside a room like say somewhere on the the 3rd floor of the Four

Courts [REDACTED] where lay litigants can go for basic information, staffed by lay people who would be on a registrar approved by the Courts service, and when i say basic information i do not mean legal advice. information on Mabs, the Insolvency service, directions for Court, where to file a affidavit, what a Commissioner of Oats can do re swearing documents just basic basic stuff before they end up in front of a Judge refusing to answer [REDACTED], it is also time for filing documents to be separated for lay litigants and solicitors and e filing to be considered, it is time for a McKenzie friend registrar to be considered which would be open to people with no previous convictions and of good character and until the Court service start to consider these and [REDACTED]

[REDACTED] From my understanding there are over 2000 practicing Barristers in Ireland today and it is time the Bar council made it mandatory that each Barrister do just 1 day per year pro bono to assist lay litigants in some small way and i believe this would start to show good faith to all parties involved. My own experience as a lay litigant has been a very positive one but i was lucky i was in a position to have the time to see what happens in Court and to use what i learned for my own case. I have met some great staff in the Courts who were courteous and helpful and i have met some who i would struggle to understand how anyone would let them deal with the public but that happens in all walks of life. I have visited every single Circuit Court in Ireland for both Registrars and Judges sittings and the contrast in the outcomes is just startling which is another issue that will have to be addressed down the line. [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]. i look forward to the next workshop