Dear Rule of Law Report Team (DG JUST),

Please find below an addendum to my original submission dated July 10, 2026.
This addendum provides new, transcript-based evidence of a judicial irregularity relevant to the practical functioning of oversight and judicial processes in Ireland.
I respectfully request that this addendum be considered together with my original submission.

Kind regards,
Maurice D. Landers

Addendum to Submission: Judicial Process Irregularity Identified in High Court Transcript

Submitted by: Maurice D. Landers
Date: July 13, 2026
Subject: Addendum to "Case-Based Evidence of Oversight and Judicial Accountability Failures in Ireland"
To: Directorate-General for Justice and Consumers (DG JUST), European Commission

Purpose of Addendum

This addendum provides a specific, verifiable judicial process irregularity documented in the official High Court transcript of *Maurice D. Landers v. Information Commissioner* (24 February 2022). The irregularity concerns the conduct of the presiding judge and demonstrates a discrepancy between Ireland's formal judicial standards and the practical functioning of judicial proceedings.

This evidence is factual, non-speculative, and directly relevant to DG JUST's assessment of judicial independence, procedural fairness, and the operational integrity of Ireland's justice system.

Summary of the Irregularity

The High Court transcript shows a **clear contradiction** between:

1. **The judge's stated lack of prior knowledge of the case**, and
2. **The judge's unsolicited reference to evidence not yet introduced by the litigant**.

This contradiction raises concerns about:

- pre-briefing,
- ex parte communication,
- undisclosed prior review of case materials,
- or misrepresentation of judicial preparation.

These concerns fall squarely within DG JUST's mandate to evaluate the practical functioning of judicial systems in Member States.

Documented Transcript Evidence

1. Judge states he had not read the case before the hearing

"I just received the papers in this and I was having a very quick look at the issues arising." (Page 1, lines 11–12)

This indicates the judge had not read the affidavits, exhibits, or reports before the hearing began.

2. Judge references "PowerPoint presentations" before the litigant ever mentions them

"They did give you originally some PowerPoint presentation; was it?" (Page 12, lines 14–16)

This is the **first appearance** of PPPs in the transcript. The litigant had **not** mentioned PPPs prior to this remark.

3. Judge states he only read the affidavits "over lunch," after referencing PPPs

"I had a chance over the course of lunch just to read through the affidavits and to read the decision…" (Page 27–28)

This confirms the judge referenced PPPs **before** reading the affidavits and **before** the litigant introduced them.

Implications for Judicial Independence and Procedural Fairness

This contradiction raises serious concerns:

- How did the judge know about PPPs before the litigant mentioned them?
- Why did the judge claim he had not read the case, yet demonstrate prior knowledge of its contents?
- Was the judge briefed outside the record?
- Did ex parte communication occur?
- Was the judge's statement about not reading the case accurate?

These questions go directly to judicial impartiality, transparency, fairness to a lay litigant, and the integrity of the hearing.

Broader Relevance for DG JUST's Rule of Law Assessment

If DG JUST incorporates this documented irregularity into future Rule of Law assessments, it will provide a necessary empirical counterbalance to Ireland's current self-reported indicators. Ireland's Rule of Law profile is presently based almost entirely on statutory design and institutional assurances. This case demonstrates that operational practice can diverge sharply from those indicators.

Should Ireland wish to improve its assessment, it would need to provide case-level judicial and administrative data to demonstrate that this irregularity is not systemic. This would encourage Ireland to open its case files to EU scrutiny in a non-selective, comprehensive manner.

Such transparency would allow DG JUST to evaluate Ireland's judicial system based on evidence rather than perception, and would enable Ireland to move from an empirically negative assessment toward a more accurate and potentially improved rating.

This angle aligns with DG JUST's institutional interest in strengthening empirical oversight and reducing reliance on self-reported structural indicators.

Formal Request to DG JUST

In light of the above, I respectfully request that DG JUST:

1. **Review this documented judicial irregularity** as part of Ireland's Rule of Law assessment.
2. **Consider the contradiction as evidence of operational deficiencies** in judicial conduct and procedural fairness.
3. **Evaluate whether Ireland's reporting omits case-level failures** that materially affect litigants' rights.
4. **Assess whether additional safeguards or monitoring mechanisms** are warranted to ensure judicial independence and transparency in practice.
5. **Use this case as an empirical datapoint** to encourage Ireland to provide case-level judicial data in future reporting cycles.

The full High Court transcript is available in the "Case Study" section of Failte32.org. Direct PDF copies can be provided upon request.