

Open Letter to Mr. Seán Guerin SC

Chair of the Council of the Bar of Ireland

4 August 2024

Dear Mr. Guerin,

The recent [one-day strikes](#) by criminal barristers like yourself has given me hope. Your strike action reminded everyone of the long-term effects the financial crisis has had on certain cohorts of Irish society. Yes, I fully support your demand for the reversal of pay cuts imposed on you and your associates in the aftermath of the financial crisis. I thought to myself, here is a man who fully understands the dilemma I face – except that I don't have the luxury of a professional body like yours to fight my case.

Just like you, and the 2,100 criminal barristers you lead, I have been severely affected financially, but also emotionally, mentally and physically by the banking scandal that brought Ireland to its knees. My recent admittance to Tullamore Regional Hospital in June 2024, is testimony to this.

I would like all barristers in Ireland to bear in mind that only a small number of those responsible for the criminal acts that imposed the cuts in our salaries and forced the Irish tax payer to invest €64 billion [to bail out the banks](#), have been prosecuted. Whereas, thousands of us ordinary law-abiding citizens, through no fault of our own, in many cases, have been sentenced to a lifetime of financial worry, sleepless nights, anxiety, stress, erosion of our human dignity and suicide.

I lost my *full salary* as a result of the banking scandal as funding for NGOs was cut and diverted to prop up the banks. I am now about to lose my home if Permanent TSB (PTSB) have their way. For the past fifteen years I have exhausted every legal avenue open to me but to no avail – including Personal Insolvency Appeal (PIA) in 2018 and Mortgage to Rent (MTR) in 2023. Now I am pleading with you Mr Guerin and members of The Bar of Ireland to help me save my home.

What is taking place is the anatomical unfolding of a home repossession scandal by PTSB –one of the main perpetrators of the banking scandal and supported by the Irish Government. PTSB's role in the financial [crisis was described by Judge Martin Nolan](#) as "*deceitful, dishonest and corrupt*".

One of Ireland's most senior high court officials, Edmond Honohan, at the time said, *some banks who were "cheerleaders" of the Celtic Tiger were "reverting to type" and pursuing people to the "bitter end" even when they "had no money". He went on to say the "new debt set" have "legal rights" but some are made" feel like outlaws."* In the same article Mr Honohan said he had met "*several widows of people who had been driven to suicide because of the [distress of debt](#)."*

In June PTSB, through their solicitors Beauchamp PLL, informed me they are commencing proceedings for repossession of my home. In July they informed me they

are [selling my mortgage](#) to a consortium made up of credit servicing firm Mars Capital. According to Helen Slattery, Mortgage Manager at SYS Mortgage Group in Limerick, *“We are currently in a cost-of-living crisis with the costs of food, electricity, fuel etc all continuously increasing. It is unrealistic to expect families to sustain these high-interest rates while the cost of living increases. They are at a serious disadvantage when they are at the mercy of rates being offered by vulture funds. This could be our next unfolding scandal and the start of [our next arrears crisis](#).”*

Because there is so much emphasis nowadays on economic performance as a measure of ‘success’, I felt like a failure when I fell into mortgage arrears. And since 2017, there has been an obvious deterioration in my mental, emotional and physical health as the stress of trying to cope with the thoughts of my home repossession becomes a reality.

Also of significance is the fact that the personal consequences of my inability to pay leaves me in a deeply vulnerable and frightening position that undermines my human dignity. I am being forced to pay for the criminal acts of Ireland’s bankers with my home. This is slowly stripping me of my human dignity through embarrassment, humiliation, desperation, anxiety, depression, despair, anger and seriously reduced social engagement with ever-increasing thoughts of suicide. This is a violation of my human dignity under the UN Declaration of Human Rights. (*‘The content of contemporary dignity is derived from the [Universal Declaration of Human Rights](#) of 1948, summarized in the principle that **every human being has the right to human dignity**.’*)

Also the legally binding *‘[Charter of Fundamental Rights of the European Union](#)’* states in **Article 25 - The rights of the elderly: ‘The Union recognises and respects the rights of the elderly to lead a life of dignity and independence and to participate in social and cultural life.’**

As a craftsman, educator and human/environmental rights activist, justice is at the core of all that I do. On Monday 19 August 2024, I will mark my 75th birthday and if you wish to join me, I will be holding a peaceful vigil outside the PTSB Branch in O’Connor Square, Tullamore from 11:00am to 12:30 pm.

I have given 35 of those 75 years to the service of the Irish taxpayer through my development education (DE) work with Just Forests – an NGO I founded in 1989. The purpose of Just Forests was to [offer solutions](#) to Ireland’s role in the illegal and often bloody international timber trade. While I feel I have so much more to offer in that regard, the sheer weight of trying to keep my home is unbearable.

As you know 2024 marks 100 years of the enactment of the Courts of Justice Act 1924. I am pleading with you as the recently elected Chair of the Council of the Bar of Ireland to please consider my plight and help me save my home and my human dignity.

Yours sincerely, Tom Roche, Rhode, Co. Offaly.