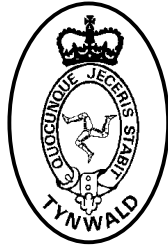


REPORT OF THE STANDING ORDERS COMMITTEE OF TYNWALD

**PETITIONS FOR REDRESS PRESENTED
ON 5TH JULY 2001**



REPORT OF THE STANDING ORDERS COMMITTEE ON THE PETITIONS FOR REDRESS PRESENTED ON TYNWALD DAY 2001

1. Introduction

The following persons presented Petitions for Redress at Tynwald assembled at St John's on 5th July 2001:

- (i) Timothy John Cecil Barker;
- (ii) Terence Hatton Corrish;
- (iii) Clarence Henry Harrison, Nevelle Vakil and Dennis Cox;
- (iv) Helen Margaret Hyde;
- (v) Andrew Charles Richard Jessop (4 Petitions);
- (vi) Lynwill Farms Limited (2 Petitions);
- (vii) Joan Mann; and
- (viii) Anthony Mansell and Audrey Mansell.

In accordance with Standing Order 6.8(2) we report on whether the petitions are in order; copies of the petitions are annexed.

2. General

Before examining each petition, we feel it is appropriate to make a few general comments on the presentation of Petitions for Redress of Grievance. Standing Orders are quite explicit as to the basic requirements of petitions - those requirements may seem somewhat technical and possibly legalistic, but they are requirements which are neither unduly onerous, nor obscure. Moreover, the Clerk of Tynwald's Office produces an explanatory memorandum to assist the potential petitioner to comply with the requirements of Standing Orders; Officers of the Department also make their time and experience available to assist prospective petitioners to produce petitions which comply with the basic requirements of Standing Orders.

3. In the light of such assistance, we can see no reason for failure to comply with the basic requirements of Standing Orders. If prospective petitioners do not take up the assistance offered, they only have themselves to blame if their petitions are ruled out of order.

Specific Petitions

4. Timothy John Cecil Barker

This Petition was presented by Richard Leventhorpe on behalf of the Petitioner. Standing Order 6.6(1) requires a petition presented by a person authorised by the Petitioner to show such authorisation in the petition. This is clearly shown.

We find this Petition to be in order.

5. Petition of Terence Hatton Corrish

Although it complies with all other relevant Standing Orders, this Petition is not in order since it fails to show the authorisation for the petition to be presented on the Petitioner's behalf by Mr Adrian Duggan MHK.

It is therefore not in order.

6. Petition of Clarence Henry Harrison, Nevelle Vakil and Dennis Cox

This Petition was presented by Mr G H R Havercroft on behalf of the Petitioner, and shows the authorisation on the face of the Petition.

We find this Petition to be in order.

7. Petition of Helen Margaret Hyde

We find this Petition to be in order.

8. Petition of Andrew Charles Richard Jessopp

Mr Jessopp has submitted four Petitions. It is unfortunate that Mr Jessopp did not avail himself of the opportunities for ensuring his petitions complied with Standing Orders, and we would draw attention to our comments in paragraph 3

of this Report. None of Mr Jessopp's Petitions comply with Standing Order 6.1(1) and are therefore not in order. However, since such breaches are not substantive, we recommend that Mr Jessopp's Petitions be accepted as being in order notwithstanding their technical deficiencies.

9. Petitions of Lynwill Farms Limited

It is unusual for Petitions for Redress of Grievance to be presented by bodies corporate. However, there is nothing in Standing Orders to prevent it, indeed SO 6.1(a) envisages such a situation.

Both of the Petitions are in order.

10. Petition of Joan Mann

We find this Petition to be in order.

11. Petition of Anthony and Audrey Mansell

Standing Order 6.11(c) states that "a Petition for Redress should contain no reference to any matter capable of adjudication upon by the High Court or any tribunal or arbitration, unless the Petition shows that in the particular circumstances it is not reasonable to expect the Petitioner to resort, or to have resorted, to such remedy."

Mr and Mrs Mansell's grievance arises from structural damage to their home alleged to be from the construction of the Government funded sewerage project in Castletown. It is understood that Mr and Mrs Mansell have already made a claim for compensation against the construction contractors, and that the matter is in the hands of their lawyers.

If that is the case, this Petition offends Standing Order 6.11(c) and is not in order. However, we have deferred a decision until this matter is clarified and will report further on this Petition at the next sitting of Tynwald.

M R Walker (Chairman)

J D Q Cannan

E G Lowey

July 2001

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