

FOR THE ATTENTION OF HON. CLARE CHRISTIAN.

In Regards to :- Report of the Select Committee on the Registration of Land (Petition for Redress)

Hon Clare M Christian, President of Tynwald and the Hon Council and Keys in Tynwald assembled.

Dear Madam the Hon Clare M Christian, and also the Attorney General I O M.

I wish to make a formal complaint with regard to certain aspects of the Select Committee Oral hearings on the above mentioned petition.

1. I only discovered by chance that such a hearing was and did take place, hearing evidence in public.
2. I was never contacted or invited to either give evidence or to defend myself in any manner, to the uncontrolled statements and views expressed by both Mr CRAINE or Mr CANNON.
3. In regards to MR CANNON, I would like to point out that he is also my MHK, and that whilst he discussed matters to do with rectification of my land title with Mr Craine and Mrs Hommet privately before such hearing he did not do the courtesy to me of the same and to hear my side of the story.
4. Just as in the case of the Land Commissioners proceedings, Mr Craine and others made many unproven and unsubstantiated remarks about me, which went unchallenged and are publicly available. I would however like to thank Mr Garth Anderson for his attempts to clarify some of the misunderstanding by Mr Coleman and Mr Cannon of the Decision on my behalf, in regards to my continuing Title under Common Law to the area not capable of Registration but still in my ownership..
5. Much was made about financial loss by both MR CANNON and MR CRAINE, but nought was said about the financial loss occasioned to me, namely over £20,000 in Legal and Surveyors fees alone, for which I have taxable receipts. Given that the findings of the Deemster were that (a) Mr Craine and Mrs Hommet had no proven title to any of the land abutting mine at this time and (b) the fact as was pointed out by Mr Garth Anderson, Land Registry, that my Advocate had written to them in 2010 stating that I/we were not disputing their access over the land concerned, and (C) that their stated arguments and reasons for applying for Rectification of my title were not those accepted by her Honour, I would have thought that their Application be deemed to have failed at that point. It was only immediately following that, after Mr Andersons former explanation of the Registry rules of another jurisdiction which would deny the Registration of Common Law land was agreed with by the Deemster for Registration use in the Isle of Man as stated in para 98, and in para 99 and 100 of her judgement this was used as a first case basis as reason for a Rectification. It was the only actual reason to require rectification of my registration, (not the petitioners reasons), and no criticism was applied to my Advocate or myself. Given that the original registration(s) made by my Advocate was/were accepted at the Registry, (for which I level no criticism, as many of the frontline staff are without legal qualifications and this was, unknown to most of us, in any event the 1st application of its type and therefore did not appreciate the rule explained by Mr Anderson any more than did my Advocate or anyone else at the time), I would have thought I would be seen as the aggrieved party whom had had their name and character dragged through the mud by Messrs Craine and Hommet. The land is still held to be within my title, para 115 of judgement and as stated by Mr Anderson in the hearing (see 995, 22 ROP page34), accordingly surely if there were to be any compensation as discussed at the hearing some should be applicable to me if at all.

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6. In addition to the many unsubstantiated allegations made in Mr Craine and Mrs Hommets' Rectification application, which was publicly available, they continued to make the same and further new allegations in the public petition hearing, alleging that I was occasioning a RANSOM STRIP. This of course does not accord with the many occasions they were assured that we did not dispute their access over the ford, (which would not be the case if I were trying to apply a Ransom Strip).

7. I was led to understand that the Petition for Redress was only an exercise to ascertain the need or not the need of a notice procedure for the registration of Land/Property and that the Rectification Proceedings and Decision would not be discussed. They were indeed discussed at length in public.

My Advocate and I both sought in the Rectification Proceedings to avoid the type of written slurs and unproven allegations made by Mr Craine, his family members and friends, and to concentrate on some possible negotiation to resolve the matter out of court, the testament to which lies in my Advocates letters to Messrs Craine/Hommet. Mr Craine appears to have sought to mislead and confuse from the outset, the letter he sent to me on the 21st June 2010 was accompanied by a document named Main Points (Appendix II A Copy (2010/06/21) page 5 of 9. If one takes the time to read the letter & document, there is clearly an apparent change of tone from the letter to its accompanying document. As a layman I could not directly respond to the legal tone of the document and felt obliged to leave proceedings in the competent hands of an Advocate, Mark Humphrey, and so all correspondence from us after that date is written by my Advocate using his best judgement. (Rectification proceedings referred to re Title No22-00244, Decision by Deemster Sharon Roberts).

My Registered title boundary has now been redrawn by Mr Anderson at the Land Registry to be in strict accord with my 1998 Title Deed and the Proposal Map, as a continuing straight boundary line from Cronk Breck Gable across the river to the original entrance to Sadlers Flatt as was instructed by the Deemster and as I am on record as agreeing to at the meeting referred to by Mr Anderson that we had with the Petitioners on 19th August 2013. Mr Anderson points out my agreement that my boundary should follow my 1998 Deed Plan (see 1390, 31 ROP page 43). My advocate wrote to the Petitioners at the outset in July 2010 (see 1280, 28 ROP page 40) giving notice of my instructions to establish all my Legal Boundaries inviting their cooperation which they failed to give.

As my character and name have been assassinated and slandered publicly in writing in the application for rectification, and spoken/written about again at the above mentioned Petition Oral Hearing on 29th January 2016, I feel very hurt and aggrieved, and I would ask the Attorney General if he sees any possible recourse for me in Manx Law regarding such distasteful assertions..

Also I would ask the Hon Clare M Christian, President of Tynwald, and the Hon Council and Keys in Tynwald assembled, for redress for points 1 to 7 above by whomsoever concerned.

I should note that I have no strong views on what I thought was the aim of the committee report regarding a notice procedure being legislated for other than that I agree with the comments made by both the Attorney General and Mr Garth Anderson (on behalf of the Land Registry) that such notice is already sufficiently catered for in the form of Registering a Caution. As my land is deemed to be within my Title albeit not capable of Registration, no purpose would have been served to Mr Craine and Mrs Hommet. All they have achieved is excessive expense to myself & a public airing.

Mr Edwin Keith Cleator. The Squeen, Station Road, Ballaugh, IM75AH, 2nd June 2016

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