

COMMON HERITAGE 2001

Registered by Shropshire authorities.

In the matters of

Regina-v-Anthony Vincent Barnett.

My belief is that the judgement passed by Judge Barrie, CC, and Mr.Davies and Mr.Whally Magistrates, bias in favour of Stephen Lewis.

It is with that held belief, that my intention not to abide with the judgement is the correct decision, and for that I am prepared to go too Prison.

I have been involved with the common land "Whitchurch Heath Common CL21" for 11 years from 2000, proactive from 2001.

After the end of the foot and mouth epidemic I returned to the common to exercise my dogs, as myself and Wife had previously engaged in, but this time a set of gates had been erected across the entrance from the steel road preventing my access.

I held the belief that such actions were unlawful, this knowledge of unlawful enclosure of public open access too common land was gained from the reading of "Gerald Gadsden" law on Common land, and from the University of Cardiff.

G.D.Gadsden was a lecture at law, at the Cardiff University, and from his writings others have gained their knowledge, other authors of books on common land laws often bring to mind Gadsden when attempting to influence the reader that his/her inclusion of law was gained from reading Gadsden and is fact, i.e. "Gadsden writes"

I was comfortable with the knowledge that the gates were an unlawful impediment, and started to remove them; I was approached by one of the person's that had the gates put in place.

I did say that this was unlawful enclosure and he should remove them at once, the police were called and I was arrested.

After being released from custody without charge, I went home still determined that the gates would come down.

And so on Sunday 3rd June 2001, I again went too the common armed the necessary equipment and again started to remove the gates, this time I was attacked by the other person involved with having the gates put in place, the weapon was a 4x4 which knocked me down to the ground.

Since that day I have to use crutches to get around most times, no charges were laid against my attacker, instead I was arrested and charge with damage to property belonging to another and taken too Shrewsbury police station.

I was bailed to appear at Whitchurch magistrates court, these are hanging judges, so on appearance I requested Crown court, which was granted.

The crown court judge order the claimants, through the prosecuting barrister to withdraw their claim, this was refused so the crown court scratched out the litigation and I was cleared..

This action by the judge was without even hearing the matters, he had obviously read both the litigation and mitigation and saw that the prosecution had identified Whitchurch Heath Common CL21, as "prees heath common".

The bent district and county council were involved in the scam with the applicants that had applied for consent to enclose the common in identifying the common as prees heath.

Since my first court appearance in 2001, there have been others, a lot, 2002-3-4-5, in Shrewsbury and Telford, in Shrewsbury before a district judge, always found guilty, but on appeal heard Telford and before Circuit Judge Mitchell, my mitigation was accepted, and given judgement and cost's, I never sought cost's.

The judgement was that I may return/re-instate Whitchurch Common back to lowland heath, Judge Mitchell also rejected claims that the "Deeds of Grant" submitted by the claimants, to show a conveyance of a right of vehicular access,

Obtained from Prees Heath Ltd for £875, "Unsatisfactory in Law" and was therefore scratched out.

Since then I have been I have been summonsed to Telford county court for injunctions, to have me made bankrupt, for committals, for alleged harassment, breaking and entry, by the persons responsible for erecting the gates, Prees Heath Ltd for reinstating the rights of way, and by Shropshire county council for removing a "bund of earth" which was also blocking a public rights of way, although the council discontinued.

Fraud through false representation, did automatically gain judgement in my favour because Whitchurch Heath Common CL21, was wrongfully/falsey identified as prees heath.

Paul Osborn of "Roythorne & Co", solicitors for prees heath ltd, accepted my claims that their client "Graham, James Fitzhardinge Berkeley" who can be reasonably identified as the claimed owner of prees heath, and as vendor, and colleague Philip Cookson, guilty of "mortgage fraud" in using Whitchurch Heath Common CL21 as collateral, and by referring that common land as prees heath common for that purpose.

What would it take to bring the true facts out into the open? "DISCLOSURE" as simple as that, bring out the pre-registration of titles!!

Cookson states that they are held in his office safe, yet! On an order by Judge Edden sitting at Telford county court for Stephen Bower Lewis, of Butterfly Conservation do disclose such documentation, this was never complied!

Solicitor Brotherton of "Stone King" acting for Lewis (not butterfly conservation) confirmed his client did not possess such documentation, so if Lewis could not disclose, it is a certainty that Sir David Attenborough or Julie Williams would be in the same difficulty!

So when in court yet again on these matters of fraud, (my claim) a Land Registry Document was disclosed, waved about like atrophy in the hands of the bias judge, so as Brotherton had stated "his client-s" did not possess pre-registration of title deeds, how did they possess a land registry document?

Now it does not take a rocket scientist to realise that without title deeds one cannot obtain registration, it had already been admitted that Lewis and Butterfly Conservation could not disclose!

The land registry document was obtained for and on behalf of Butterfly Conservation by Philip Cookson; after all he claimed to hold the "original" title deeds to prees heath common in his safe in his office, strange then no one has ever seen this document.

The Rural Payments Agency has not, Butterfly Conservation has not, the courts have not, the council have not, Natural England has not, Kate Ashbrook of the open space society has not, the police have not, the estates German fisher and letting agents Balfours have not, Graham, James, Fitzhardinge, Berkeley has not either, all in Cookson's mind!

No one has ever seen pre-registration of title to Whitchurch Heath Common CL21 either, as there is no such documentation to that, there is no pre-registration of titles to prees heath either, there is however;

A list of past owners that would/could be described as an "Epitome of Titles" is in my possession, printed on a copy of a land registry document; this one does not have the necessary SL number!

There is not any information in the "name, address and DX window, also no telephone No, basically it is a copy, which has had relevant information erased, and false information affixed.

Denials by persons whose names and other claims are affixed too this document, have been disclosed to Crown and other courts, also too the Chief constable of West Mercia, land registry, charities commission, Natural England, Butterfly Conservation, HMRC, central and local government's, Sir David Attenborough via Siobhan Lane natural history, and the secretary to Richard Attenborough, Kate Ashbrook OSS, Martin Truran and RPA solicitors Davitt Jones Bould, Stone King and my solicitors.

Further copies have been disclosed too Dr Helen Philips and Poul Christensen through Julie Lunt of the legal department at NE, this document was also shown too Mark Felton of NE, then EN during a conference, between he and I, which he said was rubbish.

In support of my legal teams, they can only go as far as a bias judge will allow, I got further before HH Judge Nicolas Mitchell sitting at Telford county court by defending myself.

I feel that I have disclosed enough evidence to support my application for a full investigation into the claims, statements used to cause my arrests over the years to be fully disclosed.

I was in the Crown Court Shrewsbury on the 24th-10-11 to appeal the judgement passed down by county court judge Morgan, again, my bundle of mitigation was not considered by Judge Morgan, yet it was ordered by Judge Morgan that I disclose by way of evidence on which I would rely on in his court.

Why then was it not referred too, and why was it sent too the Crown Court, Judge Barrie did not refer to it, it was evident that my Barrister could not use it, so why was it need?

There is cause to accept that courtroom fraud is endemic, I have and will say on oath that I have been a victim of such actions in county courts in Shrewsbury and Telford before district judges, and in this matter in crown court, I was failed by the judge due to him not making the order for disclosure.

One can expect as I do when in lower courts that character assassination is the norm, but not from a Crown Court Judge, this practice was occasioned by Judge Barry stating that I was a "poor lawyer", I have never sought to be identified as such, but coming from a Charles Hawtry look-a-like such a statement should be left with the real Charles, he got paid for such idiotic rhetoric, Mr Hawtry never played the part of a Crown Court Judge!

***HH Judge Barry only made one cross examination to me, and that was had I made an application too the magistrates and other county court Judges in accordance with section 41 of the 2006 commons act.

Evidence to confirm that I had was held within my mitigation bundle which showed my application for full disclosure of title deeds, and on none compliance my application judgement.

On the matter of immediacy, this matter was dealt with immediately; the police were called to investigate the criminal damage be done too the common land, there the police sought to investigate title to the land, instead a lease agreement document was produced and not a conveyance document.

I tried several times to dig out the gates of the common land, and this brings to mind the bizarre statement from Judge Barry, that in using a JCB to remove the gates made it somehow a more serious offence.

May I submit that the gates were put in place by a JCB; the holes excavated were some 4ft deep, so let us discuss criminal damage to public open access and the flora and fauna, and fraudulently acquired public funds.***

Fraudulent moves to steal common land, the free unimpeded access by whatever means by Natural England through local councils is now endemic, more law a biding citizens are being forced to take up, by whatever means preventative measures to protect their "inheritance" COMMON LAND!

I remain steadfast in by belief, and therefore I will not be forced by bias legal enforcement to abandon my rights to access common land of my choice.

Cc
judge Barry Shrewsbury Crown court
Chief Constable West Mercia
David Cameron
Kenneth Clark
Carolyn Spelman
Owen Paterson
Butterfly Conservation
Natural England
Katrina Sporle
HMRC
Peter Biddlecomb
Worcestershire Commons Association
Steve Yandall
Maureen Comber
Mark Fisher
Kim Ryley
Paul Osborne

tony barnett chairman common heritage 2001