

24 Greens Rd  
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Palmerston North

Hon. C. Finlayson  
Attorney General

15 October 2012

Dear Hon. C. Finlayson

Ref. Failure of Turitea Board of Inquiry to produce a factually correct report

For approximately one year the Adams and Huatau have been seeking to have errors in the Turitea Final Decision and Report rectified, without success.

It is totally unacceptable for an official document to contain errors of fact, especially when written requests were made to have the errors corrected at the draft stage.

The Adams and Huatau are not disputing the decision itself because a decision made by a Board of Inquiry can only be challenged on a point of law. The incompetence of the Board of Inquiry is not a point of law. The Adams and Huatau have been subjected to banana republic type tactics, i.e. fobbed off because there is nothing in the legislation that can hold a Board of Inquiry accountable, although there are: ethical considerations, terms of reference requiring a report based on findings of fact and the guidelines for Boards of Inquiry in the Cabinet Manual requiring natural justice.

Hon. Dr Smith commissioned the Turitea Board of Inquiry and at the time expressed full confidence in their ability and expertise. Who signed off the final report and decision for Turitea wind farm, and presumably authorised payment for the Chair and commissioners? How are errors in an official document corrected if there are no legal pathways? Could you please explain why it is not possible for the person who authorised payment for the Turitea Board Chair and Commissioners to request that the Board reconvenes to correct inexcusable errors in their report? Does failure to ensure a factually correct report constitute state sanctioned fraud?

What pathway forward do you suggest so that the Adams and Huatau can gain closure to the ridiculous situation that has arisen through the Board's incompetence, bias, blinkered zealotry in implementing the commissioning minister's wishes, or whatever?

Thank you

John Adams  
(On behalf of the Adams and Huatau)

Cc. Solicitor General, Hon. A. Adams, EPA, Hon. Dr Smith, Rt. Hon. J. Key,  
Hon. T. Turia