

Hon. Dr Smith  
Minister for the Environment, Building and Housing  
Parliament Buildings  
Wellington

26. 8. 2015

### Judicial qualifications

Dear Dr Smith,

Thank you for your reply dated 12 August 2015. You raise issues that require a response. Each issue will be dealt with in separate correspondence.

Apart from Judicial Conduct Commissioner, Sir David Gascoigne, you are the first to admit that Kenderdine was not a judge with a warrant. If you have a legal basis on which to validate your extraordinary statement that a warrant is not necessary to issue a legally binding decision, then why have you not quoted legislation which specifically states this?

A “judge’ without a warrant is not a judge at all, and in Kenderdine’s case she was no longer even a retired judge eligible for the reinstatement of a warrant as she was removed permanently from the judicial roll 13 months prior to fraudulently signing off what has to be the most corrupt “consent” ever “issued.”

Approximately 2,000 households are seriously impacted by the 60 125m 3MW Turitea turbines resulting in a \$100 million plus loss of equity.

Kenderdine’s fraud was clearly carried out with your consent and knowledge, after all who was ever going to find out? Your colleague, Judith Collins, then Minister of Justice, refused to address the question of Kenderdine’s corruption apart from acknowledging receipt of the complaint. To admit involvement would have a serious negative impact on her political ambitions.

Attorney General Finlayson provided no legislative evidence when asked and assumed a fetal position, basically saying ‘I’m not going to talk to you anymore.’ His response to me was copied to you. This very brief letter states:

“The appointment of Judge Kenderdine to chair the Board of Inquiry into the Turitea Wind Farm proposal was valid and was not affected by her subsequent retirement”

No one has challenged the appointment of Kenderdine to chair the board and Finlayson is putting up a straw man.

The second half of his statement is a blatant lie. Kenderdine was as per legislative requirement *already retired* [6 August 2006] when she was appointed as chair until such time as she was by virtue of advanced age compulsorily removed as a judge *by Finlayson himself* at which point the Board of Inquiry did not have a judge with a warrant and she was fraudulently paid for 13 months out of the public purse to pretend that she was. The amount paid totaled approximately \$500,000. This is how a banana republic behaves.

If members of the public dare to do what Kenderdine did with the wink, wink, nod, nod from your little clique, Dr Smith, they will certainly be hauled before the courts.

A valid, current warrant is required for all exercising judicial and ministerial authority. You know this, or are you telling me you are currently being paid for duties carried out without possessing a ministerial warrant? If you are then you are committing fraud.

So compelling is the need for a warrant that in a highly unusual and novel move Attorney-General Finlayson actually gave himself one when he appointed *himself* as a Queens Council [QC] on 13 Dec 2012. Napoleon at his coronation seized the crown from the Pope. Is there any difference?

Three months earlier [September 2012] Finlayson hypocritically demanded Tony Molloy QC surrender his warrant for pointing out the manifest inadequacies of the New Zealand judiciary, something he has subsequently laughably contributed to in spades by cancelling Kenderdine's warrant [6th August 2010], 13 months *before* the issuing of the fraudulent Turitea consent [6 September 2011], and then turning a blind eye to the equivalent of blatant third world corruption. Finlayson then rewarded Kenderdine by appointing her as chair of the Historic Places Trust in August 2010 and subsequently illegally extended her term by almost a year.

I suppose you are aware that Kenderdine on her consulting website has lied to say she was a judge until 2011?

## About

Shonagh Kenderdine LLB MA, Acc. M. LEADR

Shonagh Kenderdine was a Judge in the Planning Tribunal which evolved into the Environment Court from 1996-2006, and subsequently Alternate Environment Court Judge until 2011.

You have identified yourself as a key participant in this fraud and have amateurishly added to the cover up. I gave you the opportunity to man up and all you did was try to cover your tracks.

Yours sincerely

Paul Stichbury