

23 May 2019

Paul Stichbury

By email: paulstichbury@gmail.com

Dear Mr Stichbury

OIA request: Correspondence from 6 August 2010

Our Ref: OIA353/1

1. I refer to your letter emailed on 25 April 2019 seeking information under the Official Information Act 1982.
2. We enclose the following documents:
 - 2.1 Email chain dated 22 January 2013. Some emails within this chain are withheld under s 9(2)(h) of the Official Information Act 1981 in order to maintain legal professional privilege.
 - 2.2 Copy of a letter from Attorney-General Christopher Finlayson in response to your email dated 27 August 2013.
 - 2.3 Letter to the Attorney-General dated 1 November 2017.
3. You have the right to seek an investigation and review by the Ombudsman in respect of our decision on your request under s 28(2) of the Official Information Act 1982.

Yours sincerely

Crown Law



Helen Carrad
Crown Counsel

Withheld pursuant to s 9(2)(h) of the Official Information Act 1982

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From: Jacob McSweeney [<mailto:jacob.mcsweeney@radionz.co.nz>]
Sent: Tuesday, January 22, 2013 12:43 PM
To: Ben Thomas (MIN)
Subject: Turitea wind farm

Hi Ben,

As per our phone call - there's been a complaint that the Turitea wind farm consent is illegal because the judge who signed off on it apparently didn't have a judicial warrant as chair, which is required by law. Can you confirm that this is correct - when was Shonagh Kenderdine an environment judge or when/if was her judicial warrant revoked?

Below is the press release put on Scoop.

<http://www.scoop.co.nz/stories/PO1301/S00065/complaint-lodged-with-sfo-over-turitea-wind-farm.htm>

Cheers,
Jacob

Jacob McSweeney

Journalist
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Paul Stichbury

By email: paulstichbury@gmail.com

Dear Mr Stichbury

TURITEA WIND FARM

I refer to your email dated 27 August 2013.

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.

I understand that you have also been in correspondence with the Hon Amy Adams on this issue. I do not propose to engage in further correspondence on it.

Yours sincerely

Hon Christopher Finlayson
Attorney-General

Copy to:
Right Hon John Key, Parliament Buildings, WELLINGTON
Hon Dr Nick Smith, Parliament Buildings, WELLINGTON
Hon Amy Adams, Parliament Buildings, WELLINGTON

To the Attorney-General

Hon David Parker

To the Minister of Justice

Hon Andrew Little

1/11/2017

Dear Sirs

First let me congratulate you on your responsible positions.

You will have heard, I assume, some detail concerning the corruption at the Turitea and Puketoi wind farm projects. I want to confirm this factual information and suggest a course of action which will give the coalition the opportunity to demonstrate a commitment to the law where everyone is equal under the law and to also claim the moral high ground. The previous administration was a complete failure in this regard.

The wind farm debacle has its genesis in previous Labour administrations but sufficient time has elapsed since ill advised action was begun for the coalition to be able to distance itself and come out as the white knight acting on "new information". There are few if any Labour MPs who are tarred with this wind farm corruption.

In my view the country's electrical generation system is a public good and should never have been sold.

The National Government's tactics

- Turitea being such a ridiculously risky project was in all likelihood a factor in driving the sale of MRP as it took a 49% risk off the government's books and put it onto unsuspecting investors worldwide. This was a deeply cynical and corrupt move as it is simply not believable that the government was unaware that its two wind farms Turitea and Puketoi [MRP at the time was 100% owned by the government] are on dangerous fault lines.
- To cover its tracks and obscure its purposes the government exempted itself from scrutiny by removing the public's right to apply the blowtorch of OIA requests on MRP.
- In the meantime, the government's "friends" were able to clip the ticket on the sale. Investors have been defrauded as full information regarding all aspects of the sell off was withheld *despite assurances the law would be followed.*

- All the government needed was a devious, social justice warrior judge with a fashionable “global warming” agenda to carry out the deed, preferably on the verge of permanently exiting the judiciary and beyond the reach of investigation and scrutiny.
- Enter stage left, Kenderdine, aided and abetted by avaricious opportunist, Karen Price who had been in on this fraud for around a decade prior.
- The Turitea wind farm does not have a consent which would be validated by a law abiding court. The consent was manufactured corruptly by National with a range of laws violated.

Shonagh Kenderdine

- Judge Shonagh Kenderdine was not a judge for the last 13 months of the Turitea Call-In as she had reached the compulsory retirement age in 2006.
- She then completed 2 two year terms as an acting judge as permitted per regulation and was then removed from the judicial register in 2010.
- She then impersonated a judge for the next 13 months, forging documents and being illegally paid [i.e. bribed] to issue a phony legally binding consent.
- She was rewarded at the commencement of her 13 month impersonation with the position of Chair of the Historic Places Trust, a position which was extended illegally for almost a year without due process and notification in the Gazette.
- Kenderdine’s most recent reward for being the governments conduit for fraud was to be given a QSO for unspecified “Services to the judiciary”
- The evidence from Judicial Conduct Commissioner Sir David Gascoigne that Kenderdine was committing fraud is irrefutable as is the legislation governing the appointment of the Chair of a Board of Inquiry which requires a current i.e. warranted judge to chair a Call-In

Outcome sought

Kenderdine committed her crimes whilst a member of the public and as such is not being gone after because she acted corruptly as a judge but *because she was not a judge but a member of the public who acted corruptly.*

Kenderdine violated the following Acts and must be charged

The Secret Commissions Act 2010

The Crimes Act

The Proceeds of Crime Act

In the meantime an order must be sought to recover all payments made to her for 13 months and a lien immediately placed on her assets to avoid noncompliance through her decease.

Recovery of payments to her co-conspirators, the Turitea Board of Inquiry, **Hudson, Bunting, Heerdegen** and **Shenton** must be made as well. They knew full well Kenderdine had no legal authority and the three Acts cited above apply to them too. The moment Kenderdine lost her warrant the BOI as a legal entity ceased to exist.

Former Attorney-General Finlayson

- Aided and abetted Kenderdine's fraud
- Approved payments to her totaling at least \$500,000
- When challenged lied to both me and Cabinet and covered up
- Appointed Kenderdine to chair the Historic Places Trust as an additional reward

Outcome sought

The following Acts were violated

The Secret Commissions Act 2010

The Crimes Act

Finlayson must be charged

Karen Price

- Price participated in the cover-up
- Colluded with Kenderdine
- Broke virtually every provision in legislation governing the practise of law
- Had the most profound conflict of interest in NZ legal history as the beneficiary of carbon trading
- Manipulated an exoneration by the NZ Law Society

- She has through the Variation embedded “legal” fraud in the legal system

Outcome sought

The following Acts were violated

The Secret Commissions Act 2010

The Crimes Act

Price must be charged

The following Ministers participated in the fraud and cover-up

Nick Smith, Judith Collins, Amy Adams

At the very least these three should be removed from Parliament

- The fraud on Palmerston North ratepayers amounts to well over \$100 million in lost property values
- All three are fully aware of this
- The wind farms on fault lines jeopardize the country’s energy system with the real potential for catastrophic failure to the tune of \$1 billion plus

I made a futile plea for justice at the Call-In where the administrator publicly branded me a “trouble maker”

My wife and I had been in business for 12 years in the city and had advanced plans to construct an up market lodge on land we bought specifically only to find we were surrounded on two sides by 125m wind turbines. We were lied to by PNCC and MRP for years and in the meantime our investment collapsed – we had no confidence to proceed with our plans - and we lost everything. We have not recovered. I will be 67 shortly.

My focus these past years has been to prevent if at all possible a similar fate to all those living under this yet to be constructed nightmare.

I am a 5th generation New Zealander. I always had a rather naïve view of NZ being superior in terms of governance and corruption. I now know this is completely false. The Turitea fraud has been thoroughly documented. There are certain to be other instances of this outrageous conduct which have not seen the light of day.

Please get back to me for any clarification. I am in Hong Kong looking after my wife's elderly mother and in December will return to NZ to dispose of our last remaining furniture.

Documentation at these links [I'm pleased to have seen from my sitemeter that the Labour Party has been downloading and studying these documents]

<https://turiteadocuments.files.wordpress.com/2012/04/the-20th-commonwealth-law-conference-melbourne-2017.pdf>

<https://turiteadocuments.files.wordpress.com/2012/04/kindle-version.pdf>

<https://turiteadocuments.files.wordpress.com/2012/04/response-to-mr-taylor-qc-re-karen-price-complaint-lcro-13-january-2015-2.pdf>

Additional commentary can be found on Twitter [yumchar] which over the past 3 +weeks has had well over 60,000 views targeted specifically at Coalition supporters. The fraud can no longer be suppressed.

Yours sincerely

Paul Stichbury