



Because truth matters

Note 1 To Doug McKay

My email dated 25 June 2012 as below

I wish you to note that this is an email in which I set a full explanation of the court proceedings to Ms Brandon.

She was advised that there is action before the court to set aside the judgement which she wrongly claims is an injunction

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Grace Haden'.

Grace Haden
Licenced Private Investigator

From: Grace Haden [mailto:grace@verisure.co.nz]
Sent: Monday, 25 June 2012 2:16 p.m.
To: 'wendy.brandon@aucklandcouncil.govt.nz'
Cc: 'Mayor Len Brown'; 'Councillor Penny Hulse'; 'Councillor George Wood'; 'Councillor Ann Hartley'; 'Cr Northey, Richard'; 'Councillor John Walker'; 'Councillor Cathy Casey'; 'des.morrison@aucklandcouncil.govt.nz'; 'cameron.brewer@aucklandcouncil.govt.nz'; 'Chris.Fletcher@aucklandcouncil.govt.nz'; 'Councillor Alf Filipaina'; 'Councillor Sharon Stewart'; 'penny.webster@aucklandcouncil.govt.nz'; 'Councillor Sandra Coney'; 'Councillor Calum Penrose'; 'Councillor Mike Lee'; sasha.lockley@aucklandcouncil.govt.nz
Subject: Council condones corruption

Good afternoon Wendy

Thank you for your letter dated 22 June 2012

In your first paragraph you state that the management of AWINZ is outside the jurisdiction of the Auckland Council, however it has to be of concern to the council when AWINZ is a pseudonym used by a council manager for himself so that he could contract to himself allowing him to use the council staff infrastructure resources and logos to derive a personal income.

Has no one ever looked at the Logo used By Mr wells and its similarity to the ones he had put on your fleet of cars... al very deceptive really but in view of your letter apparently condoned. .

I am also in possession of documents which show that Mr wells was paid by council to set up the AWINZ a trust which included the city and never did so . He also obtained legal opinions via Tom Didovich obtained in the name of the council, to facilitate his private venture. Is this how council funds are responsibly used ?

Your animal welfare officers were warranted under the animal welfare act. This was facilitated through AWINZ, the approved organisation which did not exist in reality in any other form than Mr Wells. (Mr Wells incidentally was the author of the legislation he wrote it and advised on it for his own business plan as attached.)

You claim that these allegations have also been the subject of considerable judicial scrutiny , this is where you are wrong.

1. No evidence was ever produced in the court proceedings which Mr wells took against me.
2. In these defamation proceedings.. not one document proving the alleged statements was produced.
3. My defence of truth and honest opinion were struck out
4. There was no formal proof hearing there was only a Quantum hearing.
5. In the quantum hearing the uncorroborated evidence of Mr Wells was accepted.

I later obtained evidence which contradicted his statements but I was prevented from filing them in court as they did not pertain to the statement of claim .. but it did to the evidence he gave at quantum!

The whole thing has been a gross miscarriage of justice to give legitimacy to AWINZ a name which did not have any trustees associated with it as far as the approved status was concerned or the contracting to council was concerned.

I am uncertain where you get foundation from for the statement "It is also the case that your allegations against Mr Wells have been considered by the District Court and found to be without merit." No statement has ever been examined. Wells won through strategy and manipulation of the rules, he never won on an assessment of the evidence before the court.

I understand your approach from council is necessary so as protect the council for a claim of negligence .

to do a proper investigation would mean that you would prove that what I said was true and how could you possibly contradict the court?

People do tell lies in court you know it is called perjury and when a person has good reason to cover up the incentive to be creative with evidence increases .

When I was a police prosecutor the warning was always out there not to allow the uncorroborated evidence of a witness... But that was criminal .. in civil apparently anything goes.

You must be aware that animal welfare was considered ultra-virus for council at that time but your council officer Tom Didovich went beyond the call of duty and has now devoted his services to AWINZ by becoming a trustee in what I call the " cover up trust "

Ask any one to make sense of the application for approved status.. it was made on 22 November 1999 at a time when no trust existed.. so perhaps you as a lawyer can tell me how it was a trust which made that application.

Mr Wells told the court that the application was based on a later amended application but the evidence is overwhelmingly that it was based on the application which was made prior to any trust existing. See 18 December 2000.pdf

MAF does not have any evidence of any one else being involved in the application and they have no signatures of anyone else consenting to the responsibilities of the approved organisation.

The only conclusion which any rational person can reach is that AWINZ was Neil Wells.

This matter will not progress through court, it will however progress in the court of public opinion where I will let ratepayers , taxpayers and the entire world see what the evidence is .

I take exception to your comment that I have a misconceived crusade against Auckland Council, its elected members, and officers. You are giving a very strong message to whistle blowers..... don't call we are not interested.

In this one letter you have proved that council is incapable of investigating corruption I have handed it to you on a plate and you prefer to look at the character assassination rather than the facts. (it is me who has been discredited and defamed) I have done nothing but speak the truth

It would appear that the council condones the use of council resources for private enterprise.. no wonder that rate payers don't get ahead. We keep paying more so that those who are well connected with former mayors and councillors can all have a slice of the gravy train.

As a rate payer I am concerned with this .

You claim that the allegations of corruption you have raised have been shown to be unfounded ,Yet you have not done an investigation? All you have done is assessed it for liability and said YIKES we had better cover our tracks.. this is what lawyers are paid to do isn't it?

Rather amusingly I found this "[Wendy Brandon is a lawyer, a battle-hardened commercial litigator who did an exhausting tour of duty in the apparently endless Equiticorp saga. But she feels passionately about the importance of the law in protecting the powerless damaged by the powerful.](#)"

Wendy if this statement is true I would love to see some of your passion shine through.

I see this letter as an excellent response one which help my petition for a commission against corruption as you have in this response proved that the council cannot identify corruption when it is right under your nose.

By the way Has anyone looked into the eco matters trust yet where \$750,000 was written off to overheads ? Guess you will have some good reason why the council can't look at that despite the trust getting bucket loads of ratepayers money.

Guess you can always ask the rate payers for a few more bucks ..

Roll on more corruption .

This will be posted on the anti-corruption web site anticorruption.co.nz.

Regards
Grace Haden

VeriSure

Because truth matters

Phone (09) 520 1815
mobile 027 286 8239
visit us at www.verisure.co.nz

COPY

MEMORANDUM OF UNDERSTANDING

BETWEEN

The Animal Welfare Institute of New Zealand, ("AWINZ")

AND

Animal Welfare Services of Waitakere City ("the linked organisation").

WHEREAS the Minister of Agriculture has declared AWINZ to be an approved organisation in accordance with section 121 of the Animal Welfare Act 1999 ("the Act") and AWINZ has agreed to implement and administer a programme ("the programme") in compliance with the criteria set out in section 122 of the Act.

AND WHEREAS the linked organisation desires that certain employees be appointed Inspectors under the Animal Welfare Act 1999.

1. The parties agree to implement the Performance and Technical Standards approved by the Minister on 1 April 2001 and the Memorandum of Understanding between the Ministry of Agriculture and Forestry and the Animal Welfare Institute of New Zealand signed on 4 December 2003.
2. The linked organisation agrees to—
 - (a) Provide the necessary funding to enable each employee so appointed to comply with the programme;
 - (b) Provide support services for Inspectors;
 - (c) Supply Inspectors with all necessary equipment;
 - (d) Install, maintain and adhere to a quality system provided by AWINZ for the administration of the programme;
 - (e) Allow time for the Inspector to carry out his or her functions in relation to each complaint or matter that arises from his or her performance as an Inspector;
 - (f) Carry out regular internal audits of its quality system;
 - (g) Facilitate auditing of the quality system by AWINZ and provide access to documentation as requested by AWINZ quality auditors;
 - (h) Advise AWINZ by facsimile or e-mail when an investigation is likely to result in a prosecution under the Animal Welfare Act 1999, and initiate such prosecution only when authorised to do so by AWINZ;
 - (i) Advise AWINZ of any decision not to prosecute where the investigation reveals that an offence has been committed but the circumstances warrant that no further action be taken or that a warning be given;
 - (j) Keep records secure in accordance with the Privacy Act 1993;
 - (k) Not disclose any information about the Inspector other than to those who are entitled to the information in accordance with the provisions of the Privacy Act 1993 or for any other lawful purpose;

- (l) Refer to AWINZ any serious complaint made against an Inspector and advise AWINZ of any trivial complaint made against an Inspector and the manner in which it was dealt with.
3. AWINZ agrees to:
- (a) Establish a written quality system which includes objective evidence of compliance with the programme;
 - (b) Process applications for appointment of Inspectors on behalf of the employer without undue delay;
 - (c) Ensure that training of Inspectors is carried out in accordance with the performance standards and technical standards with section 122 (2) of the Act;
 - (d) Maintain training records for each Inspector;
 - (e) Provide legal services to support Inspectors;
 - (f) Prosecute those cases referred for prosecution;
 - (g) Carry out regular internal audits of its quality system;
 - (h) Facilitate auditing of the quality system by MAF and provide access to any documentation requested by MAF quality auditors;
 - (i) Keep records secure in accordance with the Privacy Act 1993;
 - (j) Not disclose any information about the Inspector other than to those who are entitled to the information in accordance with the provisions of the Privacy Act 1993 or for any other lawful purpose.

This agreement is dated this 20th day of January 2004

SIGNED by Thomas Didovich
on behalf of the linked organisation



SIGNED by Neil Edward Wells
on behalf of the Animal Welfare Institute of
New Zealand



ANIMAL WELFARE

Institute of New Zealand



June 2006

Dear Animal Supporter

The animals of our Eco City in Waitakere are forever in your debt. The Animal Welfare Institute of New Zealand, established in 1999, is partnering with Waitakere City Council to provide the very best of services for our animals. Did you know that the Animal Welfare officers of Waitakere City are Animal Welfare Inspectors as well as Dog Control Officers. This is unique for any local body and enables us to provide a holistic approach to animal welfare and control in Waitakere

...but we need your help.

We are taking animal welfare to new heights in Waitakere City by moving towards establishing better welfare practices and treatment for the animals in our region. Caring and providing for unwanted, abandoned or abused animals is an expensive exercise. Although we do our best with the current funds available, with your help we could do so much more. Your funds would assist in ensuring that every dog, cat or other companion animal gets the best care including veterinary treatment, vaccinations, health checks and desexing. This would ultimately contribute to reducing the number of unwanted puppies and kittens in the area, and increase the chance of each animal going to a good home.

All of this needs funding and your donation to the Waitakere Animal Welfare Fund, whether large or small, will continue to ensure that our animals get the best.

As well as promoting animal welfare in Waitakere City, the Animal Welfare Institute of New Zealand promotes First Strike™, the link between early childhood animal cruelty and violence in society, provides animal welfare monitors in movies (The Lord of the Rings, The Lion, The Witch and The Wardrobe, The Bridge to Terabithia, and Waterhorse), and administers the NZ Fund for Humane Research (Lord Dowding Fund).

Kind regards

Wyn Hoadley QSO
Chairperson
Board of Trustees



YES, I WILL HELP THE WAITAKERE ANIMAL WELFARE FUND ... here's my donation

\$10 \$25 \$50 \$100 \$250 \$.....other

Name:

MY CHEQUE (*made out to AWINZ*) IS ENCLOSED **OR** PLEASE CHARGE BY CREDIT CARD
VISA / MASTERCARD / AMEX / DINERS (please indicate)

Address:

<input type="checkbox"/>																
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Cardholders

signature _____

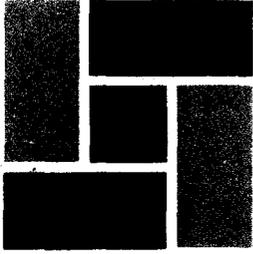
Expiry

date ____/____/____

Phone:

- Please return this coupon in the envelope provided or post to P.O. Box 60 208 Titirangi, Auckland
- Or call us on 09 836 7777 during office hours.

AWINZ is an "approved organization" under section 121 of the Animal Welfare Act 1999.
All funds from this promotion will be held in trust for animal welfare in Waitakere City.



N. E. Wells & Associates

Incorporating NEW Quality Systems, NEW Health and Safety Systems,
NEW Publishing, NEW Animal Welfare Information Services

P O Box 15-771, New Lynn, Auckland 1230, New Zealand. DX: DP95031
Tel: 0 9 827 8139; Fax 0 9 827 0033.

Territorial Authority Animal Welfare Services

a division of N. E. Wells & Associates

Monday, 15 January, 1996

Manager - Animal Welfare Services
Waitakere City Council
DX CX 10250
AUCKLAND MAIL CENTRE

Attention Tom Didovich

Dear Tom

re: Territorial Animal Welfare Services

Now that the pilot programme is well and truly underway we need to look ahead to ensure that there is a seamless transition from the pilot programme to the full national programme.

You will be aware that there has been considerable interest amongst other territorial authorities in the Waitakere programme. I have written to all 74 territorial authorities and that has spawned a very high level of interest – much higher than I would have anticipated in the early stages.

Enclosed is a paper that has been provided to the territorial authorities that have asked for further information. This is for your information. I will be discussing the general terms with MAF and will keep you informed.

The next 6 months will pass quickly so we need to constantly review, not only the current pilot programme, but also the integration of the Waitakere programme into the national programme.

Sincerely

Neil Wells

Territorial Authority Animal Welfare Services

a division of N. E. Wells & Associates

REGISTRATION OF INTEREST IN ANIMAL WELFARE INSPECTOR PROGRAMME

We are interested in registering as a territorial authority approved to have officers warranted under the Animals Protection Act 1960 pursuant to a MAF approved programme due to commence 1 July 1996.

Name of Territorial Authority: _____

Address: _____

Phone: _____ Fax: _____

Contact: _____

Designation: _____

Number of dog control officers (including dog rangers)

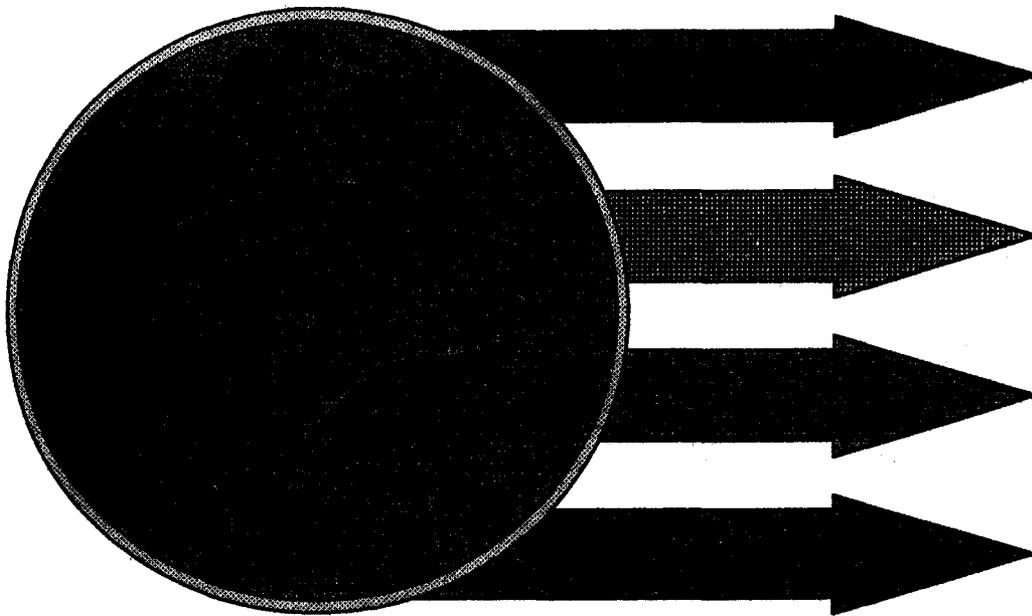
Number of stock rangers (not included in the above)

We are interested in having officers trained before 1 July 1996.

Please inform us of regional training course venues and dates.

Comments: _____

Signed: _____ Date: / /1996



**Territorial Authority
Animal Welfare Services**

***ENHANCING
ANIMAL CONTROL
SERVICES***

N. E. WELLS & ASSOCIATES
P O Box 15-771 New Lynn Auckland
Tel: 09 827 8139, Fax: 09 827 0033

Territorial Authority Animal Welfare Services

ENHANCING ANIMAL CONTROL SERVICES

1. Introduction

This paper sets out the criteria for territorial authorities to recommend the appointment of suitable animal control officers as Inspectors under the Animals Protection Act 1960. It should be read in conjunction with our letter of 27 December 1995.

2. N. E. Wells & Associates a trading name for Wells

N. E. Wells & Associates is an independent consultancy specialising in:

- animal welfare;
- legal training;
- quality systems management;
- quality management training;
- administration of accrediting and training bodies.

2.1 Neil Wells

Neil Wells is a practising barrister having been admitted in 1984. He holds an LLB(Hons) in which he majored in animal protection and conservation law, and a BA in which he majored in history and political studies.

He is a past President and National Director of the Royal New Zealand SPCA and was responsible for setting up the training programme for SPCA Inspectors in 1978.

He is qualified as a quality systems auditor having completed the ETRS-Stebbing Quality Management Systems training course in 1994 and has also completed formal training in quality system development.

He is a specialist legal and technical adviser on animal welfare and ethical issues, and is a foundation member of both the Animal Welfare Advisory Committee (AWAC) – having been re-appointed for a further 3 year term – and the National Animal Ethics Advisory Committee (NAEAC) until November 1995. He is Deputy Chairman of AWAC and convener of AWAC's sub-committees on Animal Transport, Traps and Trapping, and Animals in Entertainment.

He is a member of the Ministry of Agriculture project team that is reviewing the Animal Welfare Bill and played a lead role in preparing the drafting instructions for Parliament.

He was editor of *A Guide to Environmental Law in New Zealand* published for the Commission for the Environment in 1983 and author of a number of published articles on animal welfare, ethics and conservation.

He was a non-governmental organisation delegate to the International Whaling Commission from 1988 to 1993.

He was Head of the New Zealand Delegation to the International Organization for Standardization technical committee on traps (ISO/TC191) at Ottawa in February 1994 and at Denver in September 1995.

3. Benefits of Integrating Animal Welfare and Animal Control

Currently animal control services operate under the provisions of the Dog Control and Hydatids Act 1982 and the Impounding Act 1955.

The proposed provisions of the Local Government Law Reform Bill will extend the powers of dog control officers beyond those currently contained in the Dog Control and Hydatids Act 1982. Of significance are the powers to:

- remove a barking dog causing distress (clause 84);
- enter land or premises to feed and water a dog (clause 45).

While these powers will be welcome additions to the powers of dog control officers they do not go as far as the powers of the Animals Protection Act 1960 which include the power to seize animals and the power to mitigate suffering of animals.

Animal control inevitably involves animal welfare issues but council officers are constrained in that SPCA Inspectors need to be called in when animal neglect and cruelty issues are detected.

Inspectors warranted under the Animals Protection Act 1960 have the power to:

- enter premises, buildings or vehicles without warrant where there are reasonable grounds for believing that an offence of cruelty or neglect is occurring or has occurred (a warrant is required to enter a dwellinghouse) and seize any animal that the Inspector believes has been the subject of an offence;
- enter premises, buildings or vehicles without warrant to feed and water an animal that has not had food or water in the previous 24 hours (a warrant is required to enter a dwellinghouse);
- order an owner to take steps to prevent or mitigate suffering;
- destroy an animal that is in such a condition that it is cruel to keep it alive (subject to a veterinary opinion if the owner objects);
- recover expenses through fines or as a debt.

Until now these powers have been available only to MAF officers, SPCA Inspectors and the Police. The additional powers will enable territorial authorities to provide services to ratepayers on all aspects of animal welfare.

Having extended powers will enhance the effectiveness and credibility of animal control officers. Animal control officers will be able to deal with issues speedily without having to refer cases to the SPCA. This will increase the effectiveness of animal control officers as they will be able to complete a job effectively and be available for further work sooner.

This programme does not in any way compete with the services of the SPCA. It is complimentary to those services already existing.

4. Appointment of Inspectors

Inspectors are appointed under the Animals Protection Act 1960 in a number of ways:

- The Ministry of Agriculture (under delegated authority) appoints its own Inspectors. These appointments are made chiefly in the MAF Quality Management division and are full-time;
- All constables are Inspectors by virtue of their office;
- The Minister may appoint "any suitable person to be an Inspector in an honorary capacity."

This last means of appointment has been the basis for the appointment of SPCA Inspectors under an arrangement that has existed for 35 years.

There is an additional provision in section 9(2)(a) that has not been used until now which authorises the Minister to appoint Inspectors on a part-time basis. Recognising that animal welfare work will be complimentary to animal control work, and therefore part-time, it is this provision that is being used for the appointment of territorial authority animal control officers.

The means of appointment of Inspectors was an issue which was discussed in two MAF public discussion papers (PDP 103 and 112) on the proposed Animal Welfare Bill. The Animal Welfare Bill will be introduced to Parliament this year.

Policy has been approved by Cabinet for organisations other than the RNZSPCA to be approved to recommend the appointment of Inspectors.

It is from this policy that the pilot programme currently running with Waitakere City was approved.

5. The Training and Accrediting Body

5.1 Planning

While MAF-RA supports the principle of territorial authorities having animal welfare inspectors (subject to the success of the Waitakere City pilot programme) MAF does not wish to deal with 74 different territorial authorities with the inevitable variety of systems.

It is essential that there is a national system administered by an approved training and accrediting body. N. E. Wells & Associates is approved by MAF to administer the Waitakere City pilot programme.

To expand this to a national system a national training and accrediting body is being set up under the generic name *Territorial Authority Animal Welfare Services (TAAWS)* which will be administered as a division of N. E. Wells & Associates.

5.2 The responsibility of TAAWS

TAAWS will be responsible to the Chief Veterinary Officer for the following:

- establishing and maintaining training to a standard that meets the national qualifications framework;
- maintaining records for training and document issue;
- maintaining a system for the issue of training manuals and standard procedures;

- establishing and maintaining a quality assurance system that meets ISO 9002 specifications;
- ensuring that national procedures as they relate to animal welfare service delivery are adopted by each territorial authority that subscribes to TAAWS;
- Carrying out random quality audits of territorial authorities.

The Chief Veterinary officer will carry out quality audits of TAAWS which may include random quality audits of subscribing territorial authorities.

6. Qualification and Training

6.1 Qualifications

The Act requires persons nominated for appointment as part-time or honorary Inspectors to be "suitable persons."

The Ministry of Agriculture Regulatory Authority (MAF-RA) has determined that "suitability" will be assessed on the following criteria:

- the character and fitness of the applicant;
- the training of the applicant to a standard approved by MAF-RA which can be regularly audited by MAF-RA;
- the accountability of the Inspector through an approved training and accrediting body.

N. E. Wells & Associates has negotiated with the Chief Veterinary Officer a national qualifications framework that is the basis of this programme.

6.2 Pre-selection procedures

There is a high investment cost in the education of an Inspector. The training course should not be used as a means of screening the suitability of candidates. That will be done before the cost of training is incurred.

The programme will include pre-screening procedures including a Police approval check on each applicant with the applicant's consent.

6.3 Training

The primary training course will consist of a 5 day training course conducted in workshop mode. The topics include the following modules.

1. Introduction;
2. The origins of animal protection law;
3. The basics of criminal law;
4. Definitions in the Animals Protection Act 1960;
5. Offences of cruelty;
6. Aggravated cruelty;
7. Transport of Animals;
8. Parties to offences and attempts;
9. Exemptions;

10. Appointment of inspectors;
11. Powers of Inspectors;
12. Destruction of animals;
13. Miscellaneous provisions;
14. Court powers;
15. Investigation of complaints;
16. Prosecution of offenders;
17. AWAC Codes of Minimum Standards;
18. First aid treatment of sick and injured animals;
19. Destruction of sick and injured animals;
20. The future of legislation;
21. Interaction with other legislation;
22. The Privacy Act 1993, the New Zealand Bill of Rights Act 1990, and the Local Government Official Information and Meetings Act 1987;
23. Public relations;
24. Quality assurance;
25. Coping with stress.

These training modules form the basis of the national qualifications framework that has been approved by the Chief Veterinary Officer.

An examination will be held at the end of the course and certification to this standard will be a requirement for the issue of a warrant under the Animals Protection Act 1960.

Training courses will be kept to between 12 and 20 participants and will be held at regional venues throughout the country.

6.4 Continuing Education

Continuing education will consist of a 4 hour workshop each 6 months which will include:

- recent legislation changes;
- review of procedures;
- case studies.

6.5 Transition

It is planned that there will be a seamless transition from the pilot programme to the full national territorial authority animal welfare services programme.

To accommodate this it is planned that some animal control officers will be able to complete training prior to the end of June so that the national qualifications framework has been met and warrants can be processed for a 1 July 1996 start, subject to MAF approval of the overall programme.

7. Costs

7.1 Registration of a territorial authority

Includes setting up a registration system for the territorial authority including training records and documentation control, liaising with the nominated officer of the authority, costs of random audits of system compliance, reporting to the territorial authority on compliance, review of procedures, liaison with MAF on all aspects of the programme including regular reviews of the national qualifications framework, and access to AWIC.

\$1250 + GST p.a.

Excluded is the MAF processing fee (if any), legal advice on individual cases, and installation of quality assurance systems to the individual requirement of the territorial authority beyond the standard national procedures.

The registration of a territorial authority will be based on a year 1 July to 30 June.

7.2 Registration of each Inspector

For the first year:

Includes providing initial training for the Inspector which includes attendance at a block training course over 5 days (including cost of the venue, lunches and coffee breaks but excluding travel, accommodation and other meals for the trainees), including a 2 hour examination and marking papers; attending 2 x ½ day continuing education training modules each year (including cost of the venue, lunches and coffee breaks but excluding travel, accommodation and other meals for the trainees); training manuals, national procedure manuals, documentation update service, access to an Inspectors' Hot Line, and access to AWIC.

\$2500 + GST

This will be renewable on the anniversary of the acceptance of each individual registration.

For each subsequent year:

Includes attending 2 x ½ day continuing education training modules each year, (including cost of the venue, lunches and coffee breaks but excluding travel, accommodation and other meals for the trainees), training manuals, national procedure manuals, documentation update service, access to an Inspectors' Hot Line.

\$1250 + GST p.a.

8. Access to AWIC

N. E. Wells & Associates has access to the United States Department of Agriculture Animal Welfare Information Centre in Beltsville, USA, through an agreement between the US Department of Agriculture and the Ministry of Agriculture.

AWIC has over 2½ million texts and articles on animal welfare, animal control and related topics.

Access to this service will be provided to territorial authorities as part of the registration.

N. E. Wells & Associates receives information from around the world on animal welfare and animal control including information on animal control equipment. A digest of this information will be circulated to registered territorial authorities.

9. Prosecution Service

A prosecution service is available to registered territorial authorities. This can range from a desk top review of the file prior to recommending legal action to conducting the prosecution itself.

Costs have not been included in this paper as this is an individual service.

10. Conclusion

By adopting this programme the result will be a journey of continuing improvement in animal welfare services to ratepayers and residents that will increasingly reflect a growing awareness and acceptance of responsible animal ownership.

N. E. Wells & Associates

11 January, 1996



40

MAF POLICY

ASB Bank House
101-103 The Terrace
PO Box 2526, Wellington
New Zealand
Telephone: 64-4-474 4100
Facsimile: 64-4-473 0118

Ref: AW-09
Brief No: 00/339

18 December 2000

Minister of Agriculture

APPLICATION TO BE AN "APPROVED ORGANISATION": ANIMAL WELFARE INSTITUTE OF NEW ZEALAND (INC)

Purpose

1. *The Animal Welfare Institute of New Zealand (Inc) (AWINZ) has applied to you for a declaration to be an approved organisation under section 121 of the Animal Welfare Act 1999 (the Act). MAF has previously advised you that the application meets all the criteria in the Act apart from one aspect. Following your consultation with Caucus and briefing of Cabinet, MAF proposes that you approve the application and sign the attached Gazette notice and letter to AWINZ.*

The Application

2. Any organisation whose principal purpose is the promotion of the welfare of animals can apply to you, as the Minister responsible for the Act, to be an "approved organisation" under section 121 of the Act. Apart from MAF inspectors and police officers, only inspectors and auxiliary officers appointed on the recommendation of approved organisations can exercise enforcement powers under the Act.
3. On 22 November 1999, Mr Neil Wells wrote to your predecessor enclosing an application on behalf of AWINZ for declaration as an approved organisation under section 121 of the Act 1999. ;

4. You subsequently met with Mr Wells in June 2000 when it was agreed that he and MAF would explore the legal issues further. You also indicated to Mr Wells that you would seek the views of Caucus as the application raised new policy issues. Following a review of the legal issues, you briefed Caucus in November and Cabinet Finance, Infrastructure and Development Committee (FIN) on 6 December 2000 (FIN (00) M 37/13).
5. MAF understands that the outcome of these reports, legal opinions and consultation is that you propose to approve AWINZ as an approved organisation under the Act. MAF recommends that, in approving the application, you attach a condition requiring AWINZ to establish performance standards and technical standards for inspectors and auxiliary officers (if any) and that the standards be submitted to you for approval before 30 March 2001. To ensure consistency between approved organisations and MAF, MAF will prepare a set of standards and provide them to AWINZ before 31 January 2001. MAF will also write to AWINZ early in 2001 setting out the requirements that the Director-General of MAF will expect inspectors to meet pending completion and approval of the AWINZ standards.
6. If you agree with this condition, MAF recommends that you sign the attached Gazette notice and return it to MAF for publication in mid-January 2001.
7. MAF also recommends that you issue an appropriate press release in January announcing your decision. The decision is likely to attract attention, particularly in the Auckland region, and questions may be asked about the relationship between AWINZ and the RNZSPCA. There is a risk that it might also give rise to adverse reaction from the RNZSPCA and Federated Farmers, which MAF will take steps to minimise. If you agree to a press release MAF will liaise with your office on a communications strategy.

Recommendation

8. MAF recommends that you:
 - a) **note** that you, as the Minister responsible for the Animal Welfare Act 1999 (the Act), must be satisfied that the application from the Animal Welfare Institute of New Zealand (Inc) meets all the requirements of the Act;

noted
 - b) **note** that the application has been the subject of advice from MAF, legal opinions from Crown Law Office and KPMG Legal, and consultation with Caucus and Cabinet and that you consider that the application meets all the requirements in sections 121 and 122 of the Animal Welfare Act 1999;

noted

c) **agree** to approve the application from the Animal Welfare Institute of New Zealand (Inc) and impose, as a condition of approval, that Animal Welfare Institute of New Zealand (Inc) establish performance standards and technical standards for inspectors and auxiliary officers (if any) and submit them to you for approval before 30 March 2001;

~~agreed/not agreed~~

d) **agree** to sign the attached Gazette notice which declares the Animal Welfare Institute of New Zealand (Inc) to be an approved organisation under section 121(1) of the Animal Welfare Act 1999;

~~agreed/not agreed~~

e) **agree** to sign the attached letter to the Animal Welfare Institute of New Zealand (Inc) advising it of your decision; and

~~agreed/not agreed~~

f) **agree** that MAF liaise with your office on an appropriate communications strategy announcing your decision.

~~agreed/not agreed~~

P R Kettle

P R Kettle
Director, Biosecurity and Science Policy

Jim Sutton

Hon Jim Sutton
Minister of Agriculture

19/12/2000

Encls

RELEASED UNDER THE ACT
OFFICIAL INFORMATION ACT

22nd June 2012

Ms Grace Haden
23 Wapiti Avenue
Epsom
Auckland 1051

By email: grace@verisure.co.nz

Dear Ms Haden

Privacy Act Request & Request for Investigation

I refer to your recent correspondence and conversations with Gary Hale concerning various allegations you have made in relation the former Waitakere City Council's relationship with AWINZ, Neil Wells, and Tom Didovich. Other allegations relating to the establishment, and management, of AWINZ are matters, of course, outside the jurisdiction of the Auckland Council.

I also refer to your correspondence regarding a request for information held about yourself under the Privacy Act 1993, and a further request for information under the Local Government Official Information and Meetings Act 1987.

Your request for an investigation

This is not the first occasion that you have brought these allegations to the attention of the Auckland Council (and before it, the Waitakere City Council); or to the attention of law enforcement agencies; and the allegations have also been the subject of considerable judicial scrutiny.

Given the level of resources expended over the past several years, Auckland Council will not expend any further resources in this regard. While your correspondence will be kept on file, council officers will not correspond with you further about your allegations. I also strongly recommend that you cease making serious and unfounded attacks on individuals' character and reputations. At a minimum, I suggest you obtain legal advice.

Your request for information

Under the Privacy Act 1993 you have requested "all documents which the council holds, and has control over from Waitakere City Council which involve communications from and between staff and council with regards to myself and my company Verisure Investigations Ltd from 2006 to the present day [3 May 2012]".

The Public Information Office responded to your request on 12 June 2012. The Information Advisor stated that your request was not specified with due particularity, and advised that under the Privacy Act, the council is only required to provide a right of access to personal information that is held in such a way that it can be readily retrieved.

In your email of 12 June 2012 you have given some particulars, namely that the documents you wish to have access to are associated with animal welfare and Neil Wells. This is still a substantial number of documents, not held in a manner that makes the task of retrieving those documents that are personal information straightforward.

It is also the case that your allegations against Mr Wells have been considered by the District Court and found to be without merit.

I do not accept that your present request has been made in good faith, but is intended only to carry on your misconceived crusade against Auckland Council, its elected members, and officers.

Accordingly, Auckland Council refuses to disclose the information you have requested on the ground that your request is vexatious (s29(1)(j) Privacy Act, and s17(h) in respect of your LGOIMA request). I have reached this conclusion for the following reasons:

- It is evident that you are seeking information in relation to Neil Wells and AWINZ. I note that Waitakere City Council has responded to a vast number of requests for related information from you dating back to at least 2007. You have been provided a considerable amount of information, and I understand you have been provided access to relevant WCC files.
- As noted above, the allegations of corruption you have raised have been shown to be unfounded. Auckland Council will not correspond with you further regarding such allegations, and will not expend further resources responding to information requests of a substantially similar nature to those you have made in the past.

I advise of your right to seek an investigation or review of this decision to the Privacy Commissioner (or the Ombudsman in respect of the request you have framed under the LGOIMA).

Yours faithfully,



Wendy Brandon
General Counsel

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