

Request to Attorney General under section 58 of the Charitable trust act 1957 .

It shall be lawful for the Attorney-General from time to time, as he in his discretion may think fit, to examine and inquire into all or any charities in New Zealand, including trusts for charitable purposes within the meaning of [Part 4](#), and to examine and inquire into the nature and objects, administration, management, and results thereof, and the value, condition, management, and application of the property and income belonging thereto.

My request is with regards to a charity called the Animal welfare Institute of New Zealand (AWINZ) CC11235 and the various other unincorporated trusts/bodies all using that same name.

All up there are five groups I identify each where I can in the text. Often AWINZ is used generically and I call it generic. At all times in all matters AWINZ has been passed off as a body corporate .

Group 1: persons who came together with the intent of forming a trust with Waitakere city council as settlor and trustee

Group 2: Neil Edward Wells acting alone and passing himself off as a trust applies for and obtains law enforcement powers under the animal welfare act.

Group 3: trustees of a trust formed by way of trust deed 1.3.2000 who never met or functioned as a trust and were never reappointed as required by the deed.

Group 4: Three persons who posed as all of the above to take court action to give legitimacy to an "organisation/ trust existing.

Group 5: Group 4 plus the accomplice in this perfect fraud who all signed a new trust deed claiming to be the law enforcement authority

I believe that this charity was set up in 2006 for no other reason than to pervert the course of justice and has used charitable funds to achieve that aim. Other than that the trust has not functioned, it has used charitable funds and effectively laundered them through the court processes.

To simplify matters I have inserted the evidence through hyperlinks I have also set out the concept of DARVO - The authorities have been led to believe that I am the villain in the piece , I am a whistle-blower , I did not mean to be a whistle-blower and I certainly did not expect to lose 8 years, my family, income and massive costs over this. More evidence is available please ask

Background

1. In 1996 and possibly before, Mr Wells the former Director of the RNZSPCA came up with a business plan in which he was to facilitate the supply of animal welfare services (a central government obligation through the resources of Local government councils (dog and stock control) He called this concept Territorial Animal welfare services [Document 1](#) – Note that this concept uses trading names and no legal entities other than Mr Wells in his own capacity.
2. There was no legislate to facilitate this concept so Mr Wells offered to write the legislation and became independent advisor to the select committee, As the bill progressed a second bill was introduced and there was general discussion which limited the use of councils in the enforcement of animal welfare [Document 2](#)

3. Mr Wells, who is trialling the concept at Waitakere City Council suggested setting up a trust to circumvent the intention of the law. He nominates himself as the person who can carry out this function. [Document 3](#)
4. Wells works closely with his accomplice Tom Didovich, who is at that time the Manager of dog and stock control Waitakere council, Didovich Pays wells to train the staff, set up the concept and recruit trustees. The invoice for trustees is here [Document 4 Group 1](#)
5. Wells produces a trust deed and shows that the deed under which the proposed trustees met was for a trust which involved the Waitakere city council and settled by the council. [Document 5. Group 1](#)
6. Wells at all times talks about the trust being incorporated under the charitable trust act, and proof that he has knowledge of how to incorporate trusts are shown with the incorporation of two trusts by him in 1997 [Document 6](#)
7. In During 1999 Wells files and intention to apply for approved status on behalf of a trust called the Animal welfare Institute of New Zealand, he repeatedly makes statements that the trust has been formed by way of trust deed and is being registered under the charitable trust act [Document 7](#) .
8. Together with Tom Didovich he also makes an application for funding claiming the trust exists [Document 8](#)
9. On 22 November 1999 Mr Neil Wells, made an application [Document 9](#) to the then minister of Agriculture for law enforcement powers under section 121 animal welfare act again falsely stating that the trust exists and is being incorporated and made false statements alleging the knowledge, support and consents of Waitakere city council when the reality is that the only person who is involved in the matter from council is his accomplice Tom Didovich. **Group 2**
10. While the application was before the minister, Mr Wells continued to mislead the minister as to the nature and structure of the trust and falsely claimed that the trust was incorporated [Document 12](#). He misleads the minister by stating that the deed has been sent off for registration when quite clearly this is not so. **Group 2**
11. In reality neither the minister nor MAF staff saw a trust deed and an incorrect assumption was made that AWINZ was an incorporated society [Document 13](#) and was gazetted as one of only two private law enforcement authorities. **Group 2**
12. Wells writes to the minister and corrects him that AWINZ is a charitable trust, he does not state that it unincorporated and still has not provided the minister with a copy of the trust deed [Document 14 Group 2](#)
13. In 2004 Mr Wells on behalf of AWINZ entered into two MOU's [Document 15](#) which is with MAF and signed by Wells as trustee of AWINZ. and one with his associate Tom Didovich from AWINZ with Mr Wells signing on behalf of the animal welfare institute of New Zealand [Document 16](#). AWINZ is not defined in either document and is treated as though it is a legal person in its own right and not in accordance with the well-established case law page 23 Wallis v Sutton [Document 40 Group 2](#)
14. In April 2005 Mr Wells obtained well over \$100,000 from a charity called Beauty with compassion, he banked this into an account which only he operated and held in the trading

name AWINZ. [Document 19](#) National Bank of New Zealand Mount Albert Account Number: 060968006747700 **Group 2**

15. In November 2005 Mr Wells became manager dog and stock control Waitakere city council, when Didovich had to leave the position due to a conflict of interest. I believe that Wells had to apply for this position to preserve the scheme they had set up. In Becoming Manager Dog and stock control Wells was contracting to himself as per [Document 16](#). He got the job without declaring his conflict of interest [Document 20](#).
16. Wells set about rebranding the council premises and changed the logo for AWINZ so that the council vehicles, premises signage and those of AWINZ were confusingly the same. [Document 41](#)

My Involvement

1. I am a licenced private investigator and a mother. In 2005 I had all three of my children in 19 squadron Air Training corp. I was treasurer of the squadron and was appointed as trustee and treasurer of the Auckland air cadet Trust a trust which had been set up By Neil Wells and took ownership of two buildings which had been gifted to the cadets of 3 and 19 Squadron as headquarters from Hobsonville.
2. Mr Wells was a lecturer at Unitec at the time and the building which were to be placed at Mt Albert Grammar found their way on to a site adjacent to the vet clinic at Unitec.
3. The trust was supposed to support the cadets but instead the kids inherited a massive loan and I saw that Unitec was benefiting from the deal while the children spent more time fundraising and less time flying.
4. When I took over the treasurer's position the books were a mess and I quickly discovered that we were losing \$1500 per month. At the same time Neil Wells was wanting to make more of the premises available to Unitec without charge.
5. I voiced my concern and found that Neil Wells who was the chairman, sought to have me removed from the trust. He fabricated a statement which he read from and which has not seen the light of day since. As A former Police Officer I stood my ground and insisted on evidence of the false allegations which had been made against me.
6. I believe that this occurred not because of anything I had done but because Mr Wells saw that I was too astute and may stumble on the private use of this building and the misappropriation of the assets at that time for his own venture.
 - a. Part of the larger scale was to train all dog and stock control officers nationwide to become animal welfare officers – facilities were required for this and these buildings provided those classrooms.
 - b. I cannot prove but I believe that the trust should have run at a loss and the cadets would have lost the building ,
 - c. Mr Wells had received a commendation from Unitec *“Neil initiated a project to bring to Unitec a building complex to provide space to the School of Sport, College Sport and Air Training Corps which not only provided space at **a very low cost to Unitec** but also enhanced our partnerships with industry.”*

7. Wells influenced the trustees and changed the trust deed to get me voted off the trust. I repeatedly asked for the notes which he had read from but they were disposed of. I left and sent him a fax to his work fax expressing my opinion that he had bullied me off the trust.
8. This is where it would all have ended except that my fax was seen by a council employee Lynn Mc Donald QSM who contacted me and said that I was not alone in the way that I had been treated.
9. On realising I was a Private investigator she asked to meet with me and raised the concern that she had to volunteer her council paid time to AWINZ. The only visible person involved in AWINZ was her boss Neil Wells who was rebranding the council premises so that it had an outward appearance of being AWINZ. We tried to find out who or what AWINZ was and apart from finding that it had law enforcement powers under the animal welfare act we failed to locate any evidence of the existence of an organisation. **Group 2**
10. With two others we set up a trust and incorporated this under the charitable trust act, the trust was called the Animal Welfare Institute of New Zealand [Document 23](#) this proved conclusively that there was no legal person other than ourselves who existed under that name.
11. This was later confirmed when we obtained a letter by way of OIA from the MED to Mr Wells [Document 26](#)
12. I had also spoken to Nuala Grove and Graeme Coutts both of whom had advised me that the trust had not met as it "was not that sort of trust" **Group 3**

The concept of DARVO

1. It has only been recently that I have learned about [DARVO](#) .
 - a. *DARVO refers to a reaction perpetrators of wrong doing may display in response to being held accountable for their behaviour. DARVO stands for "Deny, Attack, and Reverse Victim and Offender."*
 - b. *The perpetrator or offender may Deny the behaviour, Attack the individual doing the confronting, and Reverse the roles of Victim and Offender such that the perpetrator assumes the victim role and turns the true victim into an alleged offender.*
 - c. *This occurs, for instance, when an actually guilty perpetrator assumes the role of "falsely accused" and attacks the accuser's credibility or even blames the accuser of being the perpetrator of a false accusation.*
2. This concept was applied to Mr Wells dilemma
 - a. I had exposed the fact that AWINZ the law enforcement authority **Group 2** had no legal existence in any manner or form and was nothing more than a pseudonym for Neil Wells.
 - b. Wells had repeatedly assured the minister that AWINZ existed and if it didn't exist it would make him a liar and this would also implicate him for criminal offences- using a document for pecuniary advantage, false statement by promoter also using inside information while working on legislation for his own use.

- c. Further there is the corruption issue of writing legislation for his own business plan and taking over council resources for his own personal gain without declaring any conflict of interest.
3. There is an excellent article by Violations of Power, Adaptive Blindness and Betrayal Trauma Theory by Jennifer J. FREYD the final page and a half is about DARVO and worth reading [document 42](#)
4. Looking back on it now it is so obvious but hindsight is always so much clearer and while I was fighting he many fires which Mr Wells lit for me I was not in a position to do anything more than try to survive.
5. **Deny.**
 - a. Faced with the need to save his own neck Mr Wells embarked on a complicated strategy which took advantage of the lack of common knowledge of how trusts are comprised and work.
 - b. It is apparent that MAF did not know how trusts worked or the difference between an incorporated and an unincorporated trust , when MAF questioned the lack of existence of AWINZ Wells confused them and said that there was no need for a trust to be incorporated as the act allows an “ organisation “ to exist .
 - c. To give an appearance of the “ organisation “ existing Wells called a meeting on 10 May 2006 of the people who had actually been recruited in 1998 for the [Waitakere trust proposal Document 5](#)
 - i. These persons had not met since the meeting in December 1998 when the trust proposal was mooted. It is clear that each was recruited not for their intent to set up a law enforcement authority but because they had been recruited on a philanthropic level and had been selected for their standing in the community.
 - ii. The trust deed dated 1.3.2000 [Document 10](#) , which was supplied in June 2006 had not been seen by MAF or Waitakere council and is recorded as missing in the minutes of this meeting [.Document 24](#)
 - iii. Both Nuala Grove and Sarah Giltrap formally resign , un aware that their term of trustee ship on the 2000 deed had expired 1.3.2000 when they were not re appointed (proof of this is the lack of meetings) However the formal resignations give the impression of the trust having continued to exist.
 - iv. At this meeting Wyn Hoadley was allegedly appointed as Chair person, this was arranged as soon as it became evident that I had raised questions with regards to the existence of AWINZ. [Document 22](#), this proves conclusively that she was not appointed by the trustees as there had not been a meeting at all of this trust.
 - d. The confusion of the existence of a trust played a very large role I the deceit of both Government and the court and principally this was done through Identity fraud which made various groups all names Animal welfare Institute of New Zealand (AWINZ) appear to be one and the same. I will cover this in detail under the heading Identity fraud.

6. Attack

- a. I had become a whistle-blower by asking two simple questions
 - i. Of MAF why does the law enforcement authority AWINZ not have any legal existence?
 - ii. Of Waitakere city council – Why is a manager contacting to himself and using eh staff for his own pecuniary interest.
- b. It was obvious that if I was to be believed there would be very serious repercussions on Mr Wells, job, life and future.
- c. I already had history with Mr Wells and suddenly the incident at the air training corp. became the reason why I was attacking Mr Wells, I was a mad vexatious cow who couldn't handle being thrown off a trust. This was the distraction which Wells used to blind every one and it was effectively used to discredit me.
- d. The initial attack came from a law clerk of Brookfields lawyers who phoned me in early June 2006 seeking to have the incorporated trust AWINZ of which I was a trustee, change its name by way of incentive threats were made against my private investigator licence.
 - i. The strategies deployed may have worked on others but a former Police prosecuting sergeant is not easily rattled and I refused to be bullied. – Something I have paid a very high price for.
- e. This was followed by a lawyers letter threatening legal action, this was followed a day later by a copy of the trust deed dated 1.3.2000 [Document 10](#). **Group 3**
- f. In July 2006 Mr Wells and AWINZ **Group 4** commenced legal action against me, I was to find that the persons representing AWINZ were not the persons named on the deed, instead there were only two of those persons and one other. There were no supporting documents which showed resignation and appointment of trustees as required by the charitable trust act section 4.
 - i. It is of note that though the proceedings AWINZ was referred to as AWINZ as though it was it was a legal entity in its own right, the lawyers made out invoices to AWINZ. [Document 43](#) & [Document 45](#)
- g. Wyn Hoadley, Graeme Coutts and Neil Wells **Group 4** were named as the trustees and I only became aware of them as trustees was when the statement of claim was filed. [document 29](#) In this document they claimed to be
 - i. The current trustees of The Animal Welfare Institute of New Zealand, ('AWINZ 2000), an unincorporated charitable trust which was formed pursuant to a trust deed executed on 1 March 2000. **Group 3**
 - ii. The law enforcement authority under section 121 of the Animal Welfare Act 1999 **Group 2**
 - iii. The administrators of the New Zealand Fund for Humane Research **Group 2**

- h. The action embarked on was passing off, breach of fair trade and defamation (for calling the law enforcement authority a sham) No evidence was ever produced aside from Two supposedly original trust documents for the 2000 trust **Group 3** . For the rest the uncorroborated evidence of Mr Wells was relied on.
- i. I was denied a defence of truth and honest opinion, this was struck out when I could not raise \$12,200 in the fortnight provided. Mr Wells on the other hand was told to file a new Statement of claim which on doing this would have brought my defence back in.
 - i. While I had to comply with the courts orders Mr Wells took his claim straight to quantum, by- passing any formal proof .The three people pretending to be AWINZ **Group 4** did not proceed with their claim but did not withdraw in any formal manner.
 - ii. The entire proceedings have relied on rules and manipulating the process so as to avoid evidence being produced
 - 1. The statement of claim was filed without an affidavit in support
 - 2. The only evidence produced at the quantum hearing were two copies of the trust deed dated 1.3.2000. **Group 3**
- j. The attack was vigorous and well played, I also had an incident where I had to find a liquidator and director for a client, and both were fabricated. The persons who created the mythical persons took me to court for harassment, one was very wealthy and I have evidence that they colluded with Wells.
 - i. Strangely I appeared before the same Judges in both matters and the court got the impression that I was a nasty piece of work.
 - ii. The national enforcement unit of the MED took the matter over and both the offenders were charged with 22 counts of fraud but the stigma for me remained.
- k. In 2008 the matter went to a quantum hearing this was after documents were not served on me and a memorandum to the court read that Mrs Haden would probably not appear. **Group 4**
 - i. The matter was set down for Quantum and there was never any consideration as to whether or not I had told the truth or had honest opinion or not , and because I had pointed out that Mr Wells had been inconsistent with his own evidence the judge held that I was continuing to defame Mr Wells.
- l. The Joyce Judgment was to play a vital role as this effectively re wrote history, I was able to obtain the transcript which formed the basis of a number of official information act requests. This judgment has been very effectively used by Mr Wells to prevent any investigation into the matter and to contort the chronology of events and merge various entities using or proposing to use the name AWINZ as an example see [Document 35](#)

- m. Wells also attacked me on my family front and stories came to my husband from different angles, this and the financial pressure which the court action was placing on us brought about the end of 23 years of marriage.
 - i. I was unfortunate to have instructed Eugene Orlov, who transpired to be a grossly incompetent lawyer who financially scalped me and took the matter to appeal and judicial review having placed a very junior lawyer onto the matter and very much out of his depth. Orlov has now been struck off, he cost me a huge sum of money and damaged the case.
 - ii. I Obtained evidence which I will detail and took the matter back to court but each time the rules were more important than the evidence.
- n. I was left with over \$200,000 to pay AWINZ **Group 4** and so Mr Wells in his own capacity took action to recover the money. There was no room for negotiation and Wells commenced bankruptcy and liquidation proceedings, everything was invoiced to AWINZ. **Group 5** I was under siege.
- o. In 2012 My Company was placed into liquidation when the documents were not served on me. I was able to catch the process server out and the company was restored. The money for the claim was paid to Wyn Hoadley who claimed the funds in her personal capacity but paid the sum into the charities funds **Group 5**. Not one cent of the other funds which I have paid found its way in to the charities assets.
 - i. The charities commission have refused to investigate this the complaint to the charities commission they advised me to refer this matter to you.
- p. The same Attack tactic has been applied to the legally incorporated AWINZ trust of which I was a trustee, we were accused of impersonating Wells, Hoadley and Coutts who had first formed a relationship on 10 May 2006 **Group 4** several weeks after we incorporated. This date was of course not revealed in court and only came to light in 2012.

7. Reverse Offender and Victim.

- a. I became the demented old cow who had it in for a man who was running a legitimate law enforcement authority, he was the victim and I the villain.

How the evidence was obtained.

1. I obtained the transcript of the hearing and this served as a basis for official information act requests and with the change of Government at the end of 2008 I was given access to the Waitakere City Council archives and the documentation held at MAF.
 - a. I collated the files and proved conclusively that the court had been misled but the police refused to prosecute perjury.
2. Mr Wells was a Barrister at this time and I made a complaint to the Law society, he was exonerated when he produced documents to them. These documents were sent so as to leave me out of the loop, I requested them and was provided with them these documents proved to be crucial they were
 - a. Minutes of meeting 10May 2006 [Document 24](#) **Group 4**

- b. Email to Wyn 9 July 2006 [Document 27](#) **Group 4**
 - c. Telephone meeting 13 July 2006 [Document 28](#) **Group 4**
 - d. Awinz meeting 14 August 2006 [Document 30](#) **Group 4**
3. With the eyes of MAF on Wells, there was immense pressure to explain why AWINZ **Group 2** was not incorporated as he had assured MAF and the minister in the application , pressure was being put on Wells to incorporate **Group 2** , this action brought about an audit which although thorough did not have a wide enough scope . The intention was to bully me into submission and that way AWINZ (**generic**) could have been incorporated and everything would look OK. As a former police officer I saw the seriousness of the situation and foolishly believed that I was helping expose corruption.
 4. I had for several years been attempting to get an audit report from MAF **Group 2** this was eventually released through the ombudsmen late 2011 [Document 36](#), this document together with the law society documents was to show the reality of that AWINZ.
 5. During the course of the court action I was provided with an affidavit from Tom Didovich [document 48](#) . **Group 3** this document proved that Didovich drove to the individual trustees and obtained their signatures, therefore they did not have an initial meeting.

The significance of the evidence of the combined documents.

1. Through collating the information from the Audit report, the trust deeds, minutes and the affidavit of Tom Didovich the true picture of the events surrounding the trusts can be seen.
2. **The significance of the meetings**

The audit report at page 14 point 4.1.2 Audit report [Document 36](#), It was noted there had only been four meetings of what was alleged to be AWINZ(**generic**) between 2000 and 2008 (as opposed to the 24 required by the deed **Group 3**) these meetings are identified as follows

 - a. [Document 24](#) refers to a meeting June 2004 **Group 4**
 - b. The meeting 10 may 2006 [Document 24](#) **Group 4**
 - c. Telephone meeting 13 July 2006 [Document 28](#) **Group 4**
 - d. Meeting 14 August 2006 [Document 30](#) **Group 4**
3. Referring to [Document 24](#) the first alleged meeting of AWINZ was June 2004 this was four years after the deed [Document 10](#) **Group 3** had been signed and according to the MAF audit this meeting did not have a quorum, I have not seen a copy of the minute which was allegedly signed By Neil Wells as referred to in the minutes [Document 24](#). **Group 4**
 - a. This meeting was therefore not of the trustees of the 2000 deed **Group 3** as the meeting was after a date when trustees were to be reappointed 1.3.2003 refer clause 7 deed – term of office
 - b. The only record of this meeting was created after I had raised issues with regards to the existence of AWINZ, it was convenient back dating to give the illusion of the trust having met.

4. The unsigned unconfirmed minutes of the second meeting [Document 24](#) **Group 4** are by way of a briefing, had this been a legitimate trust then you would have hoped that the trustees would have
 - a. Known and approved of the signing of the MOUs with council and MAF documents [15](#) & [16](#) **Group 2** and would have met and had minutes to this affect.
 - b. Been part of receiving well over \$100,000 from Beauty with compassion [Document 19](#) **Group 2**
 - c. Met when Mr Wells sought employment which placed him in direct conflict of interest with the alleged purpose of the trust [Document 20](#) (the allegation that it was the law enforcement authority) and contracting to himself [Document 16](#) . **Group 2**
 - d. Known what an approved organisation **Group 2** was, had they been an approved organisation would they have had to be told 6 years later? *“What is an approved organisation: It is an organisation approved by Ministry of Agriculture and Forestry under the Animal Welfare Act. AWINZ and SPCA are the only two approved organisations”*
 - e. In April 2007 I discovered that the bank account in the name of Animal welfare institute of New Zealand was operated solely by Mr Wells **Group 2** , the assets were therefore only in Mr Wells (the alleged settlor) control

National Bank of New Zealand Mount Albert

Account Number: 060968006747700
 - f. The minutes refer to a fundraiser this fundraiser ran in at least 2006 **Group 3** [Document 25](#), and 2007 **Group 4** The Logo of the fundraiser flyer was changed after I made a complaint to council that the AWINZ Logo and that on the council vehicles and buildings [Document 41](#) were deceptively similar. The confusion of AWINZ and council was also noted by MAF in the audit report. [Document 36](#) **4.3.2 The branding of the Waitakere Animal Welfare fund**
 - g. The next meeting was set down for Mid-September 2007 or Late October 2007, when the deed **Group 3** stipulate no less than 4 meetings per year. This proves that whoever met on this occasion **Group 4** totally ignored the provisions of the deed dated 1.3.2000 and were not restrained by it.
5. The supposed email to Wyn Hoadley **Group 4** is unsigned and does not prove anything. [document 27](#)
6. The third meeting was a telephone meeting, **Group 4** it is five days before litigation commenced yet no mention of the proceedings. [Document 28](#)
7. The Fourth and final meeting [Document 30](#) **Group 4** shows the resignation of Grove and Giltrap **Group 2** and appointment of Didovich again he was not appointed under any legal provision of the charitable trust act.
8. It is of note that not one of the minutes record discussion on the proposal to take legal action and fund it with charitable funds. No signed documents have ever been seen.

9. I firmly believe that the legal action commenced 18 July 2006 [Document 29](#), were not commenced by any trust but by persons posing as a trust **Group 4** to legitimise the lack of existence of the law enforcement authority. **Group 2**
10. MAF insisted that AWINZ **Group 2** became a charity, MAF obviously did not understand the significance of incorporation and despite knowing now that AWINZ was unincorporated continued to treat it as though it was a body corporate
11. To overcome the use of the charitable funds for the litigation **Group 4** the 2006 deed **Group 5** was drafted to allow for the use of charitable funds and it had to be alleged that this trust was a continuation of the 2000 **Group 3** trust for the sake of legitimacy of the law enforcement authority **Group 2** which it claimed to be.
 - a. It has to be of note that this deed **Group 5** was never produced in court.

12. Evidence showing that MAF was deceived

The audit report read in conjunction with the minutes of meetings show that MAF accepted as fact matters which had no factual basis at all they are as follows

- a. **Page 4** 1.1. History – a trust formed 1.3.2000 **Group 3** could not have made an application 22.11.1999. **Group 2**
- b. There is no evidence on Waitakere city archives that the city felt it had an obligation or desire to deliver animal welfare services, this was Wells own desire **Group 2** as shown by his business plan [Document 1](#)
- c. AWINZ did not have a purpose, it did not exist, the only purpose it had was to facilitate Mr Wells business plan **Group 2** and circumvent the intent of legislation see Crown law [legal opinion 9 May 2000](#)
- d. **Page 5** “In December 2003 MAF and AWINZ **Group 2** signed a MOU “ [document 16](#) the MOU was signed with Wells as trustee of AWINZ(**generic**) , Awinz was not defined and treated as though it was a body corporate. MAF at this stage did not realise that AWINZ was not a legal person in its own right.
 - 1.If the Approved Organisation **Group 2** was the trust 1.3.2000 **Group 3** then there would have been a requirement for a meeting, consensus of the trustees , resolution in writing and two signatures including the seal before the MOU would be valid and entered into by that trust **Group 3**
 - 2.There were no meetings, no resolution and the MOU was not signed according to the deed, it was therefore not signed for or on behalf of the 2000 **Group 3** trust.
 - 3.“AWINZ is governed and managed by a Trust board “, it was not as the trust did not make the application and the trustees of the trust deed 1.3.2000 **Group 3** never met.
 - 4.“Neil Wells (the Secretary and Chief Executive Officer) the trustees **Group 3** never met therefore they could not have appointed any one to these positions.
 - 5.Animal welfare Waitakere provides administrative support services for AWINZ by collecting and processing AWINZ s (**generic**) donations during its annual

fund raising drive for the AWINZ Waitakere Animal Welfare fund. – this fund was a council fund started by Lyn Mc Donald and is subject to my complaint to the charities commission which they have not pursued [document 47](#) .

6. **AWINZ Group 2** has not been incorporated under the Charitable Trust Act 1957, as was originally expected However AWINZ is a registered charitable organisation with the Charities Commission **Group 5** – this is not the same AWINZ it is **identity fraud** as will be covered below.

e. Page 6 “AWINZ’s **Group 2** income in the last four years has been generated from fees for film monitoring, donations and interest from bank accounts and investments.’ No one except Neil Wells was involved in the movie monitoring or administrating the bank accounts

1. Reason for the audit. MAF fails to consider that the fact that the application [Document 9](#) was made fraudulently. Had it been made legally and on behalf of an unincorporated group it would have said so and not pretended to be incorporated. Not only did the organisation not exist, it also had no deed. If it was an organisation each and every person involved with it would have had to have been party to the application by signing in their own name and consenting individually to taking on the responsibility of law enforcement.

2. The audit’s scope did not look at the application, if this had been reviewed by a lawyer conversant with contracts and unincorporated trust the result would have been different.

3. Aim of the audit.. Again MAF looked at AWINZ(**Generic**) it did not look at the fact that AWINZ could be more than one group of persons , **they failed to define AWINZ** therefore they did not know what they were looking at. Had they audited the Approved organisation it would have been different.

4. MAF assumed that the charity **Group 5** and the approved organisation **Group 2** were one and the same, however they have no evidence of this and I believe the connection has been made due to both having the same name and the confusion which Mr Wells had built around it .

f. Page 7 “Neil Wells (AWINZ Secretary and Chief Executive Officer) **Group 5** was the only person formally interviewed” Neil Wells was the only person involved, he wanted to create the confusion as to the identities of all AWINZ’s being the same , he had a lot at stake he would not have allowed anyone else to have been interviewed as this would have brought out issues.

1. “AWINZ Trustees had been involved in a series of court proceedings” the trustees **Group 5** were not involved in court action, persons posing as trustees **Group 4** were.

2. “Neil Wells was unwilling to allow MAF’s auditors to sight all AWINZ papers “secrecy was the key to the concealment of this fraud.

3. AWINZ does not have offices. Neil Wells arranged for the Audit to take place at AWW offices Wells was rebranding the council premises to look like AWINZ , [Document 41](#) there were no other offices, council at the time denied that AWINZ operated from their premises.

- g. Page 8 It was not the purpose of this audit to investigate fraud, the auditors had no concept of trusts and were satisfied to talk to a group of “ trustees for an AWINZ “ No one ever considered if these persons were the law enforcement authority or not.
- h. Page 9 MAF refer to the conflict of interest of Wells
- i. Page 11-12 Wyn Hoadley a barrister has been key to this deception, she is a well-known person and a barrister, her reputation has blinded many to this deception. I have no idea why she is involved, she is either corrupt or Wells has something over her. Her status and involvement must not play part in any investigation only the facts should matter. Note that her report is not signed, there is therefore no evidence that she wrote it or supported the expressed views.
- j. Page 13. The charitable status of the trustees of the 2006 deed **Group 5** gave credibility to the fact that these persons were the approved organisation **Group 2**, there is warped logic here which is revealed below under the heading **Identity fraud**
- k. Page 14-15 deals with the lack of meetings and the manner in which the trustees allegedly communicated with each other. MAF did not consider the implications of lack of compliance with the deed. They were blinded by the deeds and did not even consider just who AWINZ was at any given time.
- l. Page 16 -17Wells claims that AWINZ enters into MOU’s with the various film companies, again if there are no resolutions no meetings how can the trustees be involved. The only one involved and the only one using the name AWINZ pre 10 may 2006 was Neil Wells. **Group 2**
 - 1. Again Wells withheld vital information as to disclose the documents regarding employment, contracting and invoicing would reveal too much
- m. Page 18 4.3.2 the branding of the Waitakere Animal Welfare fund – concerns were raised with regards to the lack of transparency, this matter is subject to my complaint to the charities commissions on which they failed to act. [Document 47](#)
- n. Page 20 reveals that Neil is the treasurer, this was essential for this fraud to work as AWINZ and he are one and the same. The minutes referred to to give legitimacy to the actions were not valid minutes as they were never signed by the chair person
- o. Page 20 on these pages are worth reading bearing in mind that these were as a result of an audit in 2008 when the trustees of this charity **Group 5** had not had a meeting since July 2006 **Group 4** and supposedly had ongoing litigation and invoices from lawyers [document 43](#) . It is an excellent audit of the charity, unfortunately for MAF the charity **Group 5** and the Approved organisation **Group 2** were not one and the same.

Identity fraud

1. Through our successful registration [document 23](#) we conclusively proved that AWINZ the law enforcement authority **Group 2** had no corporate status. The first move by Wells was an attempt to bully us into changing our name so that he could then set up another trust and register the name. Thereby covering up his perfect fraud. - Up to this point AWINZ had been regarded By MAF and acted as though it was a body corporate, based on the trust which they had in Mr Wells’s word because of his close association with them.

2. When intimidation did not work Court action was threatened, it was taken by a resource management lawyer, the husband of the law clerk who had first harassed me by phone.
3. The action was taken as Wyn Hoadley, Neil wells and Graeme Coutts as trustees of the animal welfare institute of New Zealand **Group 4**, AWINZ was referred to as AWINZ 2000 **Group 3**, this trust was later referred to as AWINZ **generic** and always treated as though it was a body corporate.
4. In True DARVO fashion my company, Verisure Investigations Limited was considered my alter ego rather than a separate legal entity.
5. Effectively the court proceedings were successful because of the identity fraud and the perjury involved.
6. The various groups are
 - a. **Group 1. The so called Oral trust** – the concept of an Oral trust was raised by wells in his evidence to overcome the hurdle of the date on the deed being 1.3.2000 and he application for approved status being 22.11.1999. (He later said to the court that there was a second application but this was blatantly false, but no one cares about lies in court.) this group is
 - i. The potential trustees who came together in 1998 recruited by Neil Wells [Document 4](#) to consider the trust deed which included the Waitakere city council [Document 5](#)
 - ii. In court Neil Wells was to refer to this trust as an oral trust and claimed that the application was made on behalf of these people, this could not have been the case as not one of these people signed the application and the deed they came together under and the deed which was later purportedly signed differed. (I did not locate this deed until 2009)
 - b. **Group 2. The applicant for the approved status AWINZ**
 - i. No one signed the application, there was only a covering letter signed by Neil Wells as trustee , no trust existed at this time .
 1. 23 Wallis v Sutton [Document 40](#) *Litigation involving unincorporated associations is notoriously difficult when it is not done by way of representative action.*

Unincorporated bodies are lawful but legally non-existent. As Fletcher, in *The Law Relating to Non-profit Associations in Australia and New Zealand* p.187 puts it: "**Legal issues arising from their activities are justiciable provided they can be presented without attributing a corporate character to the association.**"
 - ii. Wells makes blatantly untrue statements on the application stating that the trust has been formed by way of trust deed when the reality is no deed exists.
 1. Judge Joyce was to say that Wells got ahead of himself but since then I have discovered other documents in which he made the same statement
 - iii. The reality was that the approved status application and the granting of the approved status was made only to Neil Wells who used the Pseudonym AWINZ.

1. The application was a fraudulent [document 9](#)
 2. He made false claims of incorporation to the minister [document 12](#)
 3. He misled the minister as to the nature and existence of AWINZ [document 14](#)
 4. Wells acted in every manner as though he was AWINZ, no other person was involved in the decision making, signing of documents or managing assets.
 5. His intention to deceive is supported by the business plan which he drafted in 1996 [document 1](#) this shows that he intended using trading named and the business model was for himself not something to share with others.
- c. **Group 3. The Trustees of the trust dated 1.3.2000.** [document 10](#)
- i. In his affidavit Didovich claims to have driven to each trustee independently to obtain their respective signatures, they therefore did not meet, they did not pass any resolutions and did not appoint any one to act for them.
 - ii. We do not know when the deed was signed only that Mr Wells wrote the date in afterwards and according to Mr Didovich's affidavit [Document 48](#)
 - iii. These persons did not meet at all while their deed was valid proof of this is the fact that MAF in the audit report recorded that there had only ever been four meetings, there have been accounted for and are dated
 - a. [Document 24](#) refers to a meeting June 2004 **Group 4**
 - b. The meeting 10 may 2006 [Document 24](#) **Group 4**
 - c. Telephone meeting 13 July 2006 [Document 28](#) **Group 4**
 - d. Meeting 14 August 2006 [Document 30](#) **Group 4**
 - iv. The deed [document 10](#) requires them to be reappointed after three years, there were no meetings in this time frame. 1.3.2000-1.3.2003 and therefore no re appointments of trustees
 - v. They held no assets and did not have a bank account refer [Document 19](#), Wells states he has just opened a bank account.
 1. In 2007 I found that Wells was the only person to operate this account and have access to it.
 2. Wells was allegedly the settlor of this trust therefore no assets were moved into the trusts control.
 - vi. Two "original" deeds were produced for this trust in court in 2008 as a consequence to the earlier settlement conference where an "original" deed was produced but which did not resemble the copy [Document 10](#) which had been provided (note that the copy was never a certified copy.)
 1. To overcome that issue we were told that there was another original because the other copy had been misplaced.
 - vii. This Trust deed had a chequered history it was more often lost than present and has replicate itself into a number of versions

1. Allegedly signed 1.3.2000 [Document 10](#) it was missing 28 days later [Document 12](#), when it was supposedly sent off for registration under the charitable trust act, however I was never registered as we proved by the successful registration of our trust .
2. It was missing on 10 May 2006, when it is again referred to in the singular on the minutes [Document 24](#)
3. I eventually requested a copy of the trust deed which MAF held [Document 11](#), and found that the middle pages had been swapped and the deed they held was not the same as the signed one. [Document 10](#) they received this deed [Document 11](#), in 2006
4. The deed [Document 10](#) was dated 1.3.2000, this was conclusive proof that the persons who signed that deed were not the applicants for the application [Document 9](#) dated 22.11.1999 and that on 22.11.1999 no trust deed existed.

e. **Group 4. The litigants in the court action**

- i. Neil Wells Wyn Hoadley and Graeme Coutts first came together on 10 May 2006 [Document 24](#)
 1. According to the minutes the deed was missing
 2. Wyn Hoadley who Neil Wells had predicted to become chair person in April [Document 22](#), is appointed as trustee and chairperson under a section number which is not shown in the deed and without showing any transparent process of voting or seconding.
 3. Section 4 of the Charitable trust act , which sets out how new trustees are appointed is not complied with
 4. The minutes are not signed
 5. The minutes are more like a briefing than minutes of a meeting of an organisation which purports to be a law enforcement authority.
- ii. There is no formal discussion of voting on the concept of appointing a lawyer for the litigation or the application of the charitable funds.
- iii. These persons purportedly have two more meetings [Document 28](#) and [document 30](#)
 1. In true DARVO fashion I am blamed for the resignation of two trustees
 2. Tom Didovich who has been involved as Mr Wells's accomplice and always acting for Waitakere city council becomes a trustee. (he has long since left the council)
 3. Reference is made to locating the trust deed "*Neil advised that the original signed deed had been located in a file held in a security safe*" Note that this is again singular.
 4. Again the minutes are unsigned

- iv. The entire proceedings are invoiced out by Brookfields as AWINZ and the cost of the litigation taken on by these three people before they form a trust are billed to the charitable objectives of the charity formed 5 December 2006 for invoices see [documents 43](#) and [45](#)
 - v. During this time the Charities act came into force and at the end of 2006 Mr Wells on behalf of AWINZ applied for charitable status [Document 32](#) as MAF somehow believed that this had bearing on accountability and legal existence [Document 33](#).
 - vi. Mention is made in the minutes that *“AWINZ has not been registered under the Charitable Trusts Act to date, this needs to be organised. IRD approvals required.”*
 - vii. The statement *“It was agreed to seek charitable trust approval with IRD and Charitable Trust Act”* proves that it was our registration under the act which stood in the way of Mr Wells’s intention to cover up this fraud.
 - viii. It would appear that the IRD rejected the application and a new deed was required. This deed as signed 5 December 2006 [Document 32](#) and claimed to be a continuation of the deed dated 1.3.2000. [Document 10](#)
- f. **Group 5. The trustees of the deed dated 5 December 2006 which became the charity**
- i. This trust which included Tom Didovich , the former manager Waitakere city council dog control who had acted as an accomplice to Mr Wells in obtaining the approved status under section 122 of the animal Welfare act and had financed the venture with council funds [document 4](#) (by way of a sample) and signed the MOU with Mr Wells [Document 16](#). He also obtained and witnessed the signatures of the trustees of the 2000 deed [document 48](#)
 - ii. It was this trust which gave the appearance in court of being “the Organisation”AWINZ. AWINZ was always referred to as though it had corporate status and the various groups were never considered.
 - iii. You have to wonder how this deed came about as there is no meeting which records the amendment of the deed , there is no evidence at all that section 16 of the 2000 deed was complied with – the evidence is that all meetings are accounted for and there was no meeting which sought to change the deed.
 - iv. The Charities register show the funds being used to fund the litigation, litigation from which Mr Wells directly benefited by some \$57,500 personally.
 - v. The charities funds were used to pay for litigation which was not theirs and to pay for collecting the funds for Wells and the litigants.
 - vi. False statements were made in the accounts falsely claiming to have placed a caveat over my property and falsely claiming that funds were still outstanding when they had been repaid. As set out in [document 47](#)
 - vii. It is also of note that these trustees ignored this 2006 deed.
 - 1.The assets were not held by the trustees these were still in Wells control

2. They did not meet or act in accordance with the deed as by August 2008 this trust had existed nearly 2 years and there were no meetings. Refer audit report reference to meetings page 14 point 4.1.2 [Document 36](#),
- viii. This charity was first registered as such on 28/09/2007. In its application for charitable status it supplied the 2006 trust deed.
1. There were no meetings which record the intention of the trustees to become a charity. Mr Wells files all documents for charitable status
 2. The term of appointment is 5 years. This is now up have they been reappointed?
 3. The board shall meet not less than twice per year yet when MAF audited the law enforcement authority which claimed to be the trust, in 2008 they recorded that there had only ever been 4 meetings as I have shown these were accounted for, therefore the new deed had not had any meetings under it by 2008.
- ix. This was the group which was audited by MAF and assumed to be the same as all other groups which came before it. In reality they are connected only through a common name.

Complaint to charities commission

1. In January this year I made a complaint to the charities commission with regards to the charitable returns, it sets out many of the issues I have raised here and also the misappropriation of charitable funds and other issues which will be of note to you while assessing this review. **Document 33**.
2. The charities commission have advised me to refer this to you under section 58 charitable trust act.
3. In 2013 Mr Wells made submissions on the new animal Welfare bill, he did so while not disclosing his own involvement with the law enforcement capacity which appears odd. I have made comments worth noting on my blog which will assist in this enquiry <http://www.transparency.net.nz/2014/05/12/neil-wells-distances-himself-from-awinz/>

Summary

This Request for attorney General and is to examine and inquire into the nature and objects, administration, management, and results thereof, and the value, condition, management, and application of the property and income belonging thereto of the following groups who all claim to be a charitable trust

Section 58 (1) charitable trust act

Group 1

Nature: persons who came together informally with a proposal to form a trust pending new legislation [Document 3](#), [Document 4](#), [Document 5](#).

Objects: to set up a trust with Waitakere city council to facilitate animal welfare functions

Administration: proposed trust incorporated under the charitable trust act.

Management: Neil Wells nominated himself but no formal resolutions were made

Results: never formed, Waitakere city was removed from the concept by Neil Wells.

Property : Nil

Group 2.

Nature: no trust existed false allegations to the crown by Neil wells that a trust had been formed by way of trust deed and was being registered under the charitable trust act 1957
[Document 9](#)

Objects: To obtain law enforcement authority to facilitate his business plan [Document 1](#)

Administration: solely by Wells using council staff and resources as colluded with Tom Didovich

Management: Neil Wells

Results: obtained coercive law enforcement powers under the Animal Welfare Act section 121 Approved Organisations.

Property :

Value: Law enforcement powers

Management: Neil wells

Application of the property: used Council infrastructure resources, vehicles and staff , funds obtained from a charity used to pay for litigation to conceal the fraud

Income belonging thereto: Banked into bank account National Bank of New Zealand Mount Albert Account Number: 060968006747700, obtained charitable funds in excess of \$100,000 from defunct charity beauty with compassion.

Group 3.

Nature: Trust deed signed on unknown date when Tom Didovich the manager of Waitakere city council drove to the respective trustees and obtained their signatures. Date inserted after by Neil Wells [document 48](#)

Objects: officially: to provide animal welfare [Document 10](#).

Unofficially: to provide a smoke screen to conceal the fraud of the approved organisation application.

Administration: supposedly a board, however the trustees never met

Management: Neil Wells used the existence of the deed for this trust to make it appear that an organisation existed

Results: never met during the time of their appointment, passed no resolutions, and did not appoint any one to act on their behalf terminated 1.3.2003 when no property was held and trustees were not reappointed.

Property: Nil

Group 4.

Nature: no trust deed existed these persons came together when Questions were being asked about AWINZ the law enforcement authority and had been proved not to exist through the registration of an identically named trust [Document 23](#)

Objects: To force the registered trust to give up its name [Document 26](#)

To discredit me so that I would not be believed.

To create an appearance of an organisation existing.

Administration: Wells Hoadley and Coutts

Management: Wells Hoadley and Coutts

Results: took legal action [document 29](#)

Property:

Value: nil

Management: Neil Wells / Wyn Hoadley

Application of the property: used the pretence of being the law enforcement authority to mislead the courts so as to conceal fraud.

Income belonging thereto: No income but incurred costs through lawyers [Document 43](#) & [Document 45](#) , \$57,500 costs awarded in favour of Neil Wells ,effectively money laundered the charitable funds through the court proceedings.

Group 5.

Nature: a charitable trust was required by MAF due to the fact that incorporation not being possible [document 31](#)

Objects: To become a charitable trust , give an appearance of being the law enforcement authority

Administration: trust board but had not met in the first 2 years of existence

Management: Wells Hoadley Coutts and Didovich

Results: used charitable funds attributed to this trust to pay for the litigation of group 4

Property:

Value: nil

Management: Neil Wells / Wyn Hoadley

Application of the property: used the pretence of being the law enforcement authority to mislead the courts so as to conceal fraud.

Income belonging thereto: claimed to have income in charities records, falsely claimed to have placed a caveat over my property and continue to claim outstanding sums when they had been paid prior to the end of their 2013 financial year and the annual report 2013 being filed .

References

Doc 1	15/01/1996	Territorial authority Animal welfare services.pdf
Doc 2	10/09/1997	No 1 bill animal welfare considered by select committee
Doc 3	Jan-98	Wells puts forward the concept of a trust and nominates himself as key administrator
Doc 4	30/11/1998	Wells invoice for recruitment of trustees
Doc 5	15/12/1998	Wells records his proposals with regards to the trust and encloses the proposed deed note that this includes the council as a trustee and settlor
Doc 6	17/06/1999	Wells registers the National animal welfare trust a name which he had suggested . This is registered with a Canadian and an unlocatable NZ'er.
Doc 7	22/08/1999	Wells on behalf of AWINZ files notice of intent with regards to approved organisation status
Doc 8	28/10/1999	Wells and Didovich apply for funding to the community wellbeing fund while falsely claiming that AWINZ exists.
Doc 9	22/11/1999	Wells makes application for approved status for AWINZ under section 121 of the animal welfare act
Doc 10	1/03/2000	Date on which the Awinz trust deed was allegedly signed (as supplied in 2006)
Doc 11	1/03/2000	copy of MAF deed sent to MAF in 2006
Doc 12	25/03/2000	Wells tells minister that trust deed has been sent off
Doc 13	18/01/2001	gazette notice for AWIZ inc
Doc 14	29/01/2001	Wells corrects minister to say it is a trust , he does not say that it is not incorporated
	1/03/2003	Date on which the AWINZ trust ceases to exit by its own terms
Doc 15	4/12/2003	MOU signed by Neil Wells with MAF on behalf of AWINZ
Doc 16	20/01/2004	MOU Waitakere signed by Neil Wells on behalf of AWINZ & Didovich for council
Doc 17	1/06/2004	alleged first meeting of AWINZ no quorum
Doc 18	1/09/2004	Wells registers the domain name for AWINZ in his own name
Doc 19	14/03/2005	Wells solicits the lord Dowding funds from Beauty with compassion receives in excess of \$100,000
Doc 20	4/10/2005	job application Wells applied for Didovich's job when Didovich has to resign
Doc 21	Mar-06	I commence enquiries with regards to the existence of AWINZ
Doc 22	5/04/2006	Wells contacts council re fundraising states that Wyn Hoadley is to be the new chairperson

Doc 23	27/04/2006	registration of the trust of which I am a trustee, the trust is named the animal welfare institute of New Zealand and we conclusively prove that no other entity by that name exists
Doc 24	10/05/2006	AWINZ MEETING MINUTES 10-05-06 (second meeting ever)
Doc 25	1/06/2006	donation request with Hoadley signing as chair person
Doc 26	21/06/2006	ministry of economic developments advise Wells that his awinz is not a legal entity
Doc 27	9/07/2006	Email to Wyn Wells to Hoadley unsigned purporting to seek authority to commence litigation
Doc 28	13/07/2006	Telephone meeting 13 July note no mention of litigation
Doc 29	18/07/2006	Statement of Claim
Doc 30	14/08/2006	AWINZ meeting 14/8/2006 the fourth and last meeting note that the trust deed (again singular) had been found .
Doc 31	5/12/2006	trustees deed 5 Dec 2006 note there were no resolutions which brought about the changes in the deed
Doc 32	21/12/2006	AWINZ correspondence with IRD showing why deed came about.
Doc 33	1/05/2007	Minutes AWINZ meeting MAF note item 5 MAF required AWINZ to register as a charity by July 2008 , MAF is totally off course by thinking that incorporation has implications on the OIA , they do not consider the implications of lack of independent legal existence.
Doc 34	28/09/2007	Registration of AWINZ 2006 as a charity
Doc 35	11/04/2008	Wells to charities commission relying on the court action as proof that AWINZ existed since 2000, there has never been evidence of this apart from the production of the defunct deeds.
Doc 36	20/07/2009	MAF audit report released late 2011 via the ombudsmen, was withheld at the request of Neil Wells and associates, this document is vital in the unravelling of the sham.
Doc 37	7/10/2009	Wells and those who are posing as the law enforcement authority seek revocation of that status and seeks to have MAF withhold information from me
Doc 38	8/10/2009	MAF to Wells advising him of my OIA request
Doc 39	25-May-11	Wells letter to the law society providing the documents as indicated.
Doc 40		page 23 Wallis v Sutton
Doc 41		Logos of Council and AWINZ
Doc 42		Violations of Power, Adaptive Blindness and Betrayal Trauma Theory Jennifer J. FREYD
Doc 43		AWINZ invoices
Doc 44		Demand for payment into bank account 060 968 0067 4 77 00
Doc 45		Invoices AWINZ 2012
Doc 46		Cost demand payable to awinz
Doc 47		Charities commission complaint misappropriation of funds.
Doc 48		Didovich affidavit
Doc 49		Why the trustees of the 2000 deed were not the approved organisation

Yellow group 2 Green group 3 Orange Group 4 Pink group 5