IN THE MATTER OF
CRIMINAL COMPLAINT By:
Te Kooti Teitei of the Tangata Whenua in Aotearoa
(The Sovereign Māori Peoples Court of Aotearoa NZ)

CASE NUMBER TW/GONZ/NCN/APRIL2015

Plaintiffs:

Tangata Whenua the original landowners of Aotearoa and the First Settlers adjoined with Blue Diamond Investment GLOBAL ACCOUNTS, Global Alpha, Omega 014, represented by, His Excellency Rolando D.F Mananghaya, with Filipino Passport №: EB1324170, administrator holder of Mother title O.C.T.01-4

Versus

Defendants:
Her Majesty Queen Elizabeth the II the Queen of New Zealand and the legally constituted Head of State

The Governor General of New Zealand

The Crown Secretariat

Her Majesty the Queen in Right of New Zealand, an American Corporation registered in 1988 under the New York Securities Exchange Commission;

Government of New Zealand
Former Prime Minister John Key
Current Prime Minister Bill English
Former Prime Minister Helen Clark
The Cabinet of the Prime Minister
The House of Representatives
Caucus
The Chief Justice of New Zealand
The Crown Law Office
The New Zealand Judiciary
The New Zealand Supreme Court
The New Zealand High Court
The Māori Land Court
The New Zealand Police
Her Majesty's Royal Police
Police
All Judges
All Lawyers, Solicitors and Barristers
All Justices of the Peace
Notaries
The Reserve Bank of New Zealand
The New Zealand Treasury

The New Zealand Companies Office including all Incorporations, Trusts and Entities thereof and therein.

All Municipalities and Local Bodies
Te Puni Kokiri
The Māori Trustee Corporation Sole, Ministry of Justice, New Zealand under Te Puni Kokiri
Ministry of Justice
Ministry of Primary Industries
Accident Compensation Corporation
Accident Compensation Commission
Department of Internal Affairs
Ministry of Health
Ministry of Education
Ministry of Corrections
New Zealand Corporation's Office
Ministry of Health and Disability Services
Ministry of Housing Corporation New Zealand
Housing New Zealand
Ministry of Social Development
Ministry of Immigration New Zealand
Inland Revenue
Ministry of Security and Intelligence Service (NZIS)
New Zealand Transport Industry
Tertiary Education Commission
Ministry of Business Innovation and Employment
Office of Treaty Settlements
Child Youth and Family
Te Oranga Tamariki
Department of Corrections
Commerce Commission
Department of Conservation
Colonial Services
Ministry for Culture and Heritage
Customs New Zealand
Ministry of Defense
New Zealand Army
New Zealand Navy
New Zealand Air Force
New Zealand Customs and Excise
Disability Support and Advocacy Services
Earthquake Commission
Electoral Commission
Government Organization Complaints Investigations
Ministry of Business Innovation and Employment
New Zealand Transport Agency
New Zealand Media Corporations
Work Safe New Zealand
Te Reo Whakapuaki Irirangi (Māori Broadcasting Funding Agency)
Te Taurawhiri

New Zealand Māori Council
New Zealand Māori and Indigenous Council

Aotearoa Fisheries
Te Rūnanga O Ngai Tahu
Te Rūnanga O Ngāpuhi
Tuhoronuku
Te Rūnanga O Muriwhenua
Te Rūnanga O Ngāti Whatua
Ngāti Whatua Trust Board
Orakei Trust Board
Maunga Whakahi
Ngā Rima
Te Rūnanga O Raukawa Inc
Te Rūnanga O Ngāti Awa
Te Rūnanga O Ngāti Porou
Te Rūnanga O Mataa Waaka
Te Rūnanga O Ngai Te Rangi
Te Rūnanga O Te Rarawa
Te Rūnanga O Ngāti Whare
Te Rūnanga O Kirikiriroa
Te Rūnanga O Te Toa Rangatira
Te Rūnanga O Ngāti Pikiao
Te Rūnanga O Moeraki
Te Rūnanga O Waihao
Ngāti Haua Iwi Trust
Ngāti Rehua - Ngāti Wai Ki Aotea Trust
New Zealand Māori Council
Ahu Whenua Māori Land and Agriculture
Waka Umanga (Māori Corporation Office)
Māori Media Network
Tainui Māori Trust Board
Statistics New Zealand
Māori Education Foundation
This includes all companies, divisions, subsidiaries and derivative organizations set up to empower the said government and non-government organizations.

CRIMINAL COMPLAINT for:
Fraudulent land conveyances, theft, fraud using deceptive practices under color of law; fraud resulting in malicious and psychological torts; fraud resulting in deprivation of rights and breaches of fundamental human rights; fraud resulting in genocide; fraud by setting agendas within the health system to deprive Tangata Whenua of proper health care and the acts of injecting Tangata Whenua with lethal injections; fraud by inciting racism and promoting institutionalized racism; fraud relating to imprisonment, high rate of recidivism leading to a disproportionate representation of Tangata Whenua in the prison system; fraud by legislating to supply illicit drugs and the promotion of illicit drugs and psycho-active connederoid synthetic drugs resulting in high rate of suicides and premature death amongst juveniles and young adults; fraud by lowering of censor standards promoting promiscuity and homosexuality to destabilize the maori whanau (family) unit leading to the destabilization of the tribe/s; fraud by theft of language and mono-cultural learning; fraud by the theft of the foreshore's and seabed and ancestral fishing grounds; fraud by ecoside which is soil and carbon degradation and contamination; fraud by pollution of waterways by pine forest contamination and cross contamination of waste water resulting in depletion of natural food sources; fraud by deprivation of rights to employment leading to the disproportionate representation of unemployed Tangata Whenua; fraud by depletion of native forests – 75% of native forests have been extracted changing land use to farming leaving mass land pollution with Giardia and other poisons; fraud by social and economic deprivation; fraud by allowing the formation of "For Profit Corporations", to break down the entire fabric of Tangata Whenua society; fraud by the removal of Tangata Whenua from ancestral lands into pepper pot housing; fraud by the malicious defamation and character assassination of Tangata Whenua by the Intelligence Agencies; fraud by the provision of sub-standard housing leading to mould and the inclusion of asbestos related products in the homes leading to high rate of toxic emissions and highly flammable materials further putting Tangata Whenua families at risk.

INTRODUCTION:
The Tangata Whenua have absolute Sovereign authority and power in Aotearoa (NZ). This Sovereignty was predicated by the signing of Te Whakaputanga O Ngā Rangatira O Ngā Hapu 28th October 1835 (The Declaration of Independence 28th October 1835), it was also reconfirmed with the signing of Te Tiriti O Waitangi 6th February 1840 (Te Tiriti O Waitangi 6th February 1840). There exists no mechanism in law for Tangata Whenua to obey, or be bound, or be liable or obligated to the "for profit corporation servant settler government laws".

This Motion is also impelled by the mandate of the New Zealand Bill of Rights Act 1990, Public Act 109 No. 109 of 28 August 1990, hereinafter "The Act," which asserts that The Act is designed "to affirm, protect and promote human rights and fundamental freedoms in New Zealand; and to affirm New Zealand's commitment to the International Covenant on Civil and Political Rights", including the affirmation made by the servant settler government to the United Nations Declaration on the Rights of Indigenous People passed on Thursday, 13th September, 2007.

To what extent the Defendants violated, breached and broke The Act also determines the contours of this Motion.

The Chronicle of the List of Atrocities and Grievances accompanies this Motion. According to the Bill of Rights, it applies only to acts done:

(a) *by the legislative, executive, or judicial branches of the "for profit corporation" Servant settler government of New Zealand; or,*

(b) *by any person or body in the performance of any public function, power, or duty conferred or imposed on that person or body by or pursuant to law.*

It is thus unequivocally clear that the Defendants acted in consort in pursuance of a common intent to defraud and deprive Tangata Whenua (People of the Land) of their basic and fundamental rights as guaranteed in The Act.

This Motion constitutes a consolidated action representing the claims and grievances of the Tangata Whenua against the "for profit corporation" servant settler government of New Zealand, the Crown, its ministries, government departments, agencies and instrumentalities for wanton acts of fraud perpetrated against the Tangata Whenua since the first Europeans set foot on these ancestral lands, to the present.

The injustices against the Tangata Whenua have not ceased since the first contact. It has gotten worse as if a master plan is being hatched to annihilate the Tangata Whenua who have traditionally enjoyed absolute and uninterrupted enjoyment of their ancestral lands since time immemorial while practicing the concept of communal property fortified in and under the doctrine of usucapion (Latin: ownership due to lengthened possession), one of the first principles of English Common Law that was imported wholesale into Aotearoa (New Zealand).

It is undeniable that the servant settler government of New Zealand chooses not to utilize the word and concept of usucapion as it would be awkward and difficult to come to terms with the "WANTON FRAUD", under color of law, to knowingly appropriate and alienate Tangata Whenua land, air and water without the consent and approval of the original owners. The rule of law is the inexorable yardstick with which the "Parliament of New Zealand" knowingly, promulgated statutes that have been unconstitutionally and unconscionably enacted. These Fabian tactics at passing laws enable the servant settler government to commit fraud and plunder at will under the color of law perpetrating mass land confiscations and also by non-payment of rates by Tangata Whenua resulting in confiscation of Native land, air and water. Statutes take on chameleon-like characteristics as they struggle to sound fair and balanced and yet favor only the "servant settler government of New Zealand" by fraudulent means. The Act, Part 2, Section 19 (freedom from discrimination) and Section 20 (Rights of minorities) have been blatantly breached irrespective of whether or not the government fully complies with the Bill or not. The fact is the Bill of Rights is written into New Zealand Law.

This Kooti Teitei is empowered to review all these grievances and to render an Order that will establish the rule of maori law and the role of justice in the civilized realms of traditional and customary law of the Ancients as guided by God the Creator. Part 2, Section 13 of the Act affirms and acknowledges "freedom of thought, conscience and religion." The Tangata Whenua shall continue to maintain their God-given rights notwithstanding The Act. The Tangata Whenua taha wairua (spirituality) teaches and guides them to obey God and to refrain from accepting unjust man-made laws. This is unequivocally evident and abundantly clear in Exodus Chapter 2, Old Testament, Holy Bible.

ISSUES PRESENTED:

1. The Tangata Whenua do not and will not recognise the "for profit corporation servant settler government" of New Zealand as they are a fraudulent entity and a American "for Profit Corporation" registered under the Security Exchange Commission of the United

States. Te Tiriti o Waitangi 6th February 1840 (Te Tiriti o Waitangi 6th February 1840) is very explicit in its intent as the only recognized authority in conjunction with the Tangata Whenua and the Queen of England and her servant settler government. The current entity "Her Majesty the Queen in Right of New Zealand" also known as the "Crown" is merely an American "for profit corporation" masquerading as a government. Consent of the Traditional Chiefs was never sought in conformity with the wishes of Tangata Whenua and in compliance with tikanga Māori and International law. When the first government had its beginnings in 1852 in the United Kingdom, the name of the New Zealand Company was changed to become the New Zealand government. Upon arrival in New Zealand, elections were initiated and in 1856 the first Government was elected. Antiquated, anachronistic, and unjust laws should not put forth its soiled hands from its grave to guide the path and destiny of Tangata Whenua today.

2. The laws, rules and regulations of the entity known as "Her Majesty the Queen in Right of New Zealand" (aka "the crown") and/or the servant settler government of New Zealand are of no consequence or effect, worth, and value to traditional Tangata Whenua beliefs, customs, traditions and "mores".

3. Tangata Whenua refuses to be acculturated and acclimated to Anglo-Saxon customs, traditions, "mores" and beliefs of the "corporation".

The Tangata Whenua demand that the "for profit corporation", servant settler government of New Zealand and the local bodies and municipalities pass laws with all deliberate speed to relinquish their unlawful and fraudulent land, air and water claims on ancestral lands premised upon the Tangata Whenua. Laws relating to land rates and taxes, income taxes and other limitations and restrictions are merely impositions of a fraudulent entity that are designed to alienate the rights of the Tangata Whenua.

Te Whakaputanga O Ngā Rangatira O Ngā Hapu 28th October 1835 (Declaration of Independence 28th October 1835) by Te Wakaminenga O ngā Rangatira O Ngā Hapu 28th October 1835 (the hereditary Chiefs of the Confederation of United Tribes 28th October 1835) and the then King of England was unequivocal in its vision, mission and provision that they are to be left alone and treated as Sovereigns. The immigration document signed on the 6th February 1840 more commonly called "Te Tiriti o Waitangi" (Te Tiriti o Waitangi) did not diminish the absolute monopolistic authority and power of the Confederation of Hereditary Chiefs. Issues are to be resolved by open dialogue between the two sovereigns in England and Aotearoa instead, the "for profit corporation" and the servant settler government of New Zealand "knowingly" have usurped their servant mandate and they have stolen the mandate and power of attorney of the Queen of England and have fraudulently inserted their own entity, thereby "knowingly" perpetrating the FRAUD. It has "knowingly" passed laws, rules and regulations aimed at eroding, diminishing and totally eradicating Tangata Whenua Sovereign Rights. That was and is not the intent, content, extent, scope, scale, effect and impact of the original Te Tiriti o Waitangi signed between the two Sovereigns (The Queen of England and her current successor Queen Elizabeth II). The "for profit corporation" servant settler government of New Zealand seems to epitomize the adage that "power corrupts, and absolute power corrupts absolutely."

The Waitangi Tribunal on the 14th of November 2014 confirmed to the utter dismay of the "for profit corporation" the servant settler government that the Tangata Whenua did not cede, abrogate or surrender Sovereignty to her majesty the Queen of England, nor to the "for profit corporation" Servant settler government of New Zealand. When the February 1840 Te Tiriti O Waitangi (Te Tiriti

O Waitangi) was signed Tangata Whenua did not cede sovereignty nor did they capitulate, neither did they sign a surrender document as a result of an act of war.

International law is unequivocal on this issue that, treaties concluded between a settling power with native peoples are to be liberally construed in favor of the natives as they would have understood them at the material time when they were being negotiated.

The Parties to a treaty cannot be subjected to the vagaries of language translation, transliteration, interpretation and the spins and twists of linguistics. Each has to identify, determine, evaluate and apply their thoughts into words or actions that signifies and symbolizes agreement, understanding and acceptance of the terms of the document. Tangata Whenua believes that the original Te Tiriti o Waitangi (Te Tiriti o Waitangi) was an immigration document enabling the British Navy to disembark and commence commercial operations and to set up a rule of law to control the British settlers. Under the United Nations agreements for colonial governments the term "quanta preferendum" states that "when there is a foreign language the rule of law must err in favour of the native language." Why would the Tangata Whenua allow aliens upon their soil if the ultimate plan was one of cessation and surrender of Sovereignty? What if 300,000 Tangata Whenua had arrived in warships at Plymouth, England, to settle and claim Tribal Sovereignty over England? The Englishman's home is his castle and he'd rather spill blood than give up his castle.

The Tangata Whenua, as a people are absolutely proud of their heritage and their land and soil. They will not sit idle as these injustices multiply with ferocity with the unleashing of legislative imperatives using the color of law to give credibility to the "wanton fraud and theft" of our ancestral lands, air and water. Tangata Whenua will resist by all means necessary.

The "for profit corporation" servant settler government of New Zealand, public and private corporations must "Cease and Desist" from using native and cultural symbols, logos, insignias and other representations of the Tangata Whenua as we wish to enjoy a marked and distinct separatism from the Anglo-Saxon race. Prior permission and consent must be sought hereafter for the use of these talismanic rights that have deep spiritual value. Hence all usages without exception of any cultural and intellectual property rights past, present and future must cease and an adequate remedy sought.

Plaintiff's rights emanate from ancient principles of the Plaintiff's sovereign rights law, disciplines, traditions, where custom is held as law - consuetudo est pro lege servatur. This first principle of law enunciated in Plaintiff's ancestral and customary rights are violated and breached with reckless disregard for the rule of law.

The rights of the Plaintiff were ignored with impunity and abject hypocrisy. New laws enacted by the Defendant's are not supposed to be construed as a right to interfere with vested rights as enjoyed by the Plaintiff. This is expressed in Latin as debet non praeteritus. Another first principle of law stipulated by the Plaintiff in law books for all to abide by and adhere to. A Norman law which gained traction from the Magna Carta of 1215 mandates that exterus non habet terras (foreigners and aliens hold no lands); and the law of a certain territory may be safely disregarded outside that territory (extra territorium jus dicenti impune non paretur). When the Defendants chose to invalidate its own laws by abject disobedience, it is nothing but a self-inflicted wound that fails to heal. This Claim by the Plaintiff will cleanse that festering wound when justice cries out from the annals of neglected history.

APPLICABLE LAW AND ARGUMENT:

The Act is a valid law passed by Parliament. If its observance is strictly to be recognized in its breach, it is a matter of utmost urgency to set the scales of justice right. The rights of the Tangata Whenua have been injudiously, maliciously, acrimoniously, unjustly, unconscionably and knowingly violated by the Defendants in direct violation and breach of Part 2, Section 27 of The Act which provides thus:

RIGHT TO JUSTICE:

(1) Every person has the right to the observance of the principles of natural justice by any tribunal or other public authority which has the power to make a determination in respect of that person's rights, obligations, or interests protected or recognised by law.

(2) Every person whose rights, obligations, or interests protected or recognised by law have been affected by a determination of any tribunal *or other public authority has the right to apply, in accordance with law, for judicial review of that determination.*

(3) Every person has the right to bring civil proceedings against and to defend civil proceedings brought about by the "for profit corporation" servant settler government and to have those proceedings heard, according to law, in the same way as civil proceedings between individuals. Accordingly, the Māori Nation has the right to seek justice and a legal remedy from competent legal and lawful forums in the International arena.

Part 3, Section 28 of: ***The Act*** provides thus;

Other Rights and Freedoms not affected:

An existing right or freedom shall not be held to be abrogated or restricted by reason only that the right or freedom **is not included** in this Bill of Rights or is included only in part.

The Act is very unambiguous in that land rights not mentioned or enumerated therein are not to be dismissed or ignored as irrelevant to a claim by Tangata Whenua especially aboriginal titles that have been totally subsumed by other Acts of Parliament in direct breach of the provisions of The Act.

New Zealand was the second jurisdiction in the world to recognise aboriginal title, but a slew of extinguishing legislation (beginning with the New Zealand land confiscations) left the Tangata Whenua with little to claim except for river beds, lake beds, foreshore's and seabed. The grand design and master plan was to deprive the Tangata Whenua from surviving as a race by keeping them away from successful economic and sustenance pursuits without "for profit corporation" servant settler government aid and assistance. We hereby challenge the "for profit corporation" servant settler government 's assumed right to steal all land in Aotearoa by attaching their map to the land with survey pegs and issuing corporate titles for the same, thereby creating the contrivances for stealing Tangata Whenua owned land.

In 1847, in a decision that was not appealed to the Privy Council, the Supreme Court of the colony of New Zealand recognized aboriginal title in R. v Symonds (1847) NZPCC 387. The decision was based on common law and the Treaty of Waitangi (1840). Chapman J went farther than any judge - before or since - in declaring that aboriginal title "cannot be extinguished (at least in times of peace) otherwise than by the free consent of the Native occupiers (Id. at 390). "Whatever may be the opinion of jurists as to the strength or weakness of the Native title, whatsoever may have been the past vague

notions of the Natives of their country, whatever may be their present clearer and still growing conception of their dominion over land, it cannot be too solemnly asserted that it is entitled to be respected, that it cannot be extinguished (at least in times of peace) otherwise than by the free consent of the native occupiers." (NZPCC 388)

His colleague on the bench Justice Martin, similarly ruled that the Crown's title to land within the colony was subject to the aboriginal rights of Tangata Whenua which could only be removed through voluntary Act by the Native Owners (page 395 of R v Symonds). And yet, Defendants chose to not follow their own laws and decrees and findings of their own courts. This is pure hubris and hypocrisy. It may have been held thus in 1847, but theft is theft even in 2017. When such criminal activity goes unpunished, it is deemed acceptable behavior and conduct, and the attendant danger of becoming public policy as ratified by the Defendant to the detriment of the Plaintiff.

The doctrine of the separation of powers was invoked when the New Zealand servant settler parliament responded with the Māori Lands Act 1862 and the Native Rights Act 1865 which established the Native Land Court (today the Māori Land Court) to hear aboriginal title claims, and - if proven - convert them into freehold interests that could be sold to Pākehā. That court created the "1840 rule," which converted Māori interests into fee simple if they were sufficiently in existence in 1840, or else disregarded them. Oakura (1866) (unreported) (CJ Fenton); Kauwaeranga (1870) (unreported). The right of ownership of land due to lengthened possession (Latin: usucapion) is an English common law doctrine that cannot be denied as incorporated into the Defendant's jurisprudence deemed and ordained as a first principle of law. Another first principle of law under the *Defendant's* jurisprudence stipulates that *"usucapion*" was instituted so that there would be an end to lawsuits - *usuacpio constitutia est ut aliquis litium finis esset*. Tangata Whenua have been unjustly, unconscionably and unceremoniously denied their rights to tribal lands even if the Torrens system was introduced into law and practice.

William Blackstone's *Commentaries on the Laws of England* which were imported into New Zealand declares the same first principles in ***Latin:*** **adversus extraneous vitiosa possession prodesse solet** - prior possession is good title of ownership against all who cannot show a better title. This Kooti Teitei is of the opinion that Tangata Whenua has always enjoyed the right of prior possession. These first principles are extracted from international law often cited and quoted as civilized law.

Qui prior est tempore potior est jure - he has better title who was first in point of time. Another first principle of law that recognizes, validates and acknowledges Tangata Whenua rights to land and soil, and yet the ***Defendants*** chose to ignore their own laws that were enacted. This Kooti Teitei is of the considered opinion that you cannot have law without order. It is order first and then law. Once these two elements coalesce, there is justice which separates the chaff from the wheat - the truth from fiction; the right from wrong.

4. Symonds remained the guiding principle (Re Lundon and Whitaker Claims Act 1871 (1872) NZPCC 387, until Wi Parata v the Bishop of Wellington (1877) 3 N.Z. Jur. (N.S.) 72. Wi Parata undid Symonds, advocating the doctrine of terra nullius and declaring the Treaty of Waitangi unenforceable. Mabo v. Queensland (No.2) undid terra nullius by overruling Milirrpum v. Nabalco Pty Ltd (1971). First principles of law were ignored and summarily vacated with reckless disregard for the truth and the rule of law. Wi Parata represents the antithesis of what is always fair and good - called justice, expressed as a Latin first principle: Id quod semper aequum ac bonum est ius dicitur.

The Privy Council disagreed in Nireaha Tamaki v. Baker (1901) A.C. 561 and other rulings (Te Teira Ta Paea v. Te Roera Tareha [1902] A.C. 56 and Wallis v. Solicitor-General for New Zealand [1903] A.C.

173, but courts in New Zealand continued to hand down decisions materially similar to Wi Parata, e.g. Hohepa Wi Neera (1902) 21 NZLR 655. Comfort, solace and safety was to be found in the doctrine of stare decisis as the preferred currency of the realm – not fairness and true justice. The Privy Council was understandably aroused by the first principle symbolized in Symonds expressed in Latin as electa una via, non datur recursus ad aliam – once you pick a path, it is unwise to go to another. New Zealand courts were prepared to pick random paths based on personal judicial choices with a cavalier disposition.

5. The Coal Mines Amendment Act 1903- Witrong v. Blany (1608) Davis 28 (conquest of Ireland) and the Native Land Act 1909 declared aboriginal title unenforceable against the Crown. Eventually, the Privy Council acquiesced to the view that the Treaty was non-justiciable - Hoani Te Heuheu Tukino v Aotea District Māori Land Board [1941] A.C. 308. The executive allows the legislature to venture on a frolic of its own when the Native Land Act of 1909 assumed millstone around the neck proportions for the Tangata Whenua. The "independent" judiciary became pliant and decided to favor the Crown to the utter detriment of the Tangata Whenua and the rule of law.

Favorable court decisions turned aboriginal title litigation towards the lake beds- Tamihana Korokai v Solicitor-General (1912) 32 NZLR 321, Re Lake Omapere (1929) 11 Bay of Islands MB 253; but the Tangata Whenua were unsuccessful in claiming the rivers - Re Lake Omapere (1929) 11 Bay of Islands MB 253; the beaches - In Re Ninety-Mile Beach [1963]; and customary fishing rights on the foreshore - Keepa v. Inspector of Fisheries; consolidated with Wiki v. Inspector of Fisheries[1965] NZLR 322. "Stave them off, starve them, stall them, stop them" seems to be the Defendants general attitude toward the Tangata Whenua.

The Limitation Act 1950 established a 12 year statute of limitations for aboriginal title claims (6 years for damages), and the Māori Affairs Act 1953 prevented the enforcement of customary tenure against the Crown. The Treaty of Waitangi Act 1975 created the Waitangi Tribunal to issue non-binding decisions, concerning alleged breaches of the Treaty, and facilitate settlements.

6. *Te Weehi v Regional Fisheries Office* (1986) was the first modern case to recognize an aboriginal title claim in a New Zealand court since *Wi Parata*, granting non-exclusive customary fishing rights - *Te Weehi v Regional Fisheries Office* (1986) 1 NZLR 682.
The Court cited the writings of Dr Paul McHugh and indicated that whilst the Treaty of Waitangi confirmed those property rights, their legal foundation was the common law principle of continuity. The Crown did not appeal *Te Weehi* which was regarded as the motivation for Crown settlement of the sea fisheries claims (1992). Subsequent cases began meanwhile – and apart from the common law doctrine – to rehabilitate the Treaty of Waitangi, declaring it the "fabric of New Zealand society" and thus relevant even to legislation of general applicability - *Huakina Development Trust v Waikato Valley Authority [1987] 2 NZLR 188.*

7. *New Zealand Māori Council v Attorney-General* held that the Servant settler government owed a duty analogous to a fiduciary duty toward the Māori - *New Zealand Māori Council v Attorney-General* (1987) 1 NZLR 641; *New Zealand Māori Council v. Attorney-General* (2007) NZCA 269.

This cleared the way for a variety of Treaty-based non-land Tangata Whenua customary rights - *Tainui Māori Trust Board v Attorney-General* [1989] 2 NZLR 513 (coal); *Te Runanganui O Te Ika Whenua Inc Society v Attorney-General* [1990] 2 NZLR 641 (fishing rights); *Ngai Tahu Māori Trust Board v Director-General of Conservation* [1995] 3 NZLR 553 (whale watching).

By this time the Waitangi Tribunal in its *Muriwhenua Fishing Report* (1988) was describing Treaty-based and common law aboriginal title derived rights as, complementary and having an 'aura' of their own.

8. Circa the Te Ture Whenua Māori Act 1993, less than 5% of New Zealand was held as Tangata Whenua customary land. In 2002, the Privy Council confirmed that the Māori Land Court, which does not have judicial review jurisdiction, was the exclusive forum for territorial aboriginal title claims (i.e. those equivalent to a customary title claim) - *McGuire v Hastings District Council* [2000] UKPC 43; [2002] 2 NZLR 577. If sovereignty means anything in the English common law doctrines of usage, it means the Tangata Whenua needs to adjudicate its own personal, private and public affairs in its own unique tribal Kooti Teitei systems.

9. In 2003, *Attorney-General v Ngati Apa* overruled *In re Ninety Mile Beach* and *Wi Parata*, declaring that Tangata Whenua could bring claims to the foreshore in The Maori Land Court. *Attorney-General v Ngati Apa* [2002] 2 NZLR 661; *Attorney-General v Ngati Apa* [2003] 3 NZLR 643.

The Court also indicated that customary aboriginal title interests (non-territorial) might also remain around the coastline. The Foreshore and Seabed Act 2004 extinguished those rights before any lower court could hear a claim to either territorial customary title (the Māori Land Court) or non-territorial customary rights (the High Court's inherent common law jurisdiction). That legislation has been condemned by the Committee on the Elimination of Racial Discrimination. The 2004 Act was repealed with the passage of the Marine and Coastal Area (Takutai Moana) Act 2011.

10. Plaintiff has been denied the receipt of property taxes based on tribal lands and soils which are owned outright by the Plaintiff since time immemorial.

11. Defendants have unjustly paid no rents or adequate compensation for the use of tribal lands for the construction of roads and highways; airports; hospitals; houses; golf courses; commercial buildings; Department of Conservation land, Ministry of Agriculture and Fisheries land, Lands and water ways, Foreshore's and sea beds, Ministry of Forestry lands and forests, Geothermal Energy Corporation land and facilities, Hydro power facilities, Recreational water ways, Ministry of Recreation land, Ministry of mineral resources, mining and exploration, Water and mineral water, Natural gas, Airwaves, Ancestral lakes and rivers, Killing of flora and fauna with pollution and industrial waste, farm poisons and artificial fertilisers, sewerage and 1080 poisoning and by subjugation of Tangata Whenua to take pittance settlements for claims, driving and luring Tangata Whenua from their ancestral lands under urbanization including the theft of foreshore and seabed to the extent of the exclusive economic zone in addition it includes air and space, radio waves, sound waves, travel , satellite tracks and communications. This is blatantly fraud and purely theft that cannot go unpunished.

12. Plaintiff has been subjected to harsh and unjust laws with utter disrespect to tribal laws which have their beginnings in antiquity. All court judgments issued by the Defendants' courts are hereby deemed illegal and unlawful as are their parliamentary laws that exhibit no respect, reverence and regard for Plaintiff's tribal laws.

13. Defendants have jeopardised the Plaintiff's safety and security by signing military treaties with other countries, especially the United States which has been targeted by terror groups. This irresponsible act has placed Aotearoa and the Plaintiff on high alert. The Australian New Zealand United States (ANZUS) Pact is one such affront to Plaintiff's efforts to sustain and maintain true Tribal

Sovereignty. The Trans Pacific Partnership Agreement TPPA is an absolute affront to Māori Sovereignty and the Tangata Whenua will discard it, shun it, and reject it in all its forms.

14. Plaintiffs have been subjected to unjust and unconscionable laws to apply for land titles, birth certificates, death certificates, driver licenses, passports, business licenses, probate laws, and such other unlawful "for profit corporation" servant settler government practices and activities which have stripped Tangata Whenua of all semblance of dignity. Suitable remedy must be sought.

15. Part I, Section 7 of The Act empowers the Attorney-General of New Zealand to report to Parliament if any Bill or proposed legislation is not on all fours with The Act. It is manifestly evident that the Attorney-General has failed in his duties to prevent the passage of laws that are detrimental and disadvantageous to the Tangata Whenua. The Attorney-General has thus confronted with malfeasance, misfeasance and nonfeasance.

- *Part 1, Section 7: Attorney-General to report to Parliament where Bill appears to be inconsistent with Bill of Rights;*
- *Where any Bill is introduced into the House of Representatives, the Attorney General shall;*

(a) in the case of a servant settler government Bill, on the introduction of that Bill; or

(b) in any other case, as soon as practicable after the introduction of the Bill, bring to the attention of the House of Representatives any provision in the Bill that appears to be inconsistent with any of the rights and freedoms contained in this Bill of Rights.

16. Te Tiriti O Waitangi recognize the absolute monopolistic power and authority "Tino Rangatiratanga" over all Taonga Tuku Iho created given Rights, Treasures and Assets of Value, small or large, great or miniscule, to all resources in the land, the sea and the forest. Te Tiriti was clear in its mission, its purpose and its intent. The "for profit corporation" servant settler government has absolutely reneged, stolen, committed, blatant fraud by stealing, patenting, copyrighting, claiming ownership to assets, forestry, forest rights, cutting rights, extraction rights, and interests following the line of added value. Additionally stolen flora and fauna, tampering with the biological makeup, molecular makeup, including the theft of copyright and theft of all semblance of Cultural and Intellectual property rights. Whereby they have attempted to disenfranchise, alienate and assimilate Maori in to the Anglo-Saxon Society thereby committing the greatest acts of fraud.

RELIEF SOUGHT

1. To make Queen Elizabeth II accountable for her breaches to Te Tiriti O Waitangi, her failure to protect the safety and wellbeing of the Tangata Whenua, her neglect for the Maori Nation and being able to take care of themselves and their dependents, her lack of benevolence and that she has allowed her servant government to ravage, subjugate, plunder, disenfranchise, alienate, steal, and commit other fraudulent acts and heinous crimes upon the Maori People and to wrest them from their heritage of land, sea and forest. To take away their Mana (Pride without an egocentrical core), their dignity, their sense of wellbeing, placing them in to a total form of compromise where they are left without hope, purpose or foresight.

2. Application to be made to have her Majesty the Queen in Right of New Zealand entity which

is set up under the Securities Exchange Commission in the USA, to be STRUCK OFF, deregistered, rendered incapable, including any/all derivative companies or entities set up to perform the different functions of the entity "Her Majesty the Queen in Right of New Zealand".

3. Defendants to issue a public apology to the Tangata Whenua for all the past and present transgressions to be broadcast in major media outlets.

4. The Tangata Whenua will cease to use any and all servant settler government of New Zealand issued birth certificates, driver licenses, travel documents and passports, land titles and such other documents.

SO ORDERED BY TE KOOTI TEITEI AND THE COUNCIL

OF TRIBAL CHIEFS AND ELDERS.