

LandsAirWater Counsel Newsletter

The Public Review Begins - Please Bring Receipts

OUR TEAM. THE PUBLIC. A FACTUAL REVIEW OF CROWN CONDUCT.

"The Crown cannot review the Crown. The public must."

Accuracy note: This newsletter uses "Crown" in the ordinary public-law sense of executive government and public administration. The public-review questions are framed as questions requiring records, not as final findings.

THERE COMES A POINT

There comes a point where ordinary people have to stop asking, "Is anyone checking this?" and start asking, "Right, who is supposed to be checking this, and where have they put the file?"

That is where we are now.

LandsAirWater Counsel, I Say So, and our team are moving into a public review of the Crown and the conduct being carried out in its name.

Not a Crown review of the Crown. That would be like asking the fox to audit the henhouse, then accepting a four-digit code as the fox's signature.

This is a public review. We are the public. And yes, we are bringing paperwork. Possibly too much paperwork. But that appears to be the language the system speaks.

FRIDAY SHOWED WHAT OUR TEAM CAN DO

Friday was extraordinary. Not emotional extraordinary. Not dramatic extraordinary. Proper factual extraordinary.

Our team went into court prepared. We had records. We had questions. We had science. We had disclosure issues. We had warrant issues. We had service issues. We had identity issues. We had the little awkward problem of official statements being made as if they were proven facts, when the records did not appear to support them.

The judge was considerate. That matters. I am not legally trained. I am not a lawyer. I was there speaking as an advocate, trying to put forward issues that ordinary people can see clearly but the system sometimes wraps in twenty-six layers of forms, filing rules, and words that need a packed lunch to get through.

The judge helped clarify issues around interpretation. That was important. Because one of the key questions is not complicated: how did Police simply accept MPI's word? Where was the independent check? Who verified the facts before state power was used?

A memorandum of understanding between agencies does not turn assumption into evidence. It does not turn belief into reasonable grounds. It does not make Police a rubber stamp. It does not mean MPI can say "trust us" and everyone else has to pack up their rights and go home.

Police still have duties. MPI still has duties. Crown lawyers still have duties. Courts still require evidence. And the public is entitled to ask: who checked?

THE FOUR-DIGIT CODE PROBLEM

One of the most serious issues raised is the use of numbers instead of clear, accountable names on warrants and enforcement material.

A four-digit code is not accountability. A four-digit code does not answer questions. A four-digit code cannot be cross-examined. A four-digit code does not say who wrote the warrant, who checked the facts, who authorised the action, who executed the action, or who is responsible if the facts were wrong.

If the state enters property, seizes animals, lays charges, causes loss, damages livelihood, or interferes with people's lives, then people are entitled to know who did it and under what authority.

This is not a technical issue. This is a public accountability issue.

If an ordinary person signs a document incorrectly, the system knows how to find them. If a farmer makes a mistake with paperwork, the system knows how to prosecute them. If a person misses a deadline, the system has no shortage of stamps, forms, fees, and letters.

But when officials act under numbers, suddenly everyone becomes a mystery guest. That will not do.

MPI, POLICE, AND THE 'THAT'S ALL RIGHT, MPI IS DOING IT' PROBLEM

I physically went to Police stations to report horse theft. That took time, because quite a few stations were closed. That is its own public-service comedy special, but we will put that aside for now.

The concern reported was simple: horses had been taken. Animals had been interfered with. There were questions about lawful authority, process, records, and certificates.

The response was effectively: that is all right, MPI is doing it.

No. That is not an answer.

"MPI is doing it" is not a warrant. It is not proof of lawful authority. It is not an animal welfare certificate. It is not evidence. It is not a magic spell.

If animals are taken, moved, destroyed, interfered with, or put down, there must be process. There must be records. There must be lawful authority. There must be proof. There must be names. There must be accountability.

A Crown agency does not become lawful merely because another Crown agency says so. Police are not there to accept everything at face value because MPI is involved. Police are there to uphold law, prevent harm, and act properly.

THE HORSE MATTER: WHEN HELP BECAME PROSECUTION

The horse matter remains one of the clearest examples of why this review is needed.

Kathy was the original owner and breeder. These were not random animals. They were loved, trained, valuable, rare, and well-natured horses. They were part of a breeding programme and a livelihood.

There had been severe flooding. That is not a small detail. Flooding affects land, fencing, feed, access, animal movement, records, money, health, and safety. In that context, the first question should have been: what help is needed?

Instead, the Crown response became prosecution. MPI did not arrive as support. MPI arrived as enforcement.

When a person is under natural-disaster pressure, animal-welfare pressure, land pressure, financial pressure, and then enforcement pressure, the system should be very careful before calling itself helpful. Because from the public side, it can look a lot like persecution wearing a hi-vis vest.

The breeding programme was broken. Pressure increased. Others became involved trying to help. The horses were transferred and moved through people who were trying to deal with the practical situation on the ground. Then the pressure continued.

The question is not whether MPI has a logo. The question is whether MPI has evidence. The question is not whether MPI has powers. The question is whether those powers were used lawfully, fairly, and for the purpose they were given.

NAIT, TAGS, CATTLE, AND THE CRIME OF TRYING TO FIX A MISTAKE

The cattle and NAIT issues show the same pattern.

Assertions were made about animals and movements. But NAIT tags can fall off. Records can be wrong. Systems can record things incorrectly. Real life on land is not a spreadsheet sitting quietly in Wellington.

A farmer trying to correct records is not automatically a criminal.

Phone calls were used against her. But when those calls are listened to properly, the issue appears to be that she was trying to correct mistakes. She was trying to explain what was wrong. She was trying to sort it out.

There is a difference between deliberate wrongdoing and trying to fix an inaccurate government record. That difference matters.

If agencies cannot tell the difference, then the public has to ask why. And if agencies can tell the difference but prosecute anyway, then the public has to ask a much bigger question.

THE PUBLIC HEALTH BILL QUESTION: WHO MAKES A DEAL TO CAUSE HARM?

We have also been told that a health-related bill, or change under public-health law, may proceed despite concerns it could cause harm, because some form of deal or commitment has already been made.

That needs to be pinned down. Not shouted. Pinned down.

Which bill? Which clause? Which deal? Who made it? Who gave advice? Who warned of harm? Who accepted that risk? Where is the regulatory impact statement? Where is the Cabinet paper? Where are the submissions? Where is the legal advice? Where is the public-health advice? Where is the evidence that public safety was put first?

Because the obvious question is this: who makes a deal that may cause harm to the very people they are meant to protect?

That is not a rude question. That is a governance question.

No public official, Minister, department, agency, Crown lawyer, council, or contractor has authority to bargain away public safety and then say, "Sorry, deal's done." The public is not a side effect. The public is the point.

THE CROWN CANNOT REVIEW THE CROWN

This is why LandsAirWater Counsel is moving into a public review.

The Crown cannot properly review the Crown if the Crown controls the questions, the evidence, the timeframes, the witnesses, the disclosure, the legal framing, and the conclusion.

That is not a review. That is a meeting. Possibly with sandwiches.

This review must be public-led. No Crown lawyer, Crown entity, Crown agency, or Crown-connected decision-maker should control the inquiry. They may provide records. They may answer questions. They may explain decisions. They may identify the legal authority relied on.

But they do not get to mark their own homework.

THIS IS NOT ABOUT REVENGE

This public review is not revenge. It is restoration.

We want people restored to their homes. Restored to their land. Restored to their animals. Restored to their records. Restored to their businesses. Restored to their lives. Restored to a system where public agencies help the public do their jobs better, not create events that cause harm, prosecution, stress, debt, loss, and displacement.

Police, MPI, councils, and Crown agencies are meant to serve the public. They are not meant to become event creators. They are not meant to generate money through harm. They are not meant to turn administrative mistakes into prosecutions. They are not meant to turn flooding into cruelty charges. They are not meant to turn wrong records into criminal intent. They are not meant to turn numbers on warrants into invisibility cloaks.

If the agencies acted lawfully, they can show the records. If they had evidence, they can produce it. If they checked the facts, they can show how. If they acted fairly, the documents should reflect that. If they had authority, they can identify it.

If they caused harm, they can explain why it was lawful, necessary, proportionate, and evidence-based. And if they cannot do that, then the public is entitled to know.

OUR TEAM

I am proud of our team. Not because we are perfect. Not because we know everything. Not because we have titles, robes, letters, offices, or funding.

I am proud because our team checks. Our team reads. Our team listens. Our team asks the annoying question. Our team asks for the missing document. Our team notices when the name is wrong. Our team notices when the warrant has a number but no accountability.

Our team notices when the science does not support the statement. Our team notices when a person is being blamed for trying to fix a record. Our team notices when "public service" starts looking like public harm. And our team keeps going.

This work exists because of everyone who came before, everyone helping now, and everyone who will step forward next.

LandsAirWater Counsel is not just a name. I Say So is not just a website. This is public accountability in motion. It is ordinary people saying: show us the proof.

Not because we are difficult. Because proof is the minimum requirement.

WHAT WE ARE REVIEWING

Review Area	Public Review Question
Agency reliance	Whether MPI, Police, councils, or Crown lawyers rely on each other without independent verification.
Anonymous identifiers	Whether warrants and enforcement documents use numbers instead of clear, accountable names.
Disclosure	Whether disclosure is delayed, scattered, buried, withheld, or made unusable.
Science and records	Whether official statements are checked against scientific records, source documents, and chain of evidence.
Homes, land, animals, business	Whether people are being removed from homes, land, animals, vehicles, income, or family life without proper evidence.
Public health and risk	Whether public-health changes are proceeding despite known risks, and whether the public has been shown the advice.

PUBLIC CALL: BRING RECORDS

We are not building a shouting match. We are building a record. If a Crown agency, Police, MPI, council, lawyer, receiver, contractor, or delegated officer has caused harm, loss, prosecution, removal, seizure, or pressure, we want the documents.

Letters	Emails	Warrants	Invoices
Charges	Disclosure requests	OIA responses	Council notices
MPI documents	Police records	Court papers	Animal records
NAIT records	Certificates	Risk assessments	Photos
Videos	Audio	Proof of loss	Proof of service or no service

FINAL WORD

Friday showed what is possible when our team stands together. The judge listened. The issues were raised. The questions were put. The interpretation points are now being worked through.

The four-digit code issue is serious. The MPI and Police reliance issue is serious. The disclosure issue is serious. The horse matter is serious. The NAIT and cattle issue is serious. The public-health bill question is serious. The public review is serious.

But serious does not mean miserable. We can do this calmly. We can do this factually. We can do this with humour. We can do this with records. And we can do this together.

LandsAirWater Counsel. I Say So. Our team. The public.

The review begins. Bring receipts.

- Tracy
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