

Honour the Treaty – Embrace the Royal Charter

By Ross Baker, Researcher, One New Zealand Foundation Inc.

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Until we give Queen Victoria's Royal Charter/Letters Patent dated the 16 November 1840 the recognition it deserves, part-Maori, with the help of government, will continue to distort the Treaty of Waitangi to give them special rights not mentioned in the Treaty. By the 21 May 1840 the Treaty of Waitangi had fulfilled its purpose; New Zealand was declared British Sovereignty under the dependency of New South Wales.

There is no doubt, the chiefs knew they had given up their territories and governments in the Treaty as it was fully explained to them in the Preamble, *"Now the Queen has been pleased to send me, William Hobson, a Captain in the Royal Navy, to be Governor of all places of New Zealand which may be given up now or hereafter to the Queen"*, but the Preamble of the Treaty is completely ignored by government only using the three articles as our Treaty of Waitangi.

The Preamble is the most important part, as in any document of this nature, it explains the articles or clauses of the Treaty. It's very difficult to distort the Treaty if we referred to the Preamble but since the Waitangi Tribunal was established, the Preamble has been completely ignored in virtually every government publication, including Te Papa, which has allowed the Treaty to be continually distorted. **The**

Preamble is part of the Treaty of Waitangi and must be read in conjunction with it to fully understand the meaning of the Treaty!

Queen Victoria or Lt Governor Hobson did not have the authority or instructions to give tangata Maori advantage or privilege not already enjoyed by the people of England and none were given.

Sir Apirana Ngata confirmed this in his book, **"The Treaty of Waitangi – An Explanation"**, *"The chief's place in the hands of the Queen of England, the Sovereignty and authority to make laws"*.

Queen Victoria's Royal Charter/Letters Patent, completely ignored by our governments, ratified the Treaty by making New Zealand into a British Colony with its own Governor and Constitution to form a Government to make laws with court and judges to enforce those laws. The Royal Charter being written in English cannot be distorted as the Treaty written in Maori has been for over 170 years.

Lt. Governor Hobson was sworn in as our first Governor on the 3 May 1841 and the first sitting of the Legislative Council (Government) was held on the 24 May 1841.

The Gazette Notices and Proclamations that followed the Royal Charter set out exactly how New Zealand was to be governed; under one flag and one law, irrespective of race, colour or creed.

Unfortunately, the more books written about the Treaty of Waitangi the more powerful and distorted it becomes. While we must **honour** the Treaty of Waitangi for giving Great Britain sovereignty over all the Islands of New Zealand and tangata Maori the same rights as the people of England, we must **embrace** Queen Victoria's Royal Charter/Letters Patent that separated New Zealand from New South Wales making New Zealand into a British Colony with its own Governor and Constitution to form a Government to make laws with court and judges to enforce those laws, irrespective of race, colour or creed.

Queen Victoria's Royal Charter/Letters Patent, our true Founding Documents and first Constitution.

The 3 May, the day we must all celebrate as our Independence Day!

For further information, Click on "Royal Charter" in the column on the right.

Customary Rights to Indigenous People But Maori are not Indigenous to New Zealand

The Ministry of Justice book entitled, "Recognising Customary Rights" is based on Maori being the Indigenous people or tangata whenua of New Zealand but there is no explanation or definition of these people in the Glossary.

The Glossary on page 24 states, "**Customary marine title (CMT)**. Comes from a common law concept that recognises property rights of indigenous people that have continued since or before the acquisition of Crown sovereignty to the present day. It is inalienable – the land cannot be sold – and cannot be converted to freehold titled Recognises the relationship that exists, and will continue to exist, between iwi, hapu and whanu and common marine and coastal areas".

After many years of research by the One New Zealand Foundation Inc and many others, we can find no information to support Maori are the indigenous people or tangata whenua of New Zealand. In fact all the information and evidence we have on file confirms Maori were not the indigenous people of New Zealand.

The evidence we have on file that Maori are not the indigenous people of New Zealand or tangata whenua.

1. When Rev Henry Williams and his son Edward translated Lt. Governor Hobson's final English draft of the Treaty into the Maori language, they use the term, "tangata Maori" to define the people that sign the Tiriti o Waitangi. Both Rev Henry Williams and his son must have known after living in New Zealand for 23 years, that Maori were not the indigenous or tangata whenua. All 500 plus chiefs that signed the Tiriti o Waitangi as tangata Maori as they knew they were **not** tangata whenua! This is only a modern concept by part-Maori to claim Customary Rights!

2. In the, "**1986 New Zealand Year Book**" on page 18, Professor Ranginui Walker, past head of Maori Studies at Auckland University had this to say about the canoe people that arrived in the 14 century, "*The traditions are quite clear on one point, whenever crew disembarked there were already tangata whenua (prior inhabitants). The canoe ancestors of the 14-century merged with these tangata whenua tribes. From this time on the traditions abound with accounts of tribal wars over land and its resources. Warfare was the means by which tribal boundaries were defined and political relations between tribes established. Out of this period emerged 42 tribal groups whose territories became fixed after the signing of the Treaty of Waitangi and the establishment of Pax Britannica*". (Pax Britanica – British Peace). While Professor Walker make a clear distinction between the canoe people of the 14 century and the tanagat whenua, he makes no mention of who the tangata whenua were for the simple reason, we are not allowed to know!
3. After the Minister of Maori Affairs, the Hon Pita Sharples had signed the Declaration on the Rights of Indigenous People on behalf of the people of New Zealand, the One New Zealand Foundation Inc. wrote under the Official Information Act to the following Ministers asking them for the official document defining, "Who are the indigenous people of New Zealand.
4. I have attached the replies from the Prime Minister, Hon John Key; the Attorney General, Hon Christopher Finlayson; the Minister of Maori Affairs, Hon Pita Sharples; the Minister of Foreign Affairs, the Hon Murray McCully and a letter from the Attorney General in response to our OIA request to the Minister of Justice, Hon Simon Power.

5. When the Hon Pita Sharples signed the Declaration on the Rights of Indigenous People in New York, he stated to the United Nations, *“Maori hold a distinct and special status as the indigenous people, or tangata whenua, of New Zealand”*, but when asked, he could not supply a definition of who these people were.

6. We are extremely concerned that the Ministry of Justice has taken for granted that Maori are the Indigenous People of New Zealand or the tangata whenua when all the evidence we have on file, including the Tiriti o Waitangi and the attached Minister’s letters say the Government does not have a definition of the Indigenous People of New Zealand or tangata whenua.

If Maori were the Indigenous People of New Zealand, which there is no evidence to prove they were, how can they honestly claim to be today when they have continued to intermarry with other race of their own free will until most now only have a minute trace of Maori ancestry and no longer live by their Maori culture?

Before the Customary Rights debate proceeds, the people of New Zealand must have an “official” definition of the Indigenous People of New Zealand, supported up with forensic evidence.

Compiled by Ross Baker, One New Zealand Foundation Inc.
www.onenzfoundation.co.nz (12/8/2015)



Office of the Prime Minister

Prime Minister
Minister of Tourism

Ministerial Services
Minister in Charge of the
NZ Security Intelligence Service
Minister Responsible for the GCSB

15 MAR 2010

Ross Baker
Researcher
One New Zealand Foundation Inc.
Email: rossbaker@austarnet.com.au

Dear Ross Baker

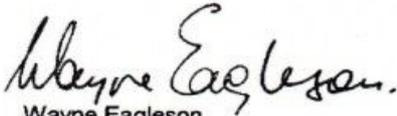
Official Information Act Request Relating to Legal Definition of Māori

I refer to your email correspondence of 14 February 2010 in which you requested *"the 'legal' (The ACT) definition of a Māori person today."*

I am not aware of any information held by this Office that is within the scope of your request. In addition, all New Zealand Acts, Bills and Regulations are available publicly at the website produced by the Parliamentary Counsel Office at: <http://www.legislation.govt.nz>. Accordingly, your request is declined under s 18(d) of the Official Information Act as it is publicly available, if in fact such information exists.

You are entitled to ask the Ombudsman to review this response, under section 28(3) of the Official Information Act.

Yours sincerely


Wayne Eagleson
Chief of Staff



Office of Hon Christopher Finlayson

Attorney-General
Minister for Treaty of Waitangi Negotiations
Minister for Arts, Culture and Heritage

3 June 2010

Mr R Baker
by email: rossbaker@austarnet.com.au

Dear Mr Baker

I write in response to your request under the Official Information Act 1982 received by email on 7 May 2010.

Your request states:

"Could you please supply the Government's official definition of the Indigenous People of New Zealand referred to in the Declaration on the Rights of Indigenous People that the Crown has just signed with the United Nations"

I am declining your request under section 18(e) of the Official Information Act 1982 as this office holds no document that contains this information.

Under section 28(3) of the Act you may, if you wish, write to the Ombudsman seeking an investigation and review of this decision.

Yours faithfully

R.F. May
Senior Private Secretary



Office of Hon Christopher Finlayson

Attorney-General
Minister for Treaty of Waitangi Negotiations
Minister for Arts, Culture and Heritage

7 April 2010

Mr R Baker
by email: rossbaker@austarnet.com.au

Dear Mr Baker

I write in response to your request under the Official Information Act 1982 sent to the office of Hon Simon Power on 2 March 2010, and transferred to, and received by, the Attorney-General's office on 8 March 2010.

Your request states:

"Please supply the "official" definition used by Government today to define who is "Indigenous" to New Zealand to claim against the Crown – the people of New Zealand for alleged injustices."

I am declining your request under section 18(e) of the Official Information Act 1982 as no document exists that contains this information.

Under section 28(3) of the Act you may, if you wish, write to the Ombudsman seeking an investigation and review of this decision.

Yours faithfully

R.F. May
Senior Private Secretary



Office of Hon Murray McCully

Minister of Foreign Affairs

24 June 2010

Ross Baker
Researcher, One New Zealand Foundation
rossbaker@austarnet.com.au

Dear Mr Baker

Official Information Act Request

I refer to your email of 13 June in which you requested the following under the Official Information Act: *"on what grounds, documented or otherwise, did the National Government give Maori the status of being the indigenous People of New Zealand?"*

I am declining your request under section 18(e) and 18(g) of the Official Information Act, on the basis that this office holds no such information, and I have no grounds for believing this information is held by another Minister or department.

Under Section 28(3) of the Act you are entitled to request the Ombudsman to investigate and review the decisions to withhold this official information.

Yours sincerely



Hon Murray McCully
Minister of Foreign Affairs



Office of Hon Dr Pita R Sharples

MP for Tamaki Makaurau
Minister of Māori Affairs
Associate Minister of Corrections
Associate Minister of Education

02 APR 2012

Ross Baker
ONZF@bigpond.com

Tēnā koe Mr Baker

Thank you for your email of 18 March 2012 requesting information under the Official Information Act 1982, about the United Nations Declaration on the Rights of Indigenous Peoples and the New Zealand Government's definition of the indigenous peoples of New Zealand.

I understand that you have previously asked the Attorney General, Hon Christopher Finlayson, for such a definition and were advised that no document exists containing this information. I do not hold a document that defines the New Zealand Government's definition of the indigenous peoples of New Zealand, therefore your request is declined under section 18(g)(i) of the Official Information Act 1982.

However, I would like to reiterate the Government's position of support for the Declaration on the Rights of Indigenous Peoples. This was outlined in my statement to the United Nations on 19 April 2010, whereby I noted that Māori hold a distinct and special status as the indigenous people, or tangata whenua, of New Zealand.

If you are not satisfied with this response you have the right under section 28(3) of the Official Information Act 1982 to make a complaint to an Ombudsman. Kāti mō tēnei wā.

Heoi anō

nā Hon Dr Pita R Sharples
Minister of Māori Affairs

NEW ZEALAND'S FIRST POLITICAL PRISONER



NEW ZEALAND'S FIRST POLITICAL PRISONER

Why Allan Titford was jailed for twenty four years without a fair trial

ONE NEW ZEALAND FOUNDATION INC.

P.O.Box 7113, Pioneer Hwy, Palmerston North. Email: ONZF@bigpond.com.au

Detective Senior Sergeant Rhys Johnston,
Kerikeri Police Station,

Kerikeri.

Dear Rhys,

Open letter.

Re: Why Allan Titford was jailed for 24 years without a fair trial.

Allan Titford was a completely innocent man when he had an "alleged" Treaty of Waitangi claim place on his freehold titled farm at Maunganui Bluff by Te Roroa in 1987. This claim had previously been fully investigated by Chief Judge Shepherd in 1939 and it was found there was no evidence to support the claim and it was rejected by Parliament in 1942. No new evidence was presented to the Waitangi Tribunal but they recommended in 1992 this land be returned to Te Roroa, "At whatever the cost"!

Since this claim was placed on his farm, the Police, the Crown, the Rural Bank and the claimants colluded to harass, intimidate and threaten Allan and Susan Titford and baby Alyssa until they had to flee to Tasmania for safety. Under duress, without legal advice and corrupt documents drafted and executed by the Crown Law Office he was forced to sell his farm to the Crown in 1995 to help settle Te Roroa's "alleged" Treaty of Waitangi claim or declare bankrupt with his father losing his farm as it was held as collateral by the Rural

Bank. We also have a statement from Allan's father where the Crown had offered Allan's father and brother half a million dollars to declare Allan insane and become Power of Attorney to sell Allan's farm. They both refused.

For 25 years, Allan, Susan, the One New Zealand Foundation Inc. and many others have continued to research this claim and the corrupt methods used by the Crown to acquire his free hold titled farm at well below its true value until Susan had had enough, the stress became too much and she and the children decided to leave Allan in 2009 hoping to stay on the farm and take control of his Trust if he was jailed.

In July 2009 Susan submitted a list "Strictly Confidential" to Barrister Greg Denholm alleging Allan had abused her and the children. Greg Denholm said that from this list Allan would possibly get 6 months' jail. While she alleges Allan abused her and the children, she blamed this abuse on the Crown and Police for their continued harassment putting Allan under extreme stress and in ill health.

Once the Crown found Susan was having matrimonial problems in 2009 they became involved giving her immunity and "*Took over changing charges, throwing some out, adding new ones or whatever they think right*", which included rape, arson and sabotaging farm machinery to testify against her estranged husband to clear the Crown of any wrong doing when it "stole" his farm at Maunganui Bluff. These new charges made no mention of the blame Susan had placed on the Crown and the Police in her original list of charges. Susan stating in an email, "*And when they get him they are going to get him for as much as they can*"!

Allan was then charged and acquitted on false charges over the next two years as he was at Maunganui Bluff, his bail conditions stopping him from travelling north of Hamilton to farm his properties in Northland. This resulted in his properties being vandalised, equipment and stock stolen and the value reduced considerably. The Crown were once again stressing him out and trying to bankrupt him but he remained in control, only breaking his bail to help find his children when they ran away from Susan' care.

While the Crown were putting together alleged charges of abusing his children, raping his wife and arson etc. against Allan, Susan was allowing her 14 year old daughter Ulanda to sleep in the same room as her 23 year old boyfriend for nine months before she ran away from home with him. When the Police found her they decided with CYFS to let her stay with the 23 year old boyfriend at his mother's house and she became pregnant. While this was a crime under Section 134 of the Crimes Act, the Police closed a blind eye. Could this be because the Police would look stupid if they laid charges against their main witnesses while they were putting together alleged charges of rape and child abuse against Allan? This sexual violation of a minor far outweighed any of the alleged charges against Allan Titford, so why was it overlooked Rhys? Ulanda has since laid a complaint against the Police for failing to following up on a Protection Order she had against her boyfriend!

At Allan Titford's trial starting on the 2 September 2013 two fundamental principles of our legal system were breached.

1. The criminal justice system must be, and must be seen to be, free from political interference.
2. One of the most crucial aspects of a fair legal trial is the right to call witnesses on both sides.

From the research Allan, Susan, the One New Zealand Foundation Inc. and many others have undertaken over the 25 years since Te Roroa's "*alleged*" Treaty of Waitangi claim was placed on his property at Maunganui Bluff, we can only find Allan Titford standing up for his rights under the laws of New Zealand. The Crown and the Police failed to protect his free hold titled farm, instead using corrupt documents to forcibly take it under duress and without legal advice at well below its true value to help settle Te Roroa's "*alleged*" Treaty of Waitangi claim.

Rhys, the disgraceful acts by the Crown and the Police to acquire Allan Titford's property would be the worst corruption ever seen in New Zealand's history. The Crown and the Police failed to protect an innocent young family and their free hold titled farm, then continued to harass them for another 20 years until they destroyed the family and jailed Allan for 24 years to clear the Crown and Police of any wrong doing.

The Crown and the Police have given the media false information on many occasions to discredit Allan Titford, especially after his recent "kangaroo court trial" but the documents from those involved at the time will never let the truth go away and the One New Zealand Foundation Inc. certainly will not until he gets a fair trial without political interference and he is allowed witnesses in his defence.

The only evidence that Allan Titford had abused his family came from his estranged wife and brother hoping to get control of his Trust and her children that were forced, *"to write stuff about their father they did not understand"*, therefore until he has a fair trial without political interference and he is allowed witnesses in his defence, we will never know the truth.

When Susan's sister-in-law and friend Sheryll Titford found out Allan had been charged for burning down the family home, she phoned Detective Eddie Evans and gave a statement that when she had gone to pay her respects to Susan after her father died, Susan and Alyssa told her Susan's father Graham Cochrane had burnt the house down to get Susan and his granddaughter Alyssa away from the hostilities at Maunganui Bluff. Detective Evans immediately rang Susan to confirm this and when she denied ever saying it, he failed to follow it up or inform Allan's lawyer. Rhys, how many other people could have cleared Allan of any wrong doing if he had been allowed witnesses at his trial?

Rhys, please send this letter to your superiors because no family should go through what the Government and Police put Mr and Mrs Titford and their young family through. A young innocent family destroyed by a Government more interested in settling an *"alleged"* Treaty of Waitangi claim than protecting its citizens. A Government that was prepared to harass the Titford's until they forced Allan to sell his freehold titled farm at Maunganui Bluff at well below valuation, under duress, without legal advice and corrupt documents drafted and executed by the Crown Law Office, then continued to harass them, finally jailing Allan for 24 years to clear the Crown of any wrong doing. We believe the public of New Zealand has a right to know, **Why Allan Titford was**

jailed for 24 years without a fair trial!

While we have already sent you many of the documents to support this letter, please do not hesitate to ask for further copies if required.

Yours sincerely,

Ross Baker.

Researcher, One New Zealand Foundation Inc.

1. To all the people of New Zealand interested in the truth!

P.S. The One New Zealand Foundation Inc. has produced two books, "Stolen lands at Maunganui Bluff" and "Why Allan Titford was jailed for twenty four years". Both books can be purchased from the ONZF, P.O.Box 7113, Pioneer Hwy, Palmerston North. \$10-00 ea. including p&p.

HOW CAN YOU HELP?

You can help restore our justice system by writing an Official Information Act Request to your Member of Parliament or the Minister of Justice,

Below is a sample letter and remember, you do not have to put a stamp on letters to Members of Parliament or Ministers.

The Hon. ????????

Minister of ?????????

Parliament Building,

Wellington.

Dear Sir,

Re: Official Information Act Request.

I have just read the attached "open" letter to Detective Senior Sergeant Rhys Johnston from Ross Baker, Researcher of the One New Zealand Foundation Inc. I have followed Mr Baker's research for many years and have found he is very thorough and always supplies documented evidence to support his research.

Under the Official Information Act,

If Mr Baker's allegations against the government and Police are correct, what action will the government be taking to investigate these very serious allegations supported with documents from those involved at the time?

Yours sincerely,

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