

From: Hugh Steadman [mailto:hugh@prenzel.co.nz]
Sent: Wednesday, 23 November 2016 9:23 a.m.
To: David.Scott@ombudsman.parliament.nz
Subject: Your Ref. 426057 of 11th November.

"The term "Ombudsman" is Swedish and basically means "grievance person". The primary role of the Ombudsman in New Zealand is to investigate complaints against government agencies. ... The Ombudsman also has responsibility to protect whistleblowers and investigate the administration of prisons and other places of detention."

"What can a complaint to the Ombudsman achieve?"

The Ombudsman 'system of justice' is significantly different from that of the Courts and Tribunals. Ombudsman findings are not confined to strict judicial precedent. Instead, the conclusions reached, are founded on what an Ombudsman considers just and reasonable in the particular circumstances of the case."

Dear David,

I have just finished reading Judge Peter Boshier's provisional findings on the Harmon and Carolyn Wilfred complaint (your ref. 426057.) At least the findings are provisional, were written before the outcome of the US election was apparent and are not yet inscribed in stone. As an interested party in the affair, (in that the future of the company, I founded in 1992, could well be dependent on the outcome) I feel entitled to comment and, as a New Zealand citizen and tax-payer, to have my concerns addressed.

My first impression on reading the document was that it was a ruling by a Judge on the technical application of the law of the land, rather than the comments of an Ombudsman acting on behalf of individuals confronting the arbitrary rulings of the state. In particular, I noticed no sensitivity towards a responsibility 'to protect whistleblowers,' nor that of seeking outcomes that the Ombudsman, under the Ombudsman 'system of justice,' ... 'considers just and reasonable.'

Judge Boshier's unquestioning acceptance of the fact that the Minister of Immigration has the legal right to exercise 'absolute discretion,' reads as a standard legal judgment upholding the law of the land. I would, however, have expected an Ombudsman to comment on the 'just and reasonable' manner in which that discretion was exercised, rather than simply to re-affirm that the Minister has carte blanche to impose his arbitrary Diktat (and, it would appear, perfect impunity from the Ombudsman's oversight in so doing.)

In making a 'just and reasonable' assessment of the justice of the Wilfreds' treatment at the hands of successive NZ governments, the government's version of events should not be accepted at face value. The government has a policy to implement that accords with its interpretation of the 'national interest' and will do what it can to manipulate the facts in order to support its policy. As I understand it, in contrast to the government's pursuit of the national interest, the Ombudsman's role is to prioritise the individual's interest over that of the nation and, in so doing, act in the best interests of a nation that has the objective of creating a fair and just society.

In the provisional findings contained in the letter of the 11th November, there appears to have been no attempt to treat Harmon with the special consideration deemed appropriate for whistleblowers. This leads me to suspect that neither the government nor the Ombudsman is prepared to grant him that status (See Footnote 1 below.) It also would seem that no serious attempt has been made to look into the other facts of the case beyond those presented in the files provided to your office by the Government. To judge what is just and reasonable in this instance, the Ombudsman would need to know the reality behind Harmon's statelessness (see Footnote 2 below) and to understand the reasons for the fear that had inspired Harmon and Carolyn to seek safety in NZ (see Footnote 3 below.)

Caught between a rock and a hard place, Harmon renounced his US citizenship, thus becoming stateless. He cast himself on the mercy of the NZ government in search of asylum. His application was rejected, apparently on the grounds that NZ was not going to get off-side with its major ally by formally acknowledging that a US citizen could be in need of his life's protection from one of its government agencies.

Harmon is a genuine whistleblower and as such is entitled to the Ombudsman's special consideration. Instead, the Ombudsman apparently considers it 'just and reasonable' that, by decision of the NZ cabinet, Harmon and his much loved wife should be separated for what might prove to be the rest of their lives. (Given the extent of the NZ cabinet's open commitment to the Hillary Clinton cause, including the ongoing commitment of millions of NZ taxpayer dollars to the Clinton Foundation, <http://www.whaleoil.co.nz/2016/11/mfat-contribute-clintons-pay-play-scam/> I have little doubt the decision to sacrifice Harmon and Carolyn as bearers of witness against the Clintons, is being taken at cabinet, rather than at NZI civil servant level.)

Is it justifiable that such abuse of two blameless individuals' human rights should be condoned by our Ombudsman? The fact that it is apparently (albeit, provisionally) being condoned, leads me to ask whether or not, in this instance, the Ombudsman's office is acting as an independent agency, or simply as an extension of the Government's determination of 'the national interest.' If so, it is now obvious that, on this occasion, the determination of the national interest, has led to the wrong horse being backed and that policies designed to appease a putative Clinton presidency (ease the passage of the TPP?) are now in urgent need of reappraisal.

Harmon, who has recently had significant contact with the Trump team, will be viewed as one of its allies. Should Trump live up to his promise to 'drain the Washington swamp,' (and the initial appointments to his cabinet would indicate that he has that intent in mind) it is not impossible that Harmon will be asked to testify in one of the investigations that might follow Trump's entry into the White House. Circumstances have changed. By stubbornly insisting on continuing with Harmon's and Carolyn's current torment, New Zealand will not be earning any favours from the new Administration.

Yours sincerely,

Hugh Steadman,

Director, The Prenzel Distilling Company Ltd.

PS. The Prenzel Distilling Company, in which Carolyn is a 50% shareholder and has invested over \$300,000, had much of its Christmas stock trashed by the recent earthquake. It seems ridiculous and not in the interest of the national economy, that our major shareholder and future source of expansion capital is not permitted to enter the country to discuss the company's future with our planning team.

Footnote 1. Is Harmon a whistleblower?

Perhaps the Ombudsman does not consider Harmon to be a bona fide whistleblower and thus a worthy subject of his special concern? Should this be the case, he should not base his judgement on the say-so of government agencies with a vested interest in denying Harmon that status, together with the Ombudsman's protection that should accompany it. He should instead obtain his briefing elsewhere. I could provide that, but I am clearly an interested party. I would instead recommend a conversation with David Williams, an investigative reporter on the Otago Daily Times, who has devoted hundreds of hours to investigating Harmon's case and has had telephone conversations with many of the key players in the USA. Williams will vouch for Harmon's bona fides. David has several major articles on this subject due for publication in the ODT before Christmas.

Footnote 2. How Harmon became stateless.

Harmon and Carolyn came to NZ in fear of their lives at the hands of the CIA's internal 'cleaning department.' When, after three years in NZ on a business visa, Harmon's passport expired, he applied to the USA's Auckland consulate for its renewal. The consulate confiscated the passport and told him that, if he wanted it back, he should return to Washington to collect it.

He has extensive personal knowledge of the financial shenanigans of the CIA and President Bill Clinton. The extent of the danger his knowledge posed to both the President and the CIA, inspired direct threats to his life. In view of these threats and his knowledge of other situations in which such threats had been realised, Harmon's rejection of the invitation to return to Washington was understandable. His acceptance of the invitation would not have been.

Footnote 3. Pouring scorn on what the government views as the 'imaginary' threat to Harmon's life.

Extracted from his meticulous archive, Harmon has shown me a written notice (threat) from former US Navy Seal, Michael Austin. Austin was a CIA permanent employee, responsible for the running of Harmon's team, which had been contracted to negotiate the first \$6 billion Mitsubishi note on behalf of the CIA. In this notice, Austin clearly states that should anyone mess up, their lives could be forfeit. While involved in the operation and, no doubt, to ensure that he understood the situation, Harmon was introduced to members of the CIA's 'Cleaning Department,' whose job it was to 'tidy up' after failed operations (and perform sundry other 'wet' jobs.) Subsequently, and since his arrival in New Zealand, Harmon has received occasional 'friendly' 'phone calls from one of its members (none of them recent.)

Reinforcing Harmon's fear, at the time of his decision to turn down the instruction to return to Washington, was his awareness of the CIA's previous form. The CIA's eleven Mitsubishi notes, amounting to more than \$100 billion, to be realised at the rate of not more than one a year, were almost certainly intended to fill the gap in the CIA's extra-Congressional oversight funding that had been left after the collapse of its Mena operation. It was apparent that President Bill Clinton had the intention that his private family finances should also become a beneficiary of the transactions.

http://www.whatreallyhappened.com/RANCHO/POLITICS/MENA/crimes_of_mena.html

The above article is relatively understated. Over and above its contents, Harmon and other CIA contractors would be aware of the multiple conspiracy theories regarding mysterious deaths linked to the CIA's and Governor of Arkansas, Bill Clinton's activities around Mena Airport that are readily available on the Web <http://www.arkancide.com/>

When Harmon applied for Asylum in New Zealand, his application was rigorously investigated. The investigating officer discovered and informed Harmon, that several of his now dispersed team had died under mysterious circumstances around the time of the Wilfreds' flight from Canada. This discovery by INZ was insufficient to alter the NZ government's decision to reject his asylum application.

Footnote 4. Working to present the Wilfreds in the least favourable light.

a. Overstaying and destroying Carolyn's bona fides. The Ombudsman goes to lengths to describe Carolyn's loss of 'bona fides' as a visa applicant, as being due to her having overstayed her NZ business visa. I was privy to much of the debate as to the timing of her departure. All on the Wilfred side of the fence had been given the impression by the INZ that she was in no way committing an offence that could jeopardise her future status should she delay her departure until the date on which she actually left. On the surface, it would seem to me that INZ acted in bad faith and deliberately tricked her into over-staying so that it could be used as a weapon against her and Harmon. INZ's statements on this matter should not be taken at face value.

I find the Ombudsman's seemingly unquestioning acceptance of INZ's ludicrous claim *that "Mrs Wilfred has no family normally resident in New Zealand and hence no reason to visit New Zealand for the purpose of visiting family"* as most extraordinary. I have no reason to believe that the INZ is attempting to argue that Carolyn's legally married husband is not a core member of her family. The INZ bureaucrat responsible for this assertion must therefore, be attempting to split hairs over the definition of 'normally.' However, given that Carolyn's husband, Harmon, has been residing in New Zealand, without a single night's interruption, for the past fifteen or so years (however abnormal the NZ government had chosen to make his formal residential status) how could this weird redefinition of the English language be accepted by the Ombudsman as 'reasonable?'

b. Carolyn's need to return to Canada. Carolyn has a court case for oppression of a minority shareholder due to be heard in Toronto on the 27th February 2017. Her family inheritance, worth approx. C\$50 million, is dependent on the outcome. She is the key witness. How could anyone in INZ claim that she had no convincing reason to return to Canada and how could an Ombudsman possibly support such a claim as being reasonable? Before such comments, together with arguments that her probable inheritance is worth no more than her tax liabilities, were accepted as credible, it would seem a basic step would have been to discuss the situation with the Canadian Revenue Authority and with the head of her legal team in Toronto. These are slack and unreasonable excuses for Carolyn's unjustifiable persecution served up by the INZ. It seems that whatever the national interest behind her mistreatment, it is deemed as being more advantageous to the nation than the potential C\$50 million to be invested in NZ SME's and which INZ seems so determined to reject.

c. Carolyn's investment intentions in NZ. The Ombudsman mentions two such investments, Bellamy's Real Estate and the Prenzel Distilling Company Ltd. He fails to mention the major proposed investment into Carbonscape Ltd., which is the only one of the three investments, already determined by Carolyn's holding company, of which the government has formal knowledge. www.carbonscape.com A high-tech start-up, Carbonscape has been funded by Callaghan Innovation in partnership with the promise from Carolyn of an investment of \$5 million. Though Carbonscape has managed to survive without Carolyn's delayed investment, it is still relying on it for the next phase of its commercialisation. An outside analyst would regard Carbonscape's advanced technology as one of the most exciting developments for the NZ economy. The government, by excluding Carolyn's money, must indeed be desperate to run so counter to its claims of doing its best to nurture NZ businesses.

d. The failure of Carolyn's previous business ventures. No mention is made of the fact that when the Wilfreds settled in NZ, they brought with them C\$5 million, which they invested in two main activities. The first was a VOIP company, ITTelenet. This never realised its full potential. While Harmon was still able to travel on a US passport, he successfully entered the Chinese market and was on the point of signing contracts to make this NZ registered company the first VOIP entrant into the Chinese market. Then, he was forced to abandon his US passport. Given the NZ government's refusal to grant him any alternative form of travel documents, he could no longer return to China to maintain the intense personal contacts essential to doing high-level business in that country and the contracts fell through. Nevertheless ITTelenet continued to trade profitably for many years, paying NZ taxes, before finally selling out to an Australian company in 2015. Though this sale enabled Carolyn to raise funds to fight the Toronto law-case, it also being forced her to abandon her business visa and enable the INS to set about her expulsion.

The second major investment was in a Canterbury social charity, La Famia, which Carolyn founded. It was an exciting and innovative development in the field of charitable funding in NZ. The intention was that it would ultimately become self-funding through the profits generated by a series of satellite businesses, small restaurants, etc. (my company, Prenzel Distilling, among them) of which the charity would be a 50% partner. From the outset it had to combat a series of hostile articles in the Christchurch Press. There were seven articles in toto, all based around the concept of 'rich American overstayers' and written by a journalist who never met, spoke to the Wilfreds, or visited their premises. Despite this public defamation, the charity's bona fides can be judged by the Christchurch City Council's decision to ask La Famia to take over the administration of Floyds Creative Arts Centre. Unfortunately, this, like several of the minor La Famia associated businesses was destroyed in the Christchurch Earthquakes. Many such businesses failed at the time and to pour scorn on Carolyn's civic endeavour as a consequence of this is exceptionally unfair.

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The logo for Prenzel features the word "Prenzel" in a bold, red, sans-serif font. A red star is positioned above the letter 'e', and a red swoosh arches over the top of the word.The logo for Club*Prenzel features the words "Club*Prenzel" in a blue, sans-serif font. A blue swoosh arches over the top of the word "Prenzel".

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