

IN THE DISTRICT COURT OF NEW ZEALAND
HAMILTON

CRI-2021-068-00157

UNDER THE Crimes Act (1961)

IN THE MATTER OF: Obtaining by Deception

BETWEEN: THE QUEEN

AND: Dennis Arthur Smith
Beneficiary of Taumarunui
Defendant

AFFIDAVIT OF DENNIS ARTHUR SMITH

Filed by: Dennis Arthur Smith, Plaintiff.
Address for Service: dennis@dennis.nz
4/2a Para St, P O Box 2, Taumarunui, 3946 NZ

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OK.
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I, Dennis Arthur Smith of Taumarunui, Beneficiary, make oath and say as follows:

Jurisdiction

- 1 I have never given consent to any criminal court to have jurisdiction over me.
- 2 In February of 1979 I gave jurisdiction to another [higher] Entity.
- 3 I do not vote nor do I ascribe to nor endorse the concept of democracy whereby the majority rule.
- 4 Any interaction I have with "The Queen", "Parliament" or "New Zealand Criminal Laws" is therefore undertaken while I am under duress.

Damning Testimony

- 5 I have seen sufficient deception to believe that both the Taumarunui Prosecutor, David Gray, and the Crown Solicitor Jacinda Hamilton have conspired to pervert the course of justice.
- 6 In the first instance, a witness told me secretly that on the late morning of 15 November 2021 David Gray advised him that he would not be required to attend court in Hamilton as the Crown will be "withdrawing the charges", but that this information was to be kept from me.
- 7 In the second instance, the Crown Solicitor held this knowledge from me from 19 November 2021 until 3 December 2021, despite very active efforts on my part to make contact with her.

Private Investigator

- 8 I am a prolific author, blogger and Private Investigative Journalist having published 36 books and over 2.5m words online.
- 9 My New Zealand Private Investigator's license number is PSPLA 004201/2017 ¹

¹ <http://www.writingthewrong.com/about-us/>

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Civil Matter

- 10 The first words I spoke to the attending officers in July 2021 clearly identified the matter in dispute as a civil matter.
- 11 I explained before even identifying myself that they were attending a civil dispute, a matter that arose over disputed ownership of some 'apparently' abandoned scrap steel.
- 12 I do not believe that there is any possibility of confusion or error in this matter as I summarised this by email more than once and receipt and clear understanding of my position as presented in person and by emails has been acknowledged by the Police more than once.

15 Questions

- 13 On the morning of Friday 19 November 2021, I spoke again with Lianna at Hamilton Legal attempting again to speak to Jacinda Hamilton.
- 14 At 13:14 on the same date I emailed to service@hamiltonlegal.nz:

Hi Lianna

As discussed with your team this morning, can I please have:

- 1. A copy of the file notes that the judge wrote on the last appearance in Taumarunui relating to the incorrect spelling of my surname and a jurisdictional issue (my consent not provided).*
- 2. The name of the judge who presided in Taumarunui.*
- 3. An MP3 (or similar digital) copy of the 111 call referenced in Clause 25 of the Statement of the Complainant Joshua HAWKLESS, 18 July 2021.*
- 4. The invoice and proof of payment of the steel referenced on page 5/5 of Constable Laura EDWARDS' daybook in the Statement of the Complainant Joshua HAWKLESS, 16 July*

2021.

5. *The coversheet referred to in Clause 1 of Statement of Kevin Morris, 17 July 2021.*
 6. *A copy of the lease referenced in Clauses 2 & 4 of the Statement of the Witness Kevin MORRIS, 17 July 2021.*
 7. *Confirmation of the time of her departure from 2a Para St, Taumarunui referenced in Clause 6 of the Statement of the Constable Laura MITCHELL, 28 August 2021.*
 8. *All relevant entries in Constable Laura Mitchell's notebook specifically including Friday morning 16 July 2021, and Wednesday afternoon 21 July 2021.*
 9. *Missing notebook entries from Friday afternoon 16 July 2021, Saturday 17 July 2021 and Sunday 18 July 2021 of Sam EDWARDS.*
 10. *Confirmation of the time of Constable Sam Edwards departure from 2a Para St, Taumarunui on Sunday 18 July 2021.*
 11. *All relevant entries in Supervisor Graeme Rumble's notebook specifically including Sunday morning 18 July 2021 and Wednesday afternoon 21 July 2021.*
 12. *The "contract to remove" as described in Clauses 2 & 4 of Statement of Joshua Hawkless, 18 July 2021.*
 13. *An exact description, weights and verification of valuation of the goods claimed to have been misappropriated as described in Paragraph 9 of Statement of Joshua Hawkless, 18 July 2021.*
 14. *The Application for a Search Warrant mentioned in Paragraph 1 of the Search Warrant issued on 21 July 2021 by #9296.*
 15. *The "summary of right to ask for further information" as described under the heading, "Prosecution disclosure duties" on Summons to Defendant, 22 July 2021.*
- 15 I have never received any response to these questions nor to multiple requests for meaningful communication requesting any

person allocated to this case.

16 I came to the conclusion that Jacinda Hamilton did not want to speak to me about any matter and that as I received advice on 19 November 2021 that she secretly planned to withdraw the charges, that bad faith conduct was occurring.

17 My analysis of the above questions is that apart from the first two (which I have found the answers to in other ways) all unanswered questions (Q3-15) are specific clarifications of existing evidence, by way of direct reference detailing the source reference – all within the disclosed documents.

Consequences

18 I am an active professional where public trust is critical to my commercial performance, let alone my personal reputation and standing.

19 It is my belief that the direct and indirect consequences of a charge of a false Category 3 crime of dishonesty have been devastating - both personally and professionally.

20 For example, I could no longer, in good conscience, operate as a Private Investigator thus this has had very serious negative commercial ramifications, past present and most likely also into the future.

21 My professional and personal reputation has and continues to be seriously and permanently negatively affected by these 'false' charges and bad faith conduct on the part of some people with influence within the authorities.

22 Furthermore, faced with this trauma I believed that I had little choice but to elect to resign as Trustee, Chairman and CEO of a Charitable Trust, KCET, a Charitable Trust that I helped to establish in 2019 (King Country Education Trust), causing the trust to lose hope, vision and purpose, let alone losses financially.

23 Furthermore, my plans to work with others to establish other Charitable Trusts have also had to be postponed, perhaps shelved

permanently.

24 Furthermore, renewal of my lease with Colliers who represent LINZ has been negatively affected as a result of these affairs with a key employee of Colliers being asked to be a Police witness unnecessarily and in dubious circumstances.

25 I am arguably a victim of Police bad faith conduct with the charges having been laid knowingly after I commenced civil litigation.

26 I have been subjected to false accusations and changing charges with the investigating officer Sam Edwards and his supervisor Graeme Rumble both exercising aggressive conduct and false & differing accusations, first of Burglary, then of Theft, then of Obtaining by Deception.

27 Throughout the period of this trauma I have also observed the clear appearance of Crown malpractice if not an outright conspiracy:

27.1 The Taumarunui Police Prosecutor David Gray was embarrassed before a DCJ when I asked for his personal identification (I had never previously met him nor spoken to him despite trying many times) and in particular when I noted before the DCJ that disclosure had not been completed properly, as I was then (and still am now) awaiting answer to a formal valuation of the disputed goods.

27.2 The Taumarunui Police Prosecutor David Gray was again embarrassed when I sought his timely forwarding of this file to the Crown Solicitor and revealed his unprofessional and rude conduct.

27.3 The Crown Solicitor Jacinda Hamilton entered into a secret agreement with Taumarunui Police Prosecutor David Gray to withdraw charges weeks prior to informing me.

27.4 The Crown Solicitor Jacinda Hamilton stated (obviously falsely) that she had "reviewed the file" when she clearly hadn't, instead speaking to and getting her 'feed' from Taumarunui Police Prosecutor David Gray .

27.5 The Crown Solicitor Jacinda Hamilton advised the world that in her professional opinion based on the evidence I was guilty of a different crime (previously rejected by Taumarunui Police Constable, Supervisor and Prosecutor) but that she actually recommended withdrawing charges due to COVID-19 delays of a trial.

Acquittal

28 I am a prolific author, blogger and Licensed Private Investigator and am in the process of writing and publishing a book, "Corrupt Cops UNMASKED!!"

29 I do not consider that an Acquittal under s147 achieves my goal of clearing my name.

OK Affirmed
Sworn at Taumarunui on this... 10th day of... January... 2022

Signature..... *Dominic A Smith*.....

Witnessed *N Middleton*
N. Middleton, JP
#11107
TAUMARUNUI
Justice of the Peace for New Zealand



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OK.