Ngahiwi Tangata Whenua Rhys Warren

Ko au te whenua Ko te whenua ko au |

I am the land, the land is me.

Ko Pūtauaki te maunga Ko Rangitaiki te awa Ko Te Pahipoto, Ngati Pou me Ngati Rorooterangi nga hapu

The whakapapa links us to the whenua within the boundaries of our ancestral mountains, and rivers in the local area, they are:

Pūtauaki.

Tarawera.

Maunga Whakamana,

Otitapu,

Pökerekere.

Whakapaukōrero,

Kaputerangi,

Omataroa.

Otipa,

Rangitaiki,

Rākeihopukia.

Te Ahiinanga,

Rotoitipaku,

Te Wai ū o Tūwharetoa.

Their ancestral whakapapa (genealogical) links is their precious unique cultural identity and life giving sustenance, which underpins their right to live peacefully and harmoniously on their customary Mana Whenua lands.

The recognition of belonging to the land, (by personal cultural identity) reinforces the physical, cultural and spiritual well-being, which enhances personal identity, who they are, and how the land owns and keeps them. It reflects the epitome of ancestral mountains and rivers, the essence of spiritual, physical and mental well-being for all tangata whenua (People of the land).

On the 9th of March 2016 a serious incident took place at 158 Onepu Springs Road Whakatane where one of the residents was alleged with shooting four police officers.

The Police shooting at the above address had left Ngāhiwi Tangata Whenua Rhys Warren serving a life sentence with preventative detention as a result of the event, after he was charged with:

(a) Attempting to murder Sergeant White;

(b) Using a firearm against Constable Mauheni;
(c) Wounding Constable Flinn with intent to cause him grievous bodily harm;
(d) Attempting to murder Sergeant Marsh

Effectively, the Police, invaded the home at (158 Onepu Springs Road Whakatane Hereinafter referred to as Address). The outcome (now admitted in the (Independent Police Conduct Authority Report herein referred to as the IPCA Report), with communications breakdown, the Armed Offenders Squad hereinafter referred to as AOS officers gained unlawful entry, by first smashing doors and windows, which then resulted in the firing of 46 shots, inside the house, the most ever fired by Police in New Zealand (in confusing circumstances. This incident happened at the papakainga (home) of Tangata Whenua Rhys Warren which they had staked out by a process of elimination, as their targeted crime scene.

An alleged report stated from the local police to AOS that gunshots were fired at a police spotter plane ignited an overnight Armed Siege at the address. We will show throughout this report that the police evidence was questionable:

An annual Drugs Covert Operation was designated in the Bay of Plenty area and on the 8/03/2016 a caravan and batch in the back section of the property. (see addendum A) below had been identified from the spotter plane growing cannabis on Hapu Trust Land. The second area marked on (Addendum A) was also reported with cannabis from the spotter plane also on Hapu Hapu Trust Block.

Officer Calls and Officer Landaud Landaud

Officer Gabb and Officer Layland were deployed on the 9th March 2016 to investigate the cannabis plots.

Addendum A The photo outlines the Hapu block and boundaries of 160 and 158 Onepu Springs Road.



Officer Gabb assumed that the whenua (land) was owned by 160 and 158 properties. Officer Gabb called in to the police station investigating the residents and found a resident with a police record of unstable mental issues and violent behavior..

Contact to the Whakatāne District Council would have clarified to the police the owners and rate payers of the blocks. With the "state of the art technology, telecommunications, and access to any government resources at their disposal, this fiasco may have been avoided if such a call was executed.

Suffice to say the police only wanted to find someone with the correct profile to warrant police actions.

A plot of cannabis sighted in the Hapu Trust Block from the spotter plane next to the property of the Address "158 Onepu Springs Road Whakatane." The block had high density foliage of blackberry where Officer Gab had been investigating cannabis and stated he had heard 1 shot being fired and hid in the bush. He believed the shot come from a shotgun as he has been involved in guns for many years.

The writer emphasis the point: no shotgun was found or recovered from the address before during or after the incident.

Addendum B



Officer Gabb alleged there was a 2nd shot fired and as he looked he could see a plume of smoke coming from the back door area of the address and heard the door slammed. Looking at this picture below and angle of the water tank located at the back of the door Officer Gabb must have ex ray vision to see the plume of smoke .through the high density blackberries and the water tank shed.

Addendum C Addendum C 1



Officer Layland cut cannabis found from the 1st Hapu Trust Block and dumped onto neighboring property at 160 address awaiting retrieval by a police vehicle..

Officer Gabb went to investigate the 2^{nd} plot on the Hapu Trust Block and trespassed across 160 and 158 properties with no search warrant calling out Police, Police, his calling got no response from either house while crossing the properties. There was an entry point to 2^{nd} plot of cannabis by road but Officer Gabb chose to walk across the properties with the assumption the Hapu Trust Block belonged to the address.

Police Officer Gabb trespassed on Maori Land without permission from tangata whenua and under the United Nations Declaration Rights of Indigenous Peoples

Article 2

Indigenous peoples and individuals are free and equal to all other peoples and individuals and have the right to be free from any kind of discrimination, in the exercise of their rights, in particular that based on their indigenous origin or identity

SHOTS FIRED AT THE SPOTTER PLANE

Tangata Whenua Rhys Warren returned at 7am or thereabouts from a night out hunting Rhys had gone to bed and his mother confirmed him being asleep before they left to go to work at 8.30 am

Whilst Tangata Whenua Rhys Warren was sleeping:

Officer Gabb is now in the prickles, investigating the 2^{nd} plot of cannabis spotted by Officer Hope in the police spotter plane, while Constable Layland who was at the corner by Thompson Rd checking another plot of cannabis close to the church house. A gun shot is alleged to have been heard at approximately 10.30am by Officer Gabb and then another shot was heard.

Gabb makes contact with Layland and alleges, a shot has been fired at the plane, which was a LIE as at that time the plane was already coasting towards Otakiri and Edgecumbe.

Officers Gabb and Layland contacted Officer Hope pilot of the plane about the shot taken at the plane they decided to contact:

AOS Armed Offenders Squad DEPLOYMENT after shots heard, was informed to both Rotorua and Tauranga at 10.30am.

Check time of Tauranga police arrival

Query: Referring to shots

From above statement of Te Araroa, Rhys mother recalls Rhys to be fast asleep by 8.30am, therefore it would really be hard to believe that Tangata Whenua Rhys Warren would wake up at 10.30am, 2 hours into his sleep time from an night out hunting to shoot at a plane then go back to sleep and awake too the sound of a loudspeaker and smashing of windows.

SHOTS FIRED and heard BY WITNESSES

The witnesses shown below confirm that there is a discrepancy on the amount shots fired, the location of the shots and timing of shots. The 2 witnesses had submitted a statement to the police but they were not submitted in court as evidence.

Query

The statement contradicted the police evidence by locating the shots across the road near the marae (community meeting house) which is located opposite the address.

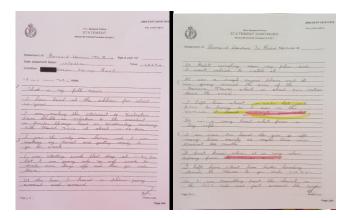
Tenielle Haraina Kaipara and her partner Rhys Hatfield from upper Thompson Road witnessed 4 shots coming from Thompson Road at 10.20 am dated 9 March 2016. Their statement was not submitted as evidence in the court see evidence as addendum 1(Statement below)

The STATEMENT CONTINUED The STATEMENT CONTINU

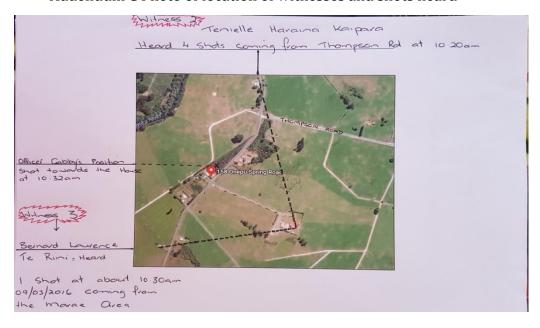
Addendum A Evidence from Tenielle Haraina Kaipara

Bernard Laurence Te Riini from Lower Onepu Spring Road heard the plane "Police 8" circling around the area at 10:30am. He witnessed 1 shot coming from the vicinity of the marae area, before leaving home at 10.40am. see evidence as attached as addendum B (Statement below)

Addendum B Evidence from Bernard Laurence Te Riini



Addendum C Photo of location of witnesses and shots heard



Ultimately AOS was called in by Police North Communications. They were deployed because of an allegation made by Officer GABB, concerning someone shooting at the cannabis recovery plane from the back yard of the address.

At the time of the alleged incident, a hui was being convened at the marae across the road. See photo C.

There existed an assertion that the odd vehicle travelling to and from that hui were back firing.

There was no shooting from the address and tangata whenua Rhys was in fact asleep the whole time.

In the minds of-the Police, the <u>allegation was justified for their calling the order code F061</u> 'tactical take down – SH00T TO KILL'[1]

It was an allegation only, for which no charges were ever laid, but it compelled out of control tactics being employed.

There was no evidence that Ngahiwi Tangata Whenua Rhys Warren shot at the plane, the **Assumed Allegations** had incited a full armed assault of Armed Offenders Squad officers to the "address" and under **United Nations Declaration Rights of Indigenous Peoples**

Article 7

- 1. Indigenous individuals have the rights to life, physical and mental integrity, liberty and security of person.
- 2. Indigenous peoples have the collective right to live in freedom, peace and security as distinct peoples and shall not be subjected to any act of genocide or any other act of violence, including forcibly removing children of the group to another group

Article 8

- 1. Indigenous peoples and individuals have the right not to be subjected to forced assimilation or destruction of their culture.
- 2. States shall provide effective mechanisms for prevention of, and redress for:
 - a) Any action which has the aim or effect of depriving them of their integrity as distinct peoples, or of their cultural values or ethnic identities;
 - (b) Any action which has the aim or effect of dispossessing them of their lands, territories or resources;
 - (c) Any form of forced population transfer which has the aim or effect of violating or undermining any of their rights;
 - (d) Any form of forced assimilation or integration;
 - (e) Any form of propaganda designed to promote or incite racial or ethnic discrimination directed against them.

Article 9

Indigenous peoples and individuals have the right to belong to an indigenous community or nation, in accordance with the traditions and customs of the community or nation concerned. No discrimination of any kind may arise from the exercise of such a right.

Article 10

traditionally owned, occupied or otherwise used or acquired.

2. Indigenous peoples have the right to own, use, develop and control the lands, territories and resources that they possess by reason of traditional ownership or other traditional occupation or use, as well as those which they have otherwise acquired. Indigenous peoples shall not be forcibly removed from their lands or territories. No relocation shall take place without the free, prior and informed consent of the

indigenous peoples concerned and after agreement on just and fair compensation and, where possible, with the option of return.

Article 25

Indigenous peoples have the right to maintain and strengthen their distinctive spiritual relationship with their traditionally owned or otherwise occupied and used lands, territories, waters and coastal seas and other resources and to uphold their responsibilities to future generations in this regard.

Article 26

- 1. Indigenous peoples have the right to the lands, territories and resources which they have
- 3. States shall give legal recognition and protection to these lands, territories and resources. Such recognition shall be conducted with due respect to the customs, traditions and land tenure systems of the indigenous peoples concerned.

Article 27

States shall establish and implement, in conjunction with indigenous peoples concerned, a fair, independent, impartial, open and transparent process, giving due recognition to indigenous peoples' laws, traditions, customs and land tenure systems, to recognize and adjudicate the rights of indigenous peoples pertaining to their lands, territories and resources, including those which were traditionally owned or otherwise occupied or used. Indigenous peoples shall have the right to participate in this process.

Check time of Tauranga police arrival

HOME INVASION

of the address to the property.at check time???????

Recap on the morning events, Ngahiwi Tangata Whenua Rhys Warren returns at 7am or thereabouts from a night out hunting, It is quite often Rhys will stay out hunting for pigs, and or go out gathering food to bring home to the family, police exhibit photos Addendum D, D 1 and Adeendum D 2 will show Rhys is well equipped with guns, knives for



Hunting as it's a normal process for all the houses around Onepu,. Onepu is an isolated settlement just out of Whakatane where everyone becomes self-sufficient growing their own gardens and catching game.

All households in the area are substance dwellers, they provide meat by hunting and food from the forest and land, watercress, puha ,ruruhau, poroporo, fresh water fish, eels, fresh water crayfish etc etc etc.

Every household has gumboots boots and clothing including knives and small arms. The father of Tangata Whenua Rhys Warren has been a hunter and a gatherer for up to fifty years and had taught his son his craft of food gathering.

HOME INVASION

AOS entered the house empowered with the FO61 order.

Tangata Whenua Rhys Warren heard the sound of the loudspeaker and the name William being called, he couldn't be bothered getting out of bed wasn't until he heard windows smashing and the aos officers storming the house that woke him from his sleep and alerted him that something was wrong.

It was when he heard the sound of the officers cocking their guns that he had a sense he was in grave danger.

The sound was very distinct he had no idea how many masked men were in the house albeit he knew there was a lot of them.

He drops to the ground confused, disorientated he then made his way to the next room to see who was outside and saw a lot of armed men in black wearing ski masks.

AOS entered the Address clearing the rooms, Officer White lead the way advancing down the passage, Officer Mauheni behind and Officer Flinn flanking them. Officer 5 and 7 made their way into bedroom 2, leaving officer 15 in the lounge looking on at his fellow officers.

Officer White

Officer White states his scope was shot by Tangata Whenua Rhys Warren, shattered and injured him with a deflection of shrapnel.

The writer believes the barrage of guns fired from Officers 5 and 7 in bedroom 2 shot a whole in the wall and it was their gun fire that shot the scope of Officer Whites gun.

Tangata Whenua Rhys Warren explains if I had shot at Officer Whites face as the Crown alleges I would have blown his face off or major injuries would have been inflicted by a high-powered rifle bullet. My intention was to scare the people because I didn't know who they were and nor what their intentions were.

The evidence was not conclusive that Tangata Whenua Rhys Warren shot the bullet that shattered Officer White scope or hit him in the face.

Tangata Whenua Rhys Warren shot 2 rounds of bullets and both were recovered in one in bedroom 1 addendum G, G 1, G 2



Hole in back of wall for entry of bullet from Rhys Bullet lodged in drawer of bedroom 1

Rhys 2nd shot was lodged into the cabinet at the end of hall but 1^{st} passing through the wall as you will see in the pictures .marked in cabinet addendum H and Addendum H 1

Addendum H

Addendum H1



Officer Flinn

Officer Flinn was flanking Officer White and Officer Mauheni down the passageway

A bullet fired from Tangata Whenua Rhys Warren's gun was found in the cabinet down the passage way. Forensics shows a bullet clipped into skirting of the doorway and lodged into the cabinet.

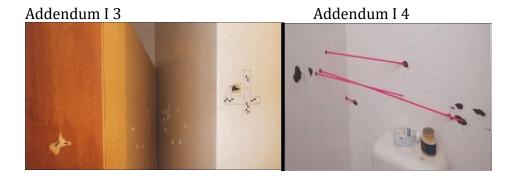
The charge of wounding Officer Flinn with intent to cause GBH has no solid forensic support nor with the shrapnel that injured the officers leg cannot be positively and correctly identified to any of the 2 rounds coming from the firearm of Tangata Whenua Rhys Warren.

The barrage of gun fire from the officers 5 and 7 from bedroom 2 or officer 15 in the lounge could have shot officer Flinn through friendly fire.

The 2 officers shot a barrage of bullets at Tangata Whenua Rhys Warren. Adeendum I 1,2,3,4,5,6,7 8



Hole coming out of bedroom 2 into the passage The firing officers had admitted in there statements they were aiming to try and scare Rhys but as you see in the pictures of the height of the bullets were aiming to kill.



Addedum I 5

Addendum I 6



Addendum I 7

Addendum I 8



The bullets were shot right across the room Rhys states:

There is no evidence to prove that it was me that shot the scope of Officer White's Gun. With the onslaught of bullets fired from bedroom 2, three times and leaving a big hole in the wall into the passage could suggest a bullet shot from bedroom 2 could have shattered the scope of Officer White.

Officer Mauheni

Officer Mauheni was following behind Officer White. The assumption made by officer white was part of the shattered scope had entered into the head gear of Officer Mauheni, this is questionable as Officer Mauheni was behind Officer White when the scope shattered. Evidence from Dr Balakhrishnan said that the injury on the left side of officer mauheni forehead came from a projectile coming from the back to the front.

There was a barage of fire coming from all the officers, a shot hit Officer Mauheni from the left side entering from the back to the front, this clearly shows the bullet entered into his helmet was fired from either officer flinn or officer 15 who are behind officer Mauheni.

Psychological reports must be made on all the officers concerned to ascertain with any of the officers had issues with each other, to also ascertain whether harm was done to the officers by certain other officers to blame on Tangata Whenua Rhys Warren and to remain blameless while portioning all guilt on Tangata Whenua Rhys Warren.

At this time when Mauheni was getting dragged out by fellow officers Mauheni, dropped his issued Glock pistol.

Officer Marsh

Officer Marsh was situated outside in the backyard of the Address.

The attempted murder charge in relation to Officer Marsh, the crown alleges that Tangata Whenua Rhys Warren shot with a police issue Glock pistol.

There is no solid evidence whatsoever to support this claim.

- 1 The Glock they alleged Tangata Whenua Rhys Warren used was not tested to see if it had been fired.
- The forensic expert Mr Weavers could not rule out any other police officer or police issue Glock pistol either scientifically or by accounting for the number of rounds of the AOS Members as the AOS did not keep a log of any rounds fired.
- Police state that The Glock magazine found inside the house had 2 rounds missing this is incorrect. the IPCA did not research this aspect and can only be construed that the IPCA was complicit in concealing the fraud against tangata whenua Tangata Whenua Rhys Warren.

Upon being arrested Mr Morehu was told by Tangata whenua Rhys Warren where to find the glock in the hot water cupboard

The glock found in the hot water cupboard at address was supposing used by Tangata Whenua Rhys Warren to shoot Officer Marsh.

The police exhibit registrar evidences the fact that the glock gun was recovered marked **Addendum K** 30084 it also states the magazine was recovered from behind the hot water cylinder. The magazine was full, that is all bullets were intact. Otherwise meaning this gun was not fired before during or after the incident **ie the gun was not fired"** by Tangata Whenua Rhys Warren

Addendum K

		Exhibit Register - Operation PENCARROW 16/202 This Register lists exhibits the prosecutor releval to produce as defined in Sections 12(3)(a) and 13(3)(a) the Comman Disclasser Act 2008. This reform also lists relevant exhibits that he prosecutor case and stend to have introduced as entired as Sections 13(3)(ii).													
Exhibit No.	DESCRIPTION OF EXHIBIT	ADDRESS/SCENE LOCATION	WHERE SEIZED OF PERSON SEIZED FROM	DATE SEIZED	TIME SEIZED	SEIZED BY	Chain of Custody DATE	Chain of Custody TIME	Chain of Custody PERSON or PLACE	PRIORITY	EXAM REQUIRED	EXAM COMPLETED SO FAR	RESULT OF ANALYSIS	DATE/TIME RESULT OBTAINED	COMMENT
30035	Black coat (8635 - SMTH on label)	158 Onepu Spring Road	Beside FQF262	11/03/16	12 00	RMC864	11/03/16	18 25	RTO SSJ212						
90036	Camo backpack. No 6 label	158 Onepu Spring Road	Beside FQF262	11/03/16	1200	RMC884	11/03/16	18 25	RTO SSJ212						
30037	Camo pouch. Night vision system	158 Onepu Spring Road	Beside FQF262	11/03/16	1200	RMC864	11/03/16	18 25	RTO SSJ212				- 6		
30038	earmuffs. RO8 on earmuffs			arestee.	12 00	RMC864	11/03/16	18 25	RTO SSJ212						
30039		NOT USED	NOT USED			NOT USED	NOT USED	NOT USED				1	2		0
					12 00	RMC884	11/03/16	18 25	RTO SSJ212						
					1200	RMC864	11/03/16	18 25	RTO SSJ212				- 1		1
				11/03/16	1200	RMC884	11/03/16	18 25	RTO SSJ212						
30043	Black AOS gasmask	158 Onepu Spring Road	Beside FQF262	11/03/16	1200	RMC884	11/03/16	18 25	RTO SSJ212						
30044	Pair of black plastic handcuffs	158 Onepu Spring Road	Beside FQF262	11/03/16	12 00	RMC884	16/03/16 16/03/16	13 30 16 20	MHCP16 Rotorua Exhibit Store			0 0			
30045	AOS vest. Damaged		Front passenger seat of dog van. FQF262	11/03/16	12 00	RMC864	16/03/16 16/03/16 23/03/16 23/03/16 12/05/16	13 30 16 20 09 05 12 31 14 10	MHCP16 Rotorus Exhibit Store MHCP16 ESR JTBZ96 Rotorus Exhibit Store		ESR				
30046	Black Police notebook	158 Onepu Spring Road	Drivers seat of FQF262	11/03/16	12 00	RMC864	16/03/16 16/03/16	13 30 16 20	MHCP18 Rotorua Exhibit Store				9		
30047	Glock Pistol . 2 x loaded Magazines		Locked gun safe of dog van. FQF262	11/03/16	1200	RMC864	11/03/16	18 25	RTO SSJ212						
	Glock pistol with Full magazine S/N AEH774 Magazine out of pistol		Behind hotwater cylinder	11/03/16	15 20	RMC864	16/03/16 16/03/16 23/03/16 23/03/16	13 30 16 20 09 05 12 31	MHCP16 Rotorus Armoury MHCP16 ESR		ESR				
30049	Camo Backpack. Police issue tems	158 Onepu Spring Road	Beside FQF257	11/03/16	15 20	RMC864	11/03/16	18 25	RTO SSJ212						

On leaving the house with the wounded officers the police left Tangata Whenua Rhys Warren in the house overnight and was under surveillance overnight. the police had escalated the problem and called in the military.

Addendum L

Addendum L 1





While police had escalated issues in bringing in the military they also began the narrative of the media that a gunman had fired and wounded four of their police officers. They then began concocting a scenario to apportion all blame on Tangata Whenua Rhys Warren. Including the police officer outside the house with the glock gun. Firstly how does a man fire 2 shots out of a gun through a wall at officers he could not see let alone hit someone and if the assertion was supposed to be believe how can a man with no training whatsoever fire a police pistol under the prevailing circumstances and hit an officer from a heavy police pistol which he has never used before and how do police fire 46 shots and Tangata Whenua Rhys Warren is still walking around.

Four New Zealand police shot in drug siege on rural North Island property

Updated 9 Mar 2016, 9:13pm



PHOTO: Police guard the scene near

<u>Kawerau where four officers were shot during a drug siege.</u> (New Zealand Herald: Alan Gibson)

Four New Zealand police officers have been shot during a siege at a rural property near the remote North Island town of Kawerau.

Police said the shooting began when an offender started taking pot-shots at an aircraft being used in an anti-drug operation.

The Armed Offenders Squad (AOS) was deployed and four of its officers were shot in a stand-off at the rural property.

Deputy Commissioner Mike Clement said one officer was in a serious but stable condition, and the other three officers' injuries were not life threatening.

"It is always distressing for us all when officers are injured doing their duty," he said.

Deputy Commissioner Clement said no one was injured aboard the plane that came under fire, adding that indications pointed to a lone offender, but he could not go into more detail.

"I simply can't, it's an investigation that's ongoing," he said.

"He might indeed be watching us now on his own television."

Regular police in New Zealand do not carry firearms, relying on the specialist AOS.

During the siege the family were in constant communication with Tangata Whenua Rhys Warren, they also knew the police wanted him dead and in fact a lot would have happen if Tangata Whenua Rhys Warren had been killed. The family and in particular his mother was so worried that he was going to die, she made serious attempts to contact Warrick Morehu police commander stationed in Taupo. Morehu arrived at 8.00am in the morning to find the military vehicles had already arrived and were patrolling the area. Morehu then spoke to Tangata Whenua Rhys Warren on the phone immediately after the call Warrick Morehu proceeded to the house where Tangata Whenua Rhys Warren surrendered.