

Chris McIntyre

From: Chris McIntyre
Sent: Monday, 20 July 2009 10:04 a.m.
To: 'Neil Wells'
Subject: RE: Complaint - The Animal Welfare Institute Of New Zealand (CC11235)

Dear Neil

Thank you for your email of 10 July 2009 responding to my email of 9 June 2009.

We will consider the complaint further including the information you provided in your email of 10 July.

I will contact you again if we require further information.

Yours sincerely

Chris McIntyre
Senior Analyst - Monitoring & Investigations

From: Neil Wells [mailto:Neil.Wells@waitakere.govt.nz]
Sent: Friday, 10 July 2009 4:22 p.m.
To: Chris McIntyre
Subject: FW: Complaint - The Animal Welfare Institute Of New Zealand (CC11235)

Dear Chris

Thanks you for your email below.

Awinz is a trading name for person and person unknown
the trust which is the charity did not exist when this
litigation was commenced

We note that you are responding to matters raised by a single complainant against whom AWINZ has taken successful proceedings in the Auckland District Court. While some matters arising from the judgment of the District Court have been appealed to the High Court, AWINZ itself is not a party to the High Court appeal, which was heard on 25 February and the final judgment is pending.

We believe the complaint is malicious and vexatious and should be treated as such. Nonetheless we make the following responses. [This is deliberately misleading you](#)

1. Clauses 5(f) and (j) of the Deed of Trust empower the trustees to take legal proceedings and to pay the costs of such proceedings. The proceedings were taken jointly in the name of the trust and in the name of one of its trustees. As neither the damages nor the costs awarded against the complainant have been paid no one has gained. [This deed did not exist when Litigation commenced](#)
2. There is no requirement for the trust to publicly reveal the details of grants made for research and to whom it was paid. Confidentiality needs to be maintained especially because of continuing activities of animal rights activists against research entities. The amount you refer to funded research into measuring stress levels in animals kept in custody for long periods.
3. The capital sum of the Lord Dowding Fund is \$90,000. At the end of 2007 there was accumulated interest of \$8,208 which was credited to the general account in 2008 and the capital sum of \$90,000 was reinvested. The grant of \$5,750 was paid from the general funds.

[the lord downing fund according to the 2009 and 2010 financials has funded the litigation](#)
If you require further information please contact me by telephone.

Sincerely

20/07/2009