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Claimant: Janine of the House of Arabella

Debtors: Parties Debra Jean East, Scott Hart, Donald Allan Sorrenson, Peter Chandler, Margie Letaulau Apa, Bay of Plenty District Health Board, District Health Boards now known as Health New Zealand and Te Whatu Ora Corporations

Sequence of Events from 1 April 2013 to March 2024

1. Claimant Janine commenced working for the Bay of Plenty District Health Board now known as Health New Zealand or Te Whatu Ora on the first day of April 2013.
2. Claimant Janine's daughter Talia was placed under the mental health act and under the care of the officers of Bay of Plenty District Health Board now known as Health New Zealand or Te Whatu Ora from 12 February 2018 until April 2019, then from 11 June 2019 until March 18 2021.
3. Claimant's daughter Talia died on 18 March 2021 while under the care of the District Health Board now known as Health New Zealand.
4. Notice of Liability sent first time via email on 25 November 2021 to Peter Chandler, Don Sorrenson, Scott Hart plus others for failure to provide a safe place for Claimant to work plus failure of duty of care of DHB staff towards Claimant's daughter who died under the care of the District Health Board. The Liability Notice was served multiple times to all Debtors with no rebuttal and remained a live document with all postal tracking receipts and references included - Ref Exhibit 1 p 2-4
5. DHB Affidavit of Truth and Claim of Harm and Wrongful Dismissal and Discrimination dated 13 December 2023 received and signed for by all debtors on 14 December 2023 - Ref Exhibit 2 p 5-60
6. DHB Affidavit extension with updated last two pages including signatures of three witness and affirmation that content true and correct with seven day extension provided for Affidavit rebuttal until 18 January 2024 received by email on 3 January 2024 plus via tracked post on 4 January 2024 - Ref Exhibit 3 p 61-67
7. Notice of Acceptance dated 19th January 2024 the Lien Claimant sent with invoice 1006 with first receipt on 19 January 2024 plus via tracked post - Ref Exhibit 4 p 68-70
8. DHB Notice of Default with Opportunity to Cure including Statement of facts received by lien debtors on 9th day of February 2024 with invoice and 7 calendar days to make payment - Ref Exhibit 5 p 71-80
9. Certificate of Default with Administrative Judgement with invoice and prof of life received by debtors on 21 February 2024 with invoice and 7 calendar days to make payment by 1 March 2024- Ref Exhibit 6 p 81-93
10. Commercial Lien Notice and Commercial Affidavit of Obligation received by debtors on 5 March 2024 with invoice and 14 days to make payment with lien placed over debtor's property -Ref Exhibit 7 p 94-136
11. Postal Tracking Summary Sheet of all documents served plus proof of receipt by all debtors - Ref Exhibit 8 p 137-154
12. Certificate of Non-Response and Non-Rebuttal from Debtors certified by three witnesses dated 6th March 2024 - Ref Exhibit 9 p 155-156
13. Public Notice of Commercial Lien on publicnoticesnz.com dated 6 March 2023- Ref Exhibit 10 p 157 + 161
14. Notice of Authenticity of Lien Documents signed by three witnesses dated 6th March 2024 - Ref Exhibit 11 p 158-160

Attachments: Maxims of Law, Laws on Criminal Law matters and administrative sanctions

pm

NOTICE OF LIABILITY dated 25 November 2021 from Janine Arabella

Att Don Sorrenson in role and acting as manager Support Net plus in private capacity
Att Tessa Richardson, Executive Director – People & Culture plus in her private capacity
Att Peter Chandler, CEO BOPDHB plus in his private capacity
Att Scott Hart, working for People and Culture BOPDHB plus in his private capacity
Att Meredith Mckenzie as employee representative of Employee Solutions BOPDHB plus in private capacity
Att Rachel Waanga as employee representative BOPDHB and in her private capacity
Att all BOPDHB council members in the role of council member as well as in private capacity named here as Sharon Shea, Geoff Esterman, Ron Scott, Hori Ahomiro, Mark Arundel, Bev Edlin, Ian Finch, Marion Guy, Leonie Simpson, Arihia Tuoro, Wayne Williams

I am left with no choice for course of action other than to issue liability notice to all parties that are complicit in breaches and duty of care towards me as an employee. Due to no action of DHB to resolve matters after 6 weeks off work because of failure to provide a safe work environment for me to work.

To all of the above people, you are liable in your private capacity as well as professional roles you act as agent for the BOPDHB and government of New Zealand. This is due to breach of the Wages Protection Act 1983, H+S Act 2015, Employment relations Act 2000, NZ Bill of Rights Act 1990, Human Rights Act 1993, Crimes Act 1961 and Criminal Procedure Act 2011 and I have the legal right to charge you in the private. Other Laws and Acts relevant that you are in breach of are: Universal declaration of human rights 1948, Nuremberg Principles, Declaration of Helsinki 1964, International Covenant on Civil and Political Rights United Nations 1967, plus the Secret Commissions Act 1910, plus International Crimes and Criminal Act 2000 sections 9–21.

I, Janine Arabella have been off work since 13 October due to failure of the DHB to provide a safe work environment for me. The date of this letter is 25 November, 43 days since I first went off work. On 2 November the DHB stopped paying my wages and started unlawfully and in bad faith deducting my annual leave. They were requested on 10 November by email to do this via my team leader and manager, then Rachel Waanga at Employee Solutions, then letter sent on 11 November to Pete Chandler, Don Sorrenson, Scott Hart and Tessa Richardson.

I will outline multiple breaches with more to follow once I go through all the legislation including employment law, criminal and civil laws.

1. **DHB uploading my private sensitive information onto clinical intranet without my permission and refusing to remove it**
2. **Any fellow staff members and DHB employees able to access my private sensitive medical information; privacy officer putting privacy screen on my NHI stating that no one able to access my private information without my written consent, then Scott Hart breaches my private medical information and passes this on to other DHB staff members**
3. **DHB covering up information regarding failure of duty of care of DHB staff members towards my daughter who died earlier this year that has not only affected me as a mother but also as an employee as this was done by my employer**

- 4. DHB including all these people named in private capacity co-ercing me to take an experimental drug with serious risk factors including death in order for me to keep my employment
- 5. Lodging of 4 incidents of harm onto Datix, failure of DHB to address
- 6. 15 November sent multiple emails requesting via Rachel Waanga from Employee solutions to stop deducting tax from my wages as now tax exempt and section 4 of Wages protection act is subject to section 5 (can only take deductions with my written consent) Taking deductions without my consent is act of fraud and harm.
- 7. DHB Employee solution representative Rachel Waanga and my manager Don Sorrenson allowed DHB to deduct 2 weeks so far of annual leave out of my pay; when DHB failed to provide me a safe work place, and are therefore required to pay my wages until such a time they can provide a safe work environment for me to return to.
- 8. Failure of DHB to provide me with a safe work space – put me in hot desk environment with no privacy in with mental health service staff who caused harm towards my daughter, environment now hostile due to discrimination created by DHB revealing my vaccination status without consent to access my medical information. In order for me to return they have to eliminate all threats against me including hostile reactions from other staff plus eliminating virus from the work place, plus address all my health and safety needs.
- 9. DHB declared there is an unsafe virus in the work place, it is therefore their responsibility to remove it. Failure of DHB to eliminate a virus from my work place, making it an unsafe place for me to be regardless of vaccination status as both vaccinated and unvaccinated can transmit the disease. See official government website page 3 written in bold in paragraph 4: I also note here that the government website also clearly says that masks do not protect you from transmission.
- 10. Failure of DHB and its representatives identified here to address any of my health and safety needs including 22 questions asked in letter dated 11 November.
- 11. As so much hostility and work health and safety hazards identified and now remaining unresolved after 6 weeks of going off work, I do not see that the DHB can create a safe work environment for me to return to. I had fully intended on working in my current job up until the time I am 70, as many of my other colleagues have done so. I am currently 54, so this is another 16 years.

ministry_of_health_position_statement_on_the_management_of_unvaccinated_individuals_in_healthcare_settings.pdf

I have been off work since 13 October with multiple emails, letters and injury claims lodged with not one attempt to address these. 2 meetings in last week have been set to discuss my vaccination status, but not address any of my health and safety issues. I am not willing to meet until such time all of my health and safety issues and breaches of my rights under national and international law here in New Zealand.

Under common law I am able to claim for damages and harm not only to the DHB but to all staff addressed in writing in their private capacity. My claim for damages is \$1000 per day plus interest from 13 October plus payment of \$709.70 of deductions from my wages plus 2 weeks of wages that were taken illegally and in bad faith out of my annual leave, plus costs plus interest to claim money due to me. I loved my job and fully intended working

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there until the age of 70, as many of my colleagues have. As the DHB is unable to provide a safe work environment for me to return to my claim goes up until the time I turn 70 on 5 October 2037. This is 16 years x \$5000 per week x 52 = \$4,160,000.00 plus \$709.70 plus \$3079.30 = \$4,163,789.00 plus costs and interest at 15% accruing daily from the date this liability notice is written. I also lay claim to my loss of wages for 16 years plus inflation adjusted I am expecting a wage increase early next years under PSA pay equity claim and anticipate my salary will go up to \$85,000 allowing for 3% inflation per year this figure comes to \$1,713,421 for loss of wages accruing at 15% daily from 25/11/21. As I am now tax exempt this amount would need to be paid in full. You have my bank account details for payment of \$4,163,789 + \$1,713,421 = \$5,877,210. If the DHB does not pay out my claims to harm I have the legal right to charge each person identified in their private capacity, and I will have the ability to seize your personal property.

Please note further charges will apply and be added once I review all the breaches of the above acts. I note that many offenses have charges \$100-500,000 per act, with many breaches that have occurred towards me, plus there are criminal charges of fraud, co-ercement and threats to my life, and due to staff being co-erced to have the experimental drug and some having severe adverse side effects and maybe even death there are likely to be charges for Crimes Against Humanity. I add here that failing to offer treatment protocols where there is very low risk of death in favour of the one the government puts forward that has high risk of death is also a crime against humanity, and failing to record severe adverse effects after having the vaccine or death is also failure in duty of care and a crime against humanity. Now that you have been informed you have no excuses and you can expect to be brought before a world court for crimes against humanity.

Please note it is to my advantage the longer you take to address your failure to address my employment issues and health and safety needs it is to my advantage due to the accruing interest that I can claim.

All rights reserved



Janine Arabella

Employee number 14635

Email for all communication is: janine.arabella1@gmail.com

Jan

LW 123 841 939 NZ

Courier. Signature Required

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Janine of house of Arabella
Care of [37A] Glue Pot Road
Oropi, Tauranga [3173]
13th day of the 12th Month in the year of our
Lord, two thousand and twenty-three

To the living woman known as 'Debra East'

Acting as Executive Director of People and Culture for Te Whatu Ora, formerly known as Bay of Plenty District Health Board [BOPDHB]

Via email to debra.east@bopdhb.govt.nz and via courier to 829 Cameron Road, Tauranga 3112

And the living man known as 'Scott Hart'

Acting as representative of Employee Solutions and People and Culture for Te Whatu Ora formerly known as BOPDHB Sent via email scott.hart@bopdhb.govt.nz and via courier post to 829 Cameron Road, Tauranga 3112

Plus the living man known as 'Don Sorrenson'

Manager of Supportnet, part of Te Whatu Ora formerly known at BOPDHB

Sent via email to don.sorrenson@bopdhb.govt.nz and via courier post 190 17th Ave, Tauranga 3112

Plus the living man known as 'Peter Chandler', former CEO BOPDHB but still liable for past actions in the private

Sent via email to Pete.Chandler@bopdhb.govt.nz and via courier post 17 Te Karaka Drive , Te Puna 3174

And work 87 First Ave, Tauranga 3110 with PHO employee Philippa confirming email address as correct and current

Plus the living woman known as 'Fepulea'i Margie Apa' acting as Chief Executive of TE WHATU ORA - HEALTH NEW ZEALAND, Sent to business address Level 4 Kotuku House, 4 Osterley Way Manukau 2104
And Home address 2/3 Ngaio Avenue, Mangere Bridge, Auckland, 2022 , New Zealand

To follow is an Affidavit where each of the people above that this is addressed to are requested to respond back in writing within 28 calendar days of first receipt with full disclosure and rebut the points directed at them point by point with evidence to support any claim and make the following statement:

I..... (first name and last name) the living man/woman agree that I have read the eleven page Affidavit of the author Janine in its entirety including exhibits 'A to J' and what I have stated is true and correct in it's entirety with supporting evidence with full disclosure and sign this with my name and wet ink signature in my full private and commercial capacity as an individual and in my role as for the District Health Board and it's successor company Te Whatu Ora – Health New Zealand, and have also ensured that this Affidavit was given to any other living man or woman who is considered the Principal at either the District Health Board or Te Whatu Ora to give them the opportunity to rebut this affidavit due to the commercial liability of the corporations. A non response or not adding the above paragraph signed with his/her wet ink signature from any individual named will be taken and accepted as silent acquiescence and tacit acceptance that all content in this Affidavit and its exhibits 'A to J' is true and correct.

Debra East is required to respond to points 1 to 4, 18, 20-26 and 43 and 44 plus 49 to 52

Scott Hart is required to respond back to points 1 to 4, 9-18, 20-26, 38, 39, 49 to 52

Don Sorrenson is required to respond back to points 1 to 4, 8,9, 11 to 18, 20-26, 40-42, 49-52

Peter Chandler is required to respond back to points 1 to 36, 49-52

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All five people named above are to confirm they have read the affidavit in its entirety including the exhibits A to J

My name is Janine. I was a staff member at Support net with DHB who went off on medical leave due to a number of health and safety needs that were never addressed, including cover ups into the death of our daughter while under the care of the DHB to prevent any liability, then was terminated from employment. I was wrongfully dismissed and now that further evidence of foul play and unlawful discrimination has now come to light I have made my claim into an Affidavit to be rebutted regarding acts of cover up in the investigation of my daughter Talia's death plus my termination and request that the individuals named in this Affidavit plus any others who represent the corporation BOPDHB and its successor corporation Te Whatu Ora address my personal claims of wrongdoing and harm and reimburse me for lost wages plus damages plus accrued interest due to harm caused. I was paid out until 21 January

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Janine of house of Arabella
Care of [37A] Glue Pot Road
Oropi, Tauranga [3173]

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I..... (first name and last name) the living man/woman agree that I have read the eleven page Affidavit of the author Janine in its entirety including exhibits 'A to J' and what I have stated is true and correct in it's entirety with supporting evidence with full disclosure and sign this with my name and wet ink signature in my full private and commercial capacity as an individual and in my role as for the District Health Board and it's successor company Te Whatu Ora - Health New Zealand, and have also ensured that this Affidavit was given to any other living man or woman who is considered the Principal at either the District Health Board or Te Whatu Ora to give them the opportunity to rebut this affidavit due to the commercial liability of the corporations. A non response or not adding the above paragraph signed with his/her wet ink signature from any individual named will be taken and accepted as silent acquiescence and tacit acceptance that all content in this Affidavit and its exhibits 'A to J' is true and correct.

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All five people named above are to confirm they have read the affidavit in its entirety including the exhibits A to J

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ASC - JA - P10 of 161

LW 123 841 987 NZ 

Janine of house of Arabella
Care of [37A] Glue Pot Road
Oropi, Tauranga [3173]

Courier Signature Required
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(This is a guide only, see Postal Users' Guide for details)
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Post's Public Contract. For full terms and conditions, go to nzpost.co.nz

13th day of the 12th Month in the year of our
Lord, two thousand and twenty-three

To the living woman known as 'Debra East'
Acting as Executive Director of People and Culture for Te Whatu Ora, formerly known as Bay of Plenty District Health Board [BOPDHB]
Via email to debra.east@bopdhb.govt.nz and via courier to 829 Cameron Road, Tauranga 3112

And the living man known as 'Scott Hart'
Acting as representative of Employee Solutions and People and Culture for Te Whatu Ora formerly known as BOPDHB
Sent via email scott.hart@bopdhb.govt.nz and via courier post to 829 Cameron Road, Tauranga 3112

Plus the living man known as 'Don Sorrenson'
Manager of Supportnet, part of Te Whatu Ora formerly known as BOPDHB
Sent via email to don.sorrenson@bopdhb.govt.nz and via courier post 190 17th Ave, Tauranga 3112

Plus the living man known as 'Peter Chandler', former CEO BOPDHB but still liable for past actions in the private
Sent via email to Pete.Chandler@bopdhb.govt.nz and via courier post 17 Te Karaka Drive , Te Puna 3174
And work 87 First Ave, Tauranga 3110 with PHO employee Philippa confirming email address as correct and current

Plus the living woman known as 'Fepulea'i Margie Apa' acting as Chief Executive of TE WHATU ORA -
HEALTH NEW ZEALAND, Sent to business address Level 4 Kotuku House, 4 Osterley Way Manukau 2104
And Home address 2/3 Ngaio Avenue, Mangere Bridge, Auckland, 2022 , New Zealand

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2022. It is noted that Tess Richardson no longer works for the BOPDHB also known as Te Whatu Ora. I will involve her if required. Even though Peter Chandler and all other CEOs in the country have stood down they are still liable for their actions in the private. I contacted Scott Hart on 13 November 2023 via email plus left him voicemail at 3.31pm on 15th November and he chose not to respond back to either the email or voicemail, so on 22 November I resent the liability notice with my charges to Scott Hart and Don Sorrenson and Peter Chandler, and as a result Scott Hart chose on 24 November 2023 to acknowledge my first email sent on 13 November and said 'We would respond back in ten working days'. A further email was sent on 26 November saying that he had already had two weeks and a further two weeks was unacceptable with the liability notice attached for the third time and placed in a courier bag with Scott Hart tasked with printing the liability agreement and providing a hard copy to Pete Chandler and Don Sorrenson. Scott Hart then sent another email on 27 November saying "Acknowledging receipt of your email (dated 26 November which included the attached liability notice), we aim to have a response to you within ten working days." Today is Wednesday 13th day of December 2023, 12 working days after Scott Hart saying he would respond within ten working days and there has been no response from him or Don or Peter Chandler who had been sent the liability notice four times. Debra East the executive director of People and Culture sent an email on Wednesday 29 November (where she said she was responding to my email sent on 13 December but also had in the content my email dated 26 November) where she stated there was no process in place for addressing claims of past employees and also said that she had not received an attachment with the forwarded email sent to her from Scott, so she was also emailed and received the liability notice from me for her own knowledge. I have multiple examples of being treated with dishonor and bad faith, which means that private individuals can be charged for his/her actions. The main individuals holding responsibility is Peter Chandler and Scott Hart and Don Sorrenson and Tess Richardson as the terminators of my employment. Debra East is now involved due to being in charge of People and Culture within the organization and corporation and Fepulea'i Margie Apa is involved due to being the Chief Executive Officer of Te Whatu Ora the successor company to BOPDHB holding the assets as well as the liabilities from the DHB. If the Corporation's representatives make things right and compensate my losses and harm done by paying me out from the funds of the Corporations I will not pursue liability on behalf of the individuals.

The Corporations that represent the Bay of Plenty District Health Board and Health New Zealand and Te Whatu Ora plus the individuals that acted or made decisions on behalf of the corporations are called to account for their actions. In the event of cover ups to prevent liability or discrimination or unfair or unequal treatment, individuals can be charged in the private as well as charges to the corporations.

Each individual named at the top of this letter who have been sent the Affidavit are called to account for their actions with 28 calendar days from first receipt to respond and rebut this affidavit point by point signed with their wet ink signature and sent back by courier to the author and principal Janine with her address at the top of this letter. No response or no rebuttal point by point will be taken as tacit acceptance that this claim and its contents in its entirety stands as fact and truth in commerce and judgement in Law. The normal time frame to rebut an affidavit is 10 to 21 days but the author Janine has extended this to 28 calendar days this due to the Christmas shutdown period.

Affidavit of Truth and Claim of Harm and Wrongful Dismissal and Discrimination

Notice-to-Agent-is-Notice-to-Principal-and-Successors – Notice-to-Successors-and-Principal-is-Notice-to-Agent

For context, this document uses only plain simple English and Counting Systems. You are considered informed that all meanings in this/all communication/s are taken from the Oxford Dictionary of English unless otherwise definition given or as commonly understood by living men and women. Any content or character or page layout is not to be confused with legalese or any other language. If any definition or meaning is unclear to the reader the interpretations are that of the living woman author of this affidavit.

Part A - Definition

Discrimination means: the process of making unfair or prejudicial distinctions between people based on the groups, classes, or other categories to which they belong or are perceived to belong, showing favouritism towards some and failure to treat others equally. Discrimination is a breach of Bill of Rights and Universal rights.

DHB: stands for District Health Board

BOPDHB: stands for Bay of Plenty District Health Board

Successor: a corporation who takes over another corporation through legal succession or consolidation or amalgamation and becomes invested with the rights and assumes burdens of the first corporation (Blacks Law dictionary regarding a corporation successor)

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Part B – Affidavit –

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1. i, Janine of the house of Arabella am the author and Principal of this Affidavit, and declare I am above the age of consent and of sound mind, am alive and of good health, competent and capable of making this Affidavit of Truth and Claim of Harm and Wrongful Dismissal and Discrimination; and
2. i, Janine hold all Government, Bay of Plenty District Health Board, and its successor companies Te Whati Ora and Health New Zealand and its corporations and its agents or anyone assuming authority over men and women accountable for it's actions and duties to the men and women; and
3. i, living soul author, Janine entered into signed contract with Bay of Plenty District Health Board [BOPDHB] for full time permanent employment with the commercial trade name 'Janine Arabella' as an occupational therapist and needs assessor on 1st April 2013 and was a valued member of the team at Support Net with high productivity, and I confirm this was a full time permanent position co-signed by the wet ink signature of my manager; and
4. i, Janine was considered an essential health worker and remained working throughout the whole covid 19 pandemic until going off on leave on 18th of October 2021 four weeks prior to the mandate on 15 November 2021, and since the first lock down in March 2020 I had managed to perform my role either with no client contact at employer request or 2m of social distancing with every single client that I was requested to see by the BOPDHB; and
5. on 18th day of March 2021 my daughter Talia took her life while under the mental health act and under the care of the DHB, where we as her family believe and reported that one of the main reasons that that she took her life was because she had uncontrolled pain that had not been addressed and she had only been allowed while under the mental health act to take 15mg codeine three times per day, where Talia said her pain levels were 8-9/10 all the time day and night, and we also believe her pain came about from taking a medication against her will where she had a severe adverse reaction with constant electric nerve shock pains, where Talia would be told that the pain was 'all in her head' and DHB staff wouldn't treat it, however rather than lay blame we as a family wanted lessons to be learned from this situation so this would not happen to any other family, so we were contacted approximately four months later by staff at the DHB to participate in a formal 'independent review' of our daughter's care where the person in charge was psychiatrist Peter Dean from Waikato DHB, where I put together a six page report of what we believed went wrong that was supposed to be included as part of the review; and
6. our six page report was never included as part of the serious incident report and we were informed by Peter Dean with a witness standing alongside me when I was on the phone, that he was told who he was allowed to talk to, who he was not allowed to talk to, what questions he was allowed to ask and what questions he was not allowed to ask with the agenda to ensure that no liability or neglect would be found on the behalf of the DHB with the official report sent to us on the 8th of October 2021, where it was clear to me that the DHB were not being transparent into what went wrong but were more interested in ensuring there was liability on their part, where the district health board and its representative's in Talia's care not only did this to me as a mother but also as an employee; and
7. I request Peter Chandler to provide full disclosure of what knowledge he had of the formal investigation into our daughter's death and the instructions given to Peter Dean or any other individual of who the investigation team were allowed to talk to, who they were not allowed to talk to, what questions they were allowed to ask and what questions they were not allowed to ask with the agenda to ensure that no liability or neglect would be found on the behalf of the DHB, and a non response and no wet ink signature in his full private and commercial capacity from Peter Chandler will be taken that he did have knowledge and is aware that the DHB deliberately and intentionally covered up information around our daughter's care to prevent any liability; and
8. on 18th day of October 2021 I, Janine went off work due to multiple health and safety issues and failure of the DHB to provide a safe work environment for me to work, where part of this was related to my daughter Talia dying while under the care of the DHB who was also my employer and covered up events prior to her death to prevent any liability, then being asked to work in an open hot desk environment with the team of mental health

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workers that were involved in the failure of care of my daughter, plus a breach of my private confidential medical information, plus the BOPDHB had failed to remove the virus from the work place and could not guarantee my safety; and

9. on 8th November 2021 I received a letter from the email address of DHB employee Scott Hart stating that the DHB had information that I was unvaccinated, whereas I had not shared my vaccination status with my employer or manager and had not consented to anyone obtaining my private medical information and had a privacy seal on my NHI number so Scott Hart or anyone obtaining this information did it unlawfully and breached and violated my personal and medical privacy; and
10. I request that Scott Hart provide full disclosure how he obtained private medical information about me without my consent, and non response without full disclosure and no wet ink signature in his full private and commercial capacity will be taken that Scott Hart accepts full responsibility for breaching my private medical information which is a fireable offence; and
11. on 11 November 2021 due to pressure and coercion and threats of termination of employment I provided conditional acceptance to have the first shot of Pfizer vaccine, where one of the proven risk factors is death, [with evidence provided of a medically confirmed Pfizer vaccine death in Exhibit H], conditional upon having a personal guarantee liability signed of no harm by my manager Don Sorrenson, CEO Peter Chandler, human resources representative Jesse Jarlov plus the medical doctor who will administer the injection, then the human resources person kept changing so Tess Richardson and Meredith McKenzie and Scott Hart's names were added to the liability agreement, where all confirmed they had read the agreement but refused to sign it, and were not willing to take any liability for coercing me to have the vaccine, which means that they did not believe the vaccine was safe otherwise they would have been able to sign this agreement without any hesitation; and
12. on 25 November 2021, which was six weeks after being off work on stress leave with no progress to resolve the health and safety issues, I lodged a notice of liability with compensation charges to all parties complicit in breaches and duty of care towards me as an employee due to failure to provide me with a safe work environment and discrimination shown against me, where this was sent to Don Sorrenson, Tess Richardson, Peter Chandler, Scott Hart, Meredith McKenzie, Rachel Waanga and all BOPDHB council members at that time – Sharon Shea, Geoff Esterman, Ron Scott, Hori Ahomiro, Bev Edlin, Ian Finch, Marion Guy, Leonie Simpson, Arihia Tuoro and Wayne Williams, where no one rebutted or disputed this charge, however an email was received on 26 November 2021 from CEO Pete Chandler to acknowledge receiving the liability notice and that each of my issues raised would be addressed in time, but never at any point has anyone rebut or dispute my charges if matters were not addressed, and I was dismissed without having any of my health and safety issues addressed, and this notice of liability still stands as current and valid and is found in 'Exhibit A' and has been sent total of four times with no rebuttal ever received; and
13. over the next four weeks of November and December 2021 there were multiple correspondences between me and different staff at the BOPDHB with emails sent saying that if I did not attend a zoom meeting my employment would be terminated, so in an email dated 15th day of December 2021 with a letter attached dated 14 December included in Exhibit J, I agreed to attend the zoom meeting based on every single person attending confirming they had read every single letter I had sent including personal guarantee and liability agreement dated 25 November 2021 [Exhibit A] so that they understood they can be charged in their private capacity if they break any laws or breach any of my rights including discrimination, where email confirmation of having read all my past correspondence was received from Don Sorrenson, Scott Hart and Tess Richardson; and
14. the zoom meeting occurred on 20 December 2021 with me and my support person and witness Julien Philippin, Don Sorrenson, Tessa Richardson and Scott Hart who had all confirmed that they had read all previous correspondence including liability notice, and at the start of the zoom call I emailed a letter with same date with summary of all the ten breaches of the DHB and staff towards me plus proof of a vaccine death found in 'Exhibit B' and 'Exhibit H', and the breaches included failure to address discrimination towards me and changing the rules where I was allowed to work from home with no patient contact or with 2 metre social distancing until the time they questioned my vaccination status, quoting the **Employment Relations Act 2000** including sections 92 and 144 on liability of individuals for fines and private prosecutions plus section 104 on Discrimination as follows "an

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- employee is **discriminated against** if the employee's employer or a representative of that employer, by reason directly or indirectly,
- (a) refuses or omits to offer or afford to that employee the same terms of employment, conditions of work, fringe benefits, or opportunities for training, promotion, and transfer as are made available for other employees of the same or substantially similar qualifications, experience, or skills employed in the same or substantially similar circumstances; or
 - (b) dismisses that employee or subjects that employee to any detriment, in circumstances in which other employees employed by that employer on work of that description are not or would not be dismissed or subjected to such detriment; or
 - (c) retires that employee, or requires or causes that employee to retire or resign." ; and

- 15. on 22 December 2021 my manager Don Sorrenson sent a letter to terminate my employment effective from 21 January 2022 with main reason based on me being unvaccinated that my job requires me to be within 2 metres of a member of the public or other health practitioner for more than 15 minutes a day; even though I had managed to do all assessments and all other components of my job prior to that date with 2m of social distancing, where this letter can be found in 'Exhibit C'; and
- 16. on 3 January 2022 I replied to the letter from Don Sorrenson sent by email to Don Sorrenson, Scott Hart and Tess Richardson denying that my job requires me to be within 2 metres of a member of the public or other health practitioner for more than 15 minutes a day with the following response- "since the first covid 19 lockdown in March 2019 I have social distanced more than 2m when meeting with clients, our desks in the office were placed more than 2 metres apart, so this reasoning is not based on fact or truth; even though I can perform all of my job with social distancing of 2m, I said I can also do 100% of my job of doing assessments and attending meetings via zoom, where I clearly stated that I only require to do 4-5 assessments per week to meet my KPI performance indicators each week, and at any time there are 200-500 assessments sitting in the data base, and I only have to find up to 5 each week to do via zoom, so in summary I can do my 100% of my job with 2m social distancing or via zoom, so if you terminate my employment you are doing it illegally without justification, and I know of another staff member within DHB who has been allowed to continue working remotely and you have the authorisation and ability to allow me to return to working with social distancing, and the only reason I can come up with for you terminating my employment is because you either can't or won't address all my other health and safety issues or personal grievances, and are trying to take the easy way out," ; with email found in 'Exhibit D'; and
- 17. on 18 January 2022 I received an email from Tess Richardson [Exhibit E] who said that my employment was terminated due to 'being a certified provider', even though my work could be done completely by 2m social distancing which verifies that I have been discriminated against plus further evidence that has just been revealed that the DHB and government allowed over 11,000 staff to continue working even though unvaccinated; and
- 18. on staff new media on 13 October 2023 stuff.co.nz in article written by Olivia Wannan it was announced that over 11,005 essential health care DHB workers were made exempt to have the vaccine [Exhibit F], where this demonstrates and proves and verifies favouritism towards some DHB employees and discrimination against others, as many thousand others were denied exemption including me where I have multiple emails where I requested to continue working unvaccinated as I posed no risk to any one if I continued to social distance 2m while working with a client or staff member, and this verifies my claim that I have been unfairly discriminated against; and
- 19. in November 2021 I went through a lawful process to change my tax status to exempt, and informed the DHB and formally forbade in writing for the DHB to take tax payments out of my wages, and in early 2022 my wages went up to \$85,000 per year which is \$1635 per week, and I state clearly that any money paid out to me will be compensation and do not consent to taking off any tax, that all funds are to be paid out to me in full; and
- 20. my liability claim made on 25th day of November 2021 in Exhibit A has remained active due to being uncontested now four times sent and received by Peter Chandler, Scott Hart, and Don Sorrenson plus others for unfair and wrongful termination and discrimination where I was treated unfairly and different to other staff members given preferential treatment, and under Maxims of Law once I formally notify this un rebutted liability notice as a public notice that my claim has gone uncontested four times it stands as truth in law and commerce; and

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21. my claim is for loss of wages since date of 21st January 2021 the official date of termination, plus 15% accruing interest with liability on the staff and Bay Of Plenty District Health Board plus its Successor Company Te Whatu Ora for terminating my employment plus \$1000 per day for damages and harm and failure to provide a safe work place to work in until such a time I am paid out with accruing interest at 15% left outstanding, where the date of this Affidavit is 13 December 2023 where the outstanding amount owed on wages is 99 weeks of \$1635 which comes to total of \$161, 865 plus accruing 15% interest with current interest being \$46,537 bringing lost wages and interest claim to \$208,402, plus my second claim for harm to date of Affidavit is \$5000 per week for 99 weeks equals \$495,000 plus 15% accruing interest of \$142,313 with harm claim balance on 29 November 2023 being \$637,313, so this brings my total claim to the 13th day of December 2023 for lost wages and harm and damages and interest is \$208,402 plus \$637,313 which equals eight hundred and forty five thousand seven hundred and fifteen dollars [\$845,715], and this figure will continue to go up by six thousand six hundred and thirty five dollars per week [\$6635 per week] plus 15% accruing interest until the time I am paid out; and
22. in the event that the DHB successor company Te Whatu Ora offered me my previous job to return to including compensating me for loss of wages for two years to 20th day of January 2024 there is no means for them to address all my safety issues to provide a safe environment for me to return to, so they would require to continue paying weekly compensation out until the age that I planned on retiring from this job which was age of 70; and
23. i, Janine also have two un rebutted Affidavits sent to national and international government corporation officials that stand as truth in law and commerce and have rebutted the 12 presumptions of law, that make it clear that the Crown is actually a corporation with corporation law that only apply to its subsidiary companies and that I am not a subsidiary company to the government, but am a living breathing woman created by God, and that men and women created corporations and that corporations can never have control over a living man or woman without their consent, and these affidavits can be found on publicnoticesnz.com; and
24. i, the author Janine declare that I am a living breathing woman going about her every day business with the following rights being the right to manage my daily affairs, right to life, liberty, security, equality, dignity plus right to work, access to water, food, travel, medical care, my bank account and funds and basic needs and visit my loved ones without interference, be free of any discrimination, right to not be held in slavery or any form of torture or degrading treatment or punishment, right to not be subjected to scientific or medical experimentation, right to refuse medical treatment, right to choose how I manage my own health and life, right to be treated fairly, right to privacy, right to freedom of movement and residence, to own things, freedom of thought and religion, freedom of opinion and expression, right to assemble, right to protect myself and my property and right to social security and social service, and these rights can not be taken away, where I have the right to charge compensation fees to any individuals or agents acting on behalf of any corporation that tries to take authority over me or breach my rights; and
25. as i, Janine had removed the Crown Corporate jurisdiction over me I am not subject to its corporation rules that only apply to its subsidiary companies, that living men and women are not subsidiary companies and corporations can not take control over a living man or woman and provided evidence of this to the staff involved in my terminating my employment on 15th of December 2021 shown in Exhibit J, therefore the DHB and its staff had no right to insist me to take an experimental drug where one of the risk factors is death, with the threat of loss of employment if I did not take the experimental drug; and
26. as I am no longer under Crown corporate law or jurisdiction are not subject to it's rules and regulations, but can charge whatever I like for breaches to my rights, and as not one individual challenged my liability notice and charges that were sent and received four times I am fully within my rights to charge these amounts found in 'Exhibit A' to the corporation and its successor and to individuals in the private who violated my rights and breached my health and safety; and
27. Peter Chandler is requested to answer that in his role as CEO of BOPDHB he allowed the release of information to be dispersed throughout the Bay of Plenty DHB that the Pfizer vaccine was 'safe and effective' and also received the official MOH data that it did not stop the spread of the disease and the autopsy report of a Pfizer vaccine death from me via email on 20 December 2021 so he was fully aware that the vaccine was not effective and can not be classified as safe if one of the risk factors is death, and as he was fully aware of this information but did nothing to challenge the message being publicly promoted of the Pfizer vaccine being safe and effective,

then he is liable for any severe adverse reactions or death that occurred as a result of individuals within the BOPDHB region having the vaccine based on the trusting the information provided to them with a non response taken that Peter Chandler is accepting full liability and responsibility for any severe adverse reaction or vaccine related death within the BOPDHB area; and

- 28. Peter Chandler is requested to answer that as he did nothing publicly to oppose the New Zealand government mandate for all health workers to be vaccinated or lose their employment where one of the known risk factors was death, then he is liable for any vaccine death and severe adverse reactions that occurred within the BOPDHB area with a non response is accepted that Peter Chandler is accepting full liability and responsibility for any vaccine related death and severe adverse reactions within the BOPDHB area; and
- 29. Peter Chandler is requested to answer that if the BOPDHB enforced the vaccine mandate upon any of its employees where one of its risk factors was death, then this is considered a serious threat of harm to its employees and as CEO he is liable for actions of threat of harm to its employees with a non response accepted that Peter Chandler accepts full liability for actions of threat and harm to the employees of the BOPDHB; and
- 30. Peter Chandler is requested to answer was the BOPDHB provided with money or incentive or directive for writing down covid death as the cause of death on death certificates regardless of other health conditions including the fatal gunshot victim Robert Hart occurring in New Lyn Auckland in November 2021 where his death was recorded as 'covid' with Ashley Bloomfield quoted in Washington Post article in Exhibit G saying "that even if Covid 19 wasn't the cause of death New Zealand was recording deaths with any link to coronavirus", with non response from Peter Chandler accepted that he knew this was occurring and is therefore liable for fraudulent actions to falsify information to make it look like there were more covid deaths than actually occurred; and
- 31. Peter Chandler is requested to answer that he received an email from me on 15th day of December 2021 including a letter attached dated 14 December [Exhibit J] outlining that the BOPDHB had implemented using the government recommended protocol of treating covid using remdesivir or its generic equivalent that has a high associated death rate and stopping the use of ivermectin which has a low death rate, and as he received this email he has no excuse that he knew that there is a high associated death rate using remdesivir for treating covid as shown in Exhibit I, with non response taken as Peter Chandler accepts that the BOPDHB implemented the New Zealand government recommended treatment protocol of using remdesivir with his knowledge and approval and if this caused unnecessary loss of life that he is fully liable for any and all deaths associated in BOPDHB with use of remdesivir and that deaths written down as covid deaths where the individual had been treated with remdesivir could have been due to the drug, not the disease; and
- 32. Peter Chandler is requested to answer if he arranged or authorised any staff member of the BOPDHB to be exempt or allow to continue working without having the first two shots of Pfizer vaccine with non response taken as acceptance as truth that he allowed unvaccinated staff to continue working within the DHB demonstrating that discrimination occurred as all staff were not treated equally; and
- 33. Peter Chandler is requested to answer if he knew or knows about any DHB employee that was exempted or allowed to continue working without having the first two shots of Pfizer vaccine with non response taken as acceptance as truth that he did know of DHB employees working without requiring having the vaccine, and allowed them to continue working, demonstrating that discrimination occurred as all staff were not treated equally; and
- 34. does Peter Chandler confirm that he did not have both the first two shots of Pfizer vaccine in his arm with the needle and the contents of the vial going into his arm under the skin and that the vial contents were the same as every other staff member or member of the public that was requested to take with non response taken as confirmation he did not take the double doses of vaccine that he was requesting all others to take showing a double standard and that he was treated with preferential treatment confirming discrimination has occurred where he also did not set the example of doing what he was requiring other DHB employees to do; and
- 35. Peter Chandler is to confirm that he was the CEO of the BOPDHB corporation at the time of the vaccine roll out and mandate of DHB employees to have two doses of the Pfizer vaccine to retain their employment which was not written or signed into anyone's employment contract, and now it is clear that discrimination has occurred the CEO is ultimately the individual responsible for wrongful dismissal of any and all staff members with non

response taken that he accepts full responsibility for mine and other employee dismissals and I have the ability to seize and liquidate all his assets due to his own personal and private liability for harm caused from his actions; and

- 36. Peter Chandler as CEO of BOPDHB would have a thorough understanding of how Te Whatu Ora took over ownership of all BOPDHB assets and is requested to confirm the relationship between BOPDHB and Te Whatu Ora as its Successor, and confirm that as Te Whatu Ora took over all of BOPDHB assets being equipment, buildings, vehicles and staff they are also liable for any of BOPDHB debts, and non response will be taken as confirmation that Te Whatu Ora is fully liable for any debts owed by BOPDHB to previous wrongfully dismissed staff members; and
- 37. Fepulea'i Margie Apa the CEO of Health New Zealand and Te Whatu Ora would have a thorough understanding of how Te Whatu Ora took over ownership of all DHB assets and is requested to confirm the relationship between BOPDHB and all other DHBs and Te Whatu Ora as its Successor, and confirm that as Te Whatu Ora took over all of BOPDHB and other DHB assets being equipment, buildings, vehicles and staff they are also liable for any of BOPDHB debts, and non response will be taken as confirmation that Te Whatu Ora is fully liable for any debts owed by BOPDHB or any other DHB to previous wrongfully dismissed staff members; and
- 38. Scott Hart is requested to answer if he knew or knows about any DHB employee that was exempted or allowed to continue working without having the first two shots of Pfizer vaccine with non response taken as acceptance as truth that he did know of DHB employees working without requiring having the vaccine, and allowed them to continue working without saying anything, demonstrating that discrimination occurred as all staff were not treated equally, and that any staff dismissed for not taking the covid vaccine were wrongfully dismissed for not being treated equal; and
- 39. does Scott Hart confirm that he did not have both the first two shots of Pfizer vaccine in his arm with the needle and the contents of the vial going into his arm under the skin and that the vial contents were the same as every other staff member or member of the public that was requested to take with non response taken as confirmation he did not take the double doses of vaccine that he was requesting staff members to take including me; and
- 40. Don Sorrenson is requested to answer if he knew or knows about any DHB employee that was exempted or allowed to continue working without having the first two shots of Pfizer vaccine with non response taken as acceptance as truth that he did know of DHB employees working without requiring having the vaccine, and allowed them to continue working without saying anything, demonstrating that discrimination occurred as all staff were not treated equally, and that any staff dismissed for not taking the covid vaccine were wrongfully dismissed for not being treated equal; and
- 41. does Don Sorrenson confirm that he did not have both the first two shots of Pfizer vaccine in his arm with the needle and the contents of the vial going into his arm under the skin and that the vial contents were the same as every other staff member or member of the public that was requested to take with non response taken as confirmation he did not take the double doses of vaccine that he was requesting staff members to take including me; and
- 42. does Don Sorrenson confirm that he considered me, Janine a valued staff member and that he only terminated my employment because his superiors told him to, and that if his superiors had not told him this he would not have taken this action; and
- 43. does Debra East confirm that she did not have both the first two shots of Pfizer vaccine in her arm with the needle and the contents of the vial going into her arm under the skin and that the vial contents were the same as every other staff member or member of the public that was requested to take with non response taken as confirmation she did not take the double doses of vaccine that all other DHB staff members were requested to take including me; and
- 44. does Debra East as previous manager and employee within BOPDHB and as the Executive Director of People and Culture for Te Whatu Ora know about any DHB employee that was exempted or allowed to continue working without having the first two shots of Pfizer vaccine with non response taken as acceptance as truth that she did know of DHB employees working without requiring having the vaccine, and allowed them to continue working, demonstrating that discrimination occurred as all staff were not treated equally, and that any staff dismissed for not taking the covid vaccine were wrongfully dismissed for not being treated equal; and

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45. Fepulea'i Margie Apa the Chief Executive of Health New Zealand and Te Whatu Ora plus previous DHB manager and Ministry of Health representative is also requested to confirm that she did not have both the first two shots of Pfizer vaccine in her arm with the needle and the contents of the vial going into her arm under the skin and that the vial contents were the same as every other staff member or member of the public that was requested to take with non response taken as confirmation she did not take the double doses of vaccine that all other members of the corporation were required to take showing a double standard and that she was treated with preferential treatment confirming discrimination has occurred and where she did not set the example of doing what other DHB employees were required to do ; and
46. Fepulea'i Margie Apa, Chief Executive of Te Whatu Ora is also requested to answer if she knew or knows about any DHB employee that was exempted or allowed to continue working without having the first two shots of Pfizer vaccine with non response taken as acceptance as truth that she did know of DHB employees working without requiring having the vaccine, and allowed them to continue working, demonstrating that discrimination occurred as all staff were not treated equally, and that any staff dismissed for not taking the covid vaccine were wrongfully dismissed for not being treated equal; and
47. Fepulea'i Margie Apa, Chief Executive of Te Whatu Ora is requested to answer was the DHB provided with money or incentive or directive for writing down covid death as the cause of death on death certificates regardless of other health conditions including the fatal gunshot victim Robert Hart occurring in New Lyn Auckland in November 2021 where his death was recorded as 'covid' with Ashley Bloomfield quoted in Washington Post article in Exhibit G saying "that even if Covid 19 wasn't the cause of death New Zealand was recording deaths with any link to coronavirus", with non response accepted that she knew this was occurring and is therefore liable for fraudulent actions to falsify information to make it look like there were more covid deaths than actually occurred; and
48. Fepulea'i Margie Apa, Chief Executive of Te Whatu Ora is requested to answer that she was aware that the DHB had implemented using the government recommended protocol of treating covid using remdesivir or its generic equivalent that has a high associated death rate and stopping the use of ivermectin which has a low death rate, and that she knew that there is a high associated death rate using remdesivir for treating covid as shown by the data in Exhibit I, with non response taken as Fepulea'i Margie Apa accepts that the DHB implemented the New Zealand government recommended treatment protocol of using remdesivir with her knowledge and approval and if this caused unnecessary loss of life that she is fully liable for any and all deaths associated with use of remdesivir and that deaths written down as covid deaths where the individual had been treated with remdesivir could have been due to the drug, not the disease; and
49. the required readers and contestors of this Affidavit are Peter Chandler, Scott Hart, Don Sorrenson, Debra East and Fepulea'i Margie Apa who are requested to answer the points with questions that have their name attached and if this affidavit goes uncontested on point-by-point basis signed with each individual's wet ink signature certifying to be true, correct, certain, complete, and not misleading with supporting evidence, no later than twenty-eight (28) calendar days from the day of first receipt will comprise reader's tacit procurement of agreement of all content in its entirety including all exhibits as truth in commerce and judgement in law, and the individuals and the corporations they represent are accepting full liability for the claims of the author for wrongful dismissal and discrimination plus failure of duty of care towards her as an employee and towards her daughter Talia White who died under their care and will pay her out in full as compensation owed by 20th of January 2024 at that time being 104 weeks of pay at \$1635 per week plus 104 weeks of damages at \$5000 per week plus 15% accruing interest totalling at that time nine hundred and fourteen thousand three hundred and three dollars [\$914,303] on accrued interest calculator plus owed eight weeks of holiday pay plus the one off missed pay from allied health pay negotiations without any removed taxes made into the author's chosen account being 'House of Talia Dawn Private Foundation' with account number Kiwibank 38 9024 0122732 00, and if no payment occurs by 20th day of January 2024 the author Janine has the lawful right to claim the higher amount on her liability notice in 'Exhibit A' of pay out of wages and damages plus 15% accruing interest until age 70 which was the age I was planning on retiring from this employment role which is total of 16 years with 3% inflation adjustment per year and totals the amount of \$5,877,210 plus 15% accruing interest for 16 years equals the grand total of fourteen million one hundred and five thousand and three hundred and four dollars [\$14,105,303], with the lawful ability to seize and liquidate assets owned by the individual or corporation, or place the DHB corporation and its successor corporation Te Whatu Ora —Health New Zealand into liquidation for non payment, where Janine is able to be the liquidator as the secured party creditor plus claim any costs she

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accumulates to take this action plus she can make claim off any individuals whose actions showed dishonour or discrimination towards her, plus she will add to her claim \$1000 per day plus 15% accruing interest since the date of death of her daughter Talia for deliberate cover ups to hide any DHB liability into Talia's death and duty of care while under the mental health act and under the care of the DHB; with author's autograph and three witnesses verifying this affidavit plus Exhibits 'A to J' attached to this Affidavit listed with the contents of these exhibits on the next page; and

- 50. each of the people that this Affidavit is addressed to are required to respond back in writing to the postal address of the author Janine within twenty eight [28] calendar days by 5pm from the first date of receipt to either confirm information in points as correct or rebut the points directed at them point by point with full disclosure and evidence to support any claim and make the following statement: "I [first name and last name] the living man/woman agree that I have read the eleven page Affidavit of the author Janine in its entirety including exhibits 'A' to 'J' and that what I have stated is true and correct in it's entirety with supporting evidence with full disclosure and sign this with my name and wet ink signature in my full private and commercial capacity as an individual and in my role as [write your role] for the District Health Board and it's successor company Te Whatu Ora –Health New Zealand, and have also ensured that this Affidavit was given to any other living man or woman who is considered the Principal at either the District Health Board or Te Whatu Ora to give them the opportunity to rebut this affidavit due to the commercial liability of the corporations"; with a non response or not adding the statement in bold included in this paragraph in point 50 signed with his/her wet ink signature from every individual named is taken and accepted as silent acquiescence and tacit acceptance that all content in this Affidavit and its exhibits 'A to J' is true and correct; and
- 51. all facts are created with my first-hand knowledge that are declared in this Affidavit of Truth and Claim of Harm and Wrongful Dismissal and Discrimination; and
- 52. my un rebutted Living Testimony in the form of Affidavit of Truth and Claim of Harm and Wrongful Dismissal and Discrimination including Exhibits A to J under Maxims of law and commerce stands as truth and correct in Law and commerce in its entirety, where I, Janine the author hold the original signed copy, and hold the lawful right to claim assets until paid out in full my un rebutted claims.

Janine.

PP Arabella

by 'Janine' of the clan Arabella

the author and Principal representing Janine ARABELLA

Date: **13th** day of December 2023

Witnessed by Margaret Louise from Mountain Rd, Oropi, Tauranga 3173

Autograph: *Margaret Louise PP Mulmore*

Witnessed by Robin John from Mountain Rd, Oropi, Tauranga 3173

Autograph: *Robin John PP. Acher*

Witnessed by Paula from Upper Ohauti Road, Tauranga 3173

Autograph: *Paula PP. Atkinson*

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Attached are the following exhibits:

- Exhibit A:** Notice of Liability presented on 25 November 2021 – 3 pages plus 13 pages of evidence of all dates it was received with no rebuttal
- Exhibit B:** Letter from me to DHB staff Don, Scott, Tess, Meredith and Rachel dated 20 December 2021 presented at zoom meeting outlining my 10 breaches of care plus quoting number of NZ Law breaches – 6 pages
- Exhibit C:** Letter from Don Sorrenson dated 22 December 2021 with termination decision of employment-7 pages which also confirmed that all my correspondence had been received and read
- Exhibit D:** My response to letter of termination sent 3rd of January 2022 – 1 page
- Exhibit E:** Email from Tess Richardson confirming termination of employment 18th of January 2022 – 1 page
- Exhibit F:** mainstream media article 13 October 2023 announcing that 11,000 DHB staff were exempted from having the vaccine – 1 page
- Exhibit G:** Washington Post Article dated 11th November 2021 of New Zealand man who died of gunshot wound recorded as covid death
- Exhibit H:** email 20/12/21 with attached autopsy report as proof that one of the side effects and risk factors of taking the Pfizer vaccine was death - 2 pages
- Exhibit I:** Information taken from CMS data base in 2021 comparing Ivermectin and Remdesivir for treatment of Covid 19
- Exhibit J:** letter dated 14 December 2021 sent via email on 15 December to Don Sorrenson, Scott Hart, Pete Chandler, Meredith McKenzie, Tess Richardson and Rachel Whaanga which addressed the personal liability of staff members for threatening to terminate me based on discrimination plus confirmed that author is not a Crown Entity and is not subject to Crown Law that author commercial charges are being made using New Zealand and England Common Law plus Maxim laws of commerce – 3 pages

*Exhibit A - 3 Pages plus 13 pages of evidence of receipt, total 16
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NOTICE OF LIABILITY dated 25 November 2021 from Janine Arabella

Att Don Sorrenson in role and acting as manager Support Net plus in private capacity

Att Tessa Richardson, Executive Director – People & Culture plus in her private capacity

Att Peter Chandler, CEO BOPDHB plus in his private capacity

Att Scott Hart, working for People and Culture BOPDHB plus in his private capacity

Att Meredith Mckenzie as employee representative of Employee Solutions BOPDHB plus in private capacity

Att Rachel Waanga as employee representative BOPDHB and in her private capacity

Att all BOPDHB council members in the role of council member as well as in private capacity named here as Sharon Shea, Geoff Esterman, Ron Scott, Hori Ahomiro, Mark Arundel, Bev Edlin, Ian Finch, Marion Guy, Leonie Simpson, Arihia Tuoro, Wayne Williams

I am left with no choice for course of action other than to issue liability notice to all parties that are complicit in breaches and duty of care towards me as an employee. Due to no action of DHB to resolve matters after 6 weeks off work because of failure to provide a safe work environment for me to work.

To all of the above people, you are liable in your private capacity as well as professional roles you act as agent for the BOPDHB and government of New Zealand. This is due to breach of the Wages Protection Act 1983, H+S Act 2015, Employment relations Act 2000, NZ Bill of Rights Act 1990, Human Rights Act 1993, Crimes Act 1961 and Criminal Procedure Act 2011 and I have the legal right to charge you in the private. Other Laws and Acts relevant that you are in breach of are: Universal declaration of human rights 1948, Nuremberg Principles, Declaration of Helsinki 1964, International Covenant on Civil and Political Rights United Nations 1967, plus the Secret Commissions Act 1910, plus International Crimes and Criminal Act 2000 sections 9-21.

I, Janine Arabella have been off work since 13 October due to failure of the DHB to provide a safe work environment for me. The date of this letter is 25 November, 43 days since I first went off work. On 2 November the DHB stopped paying my wages and started unlawfully and in bad faith deducting my annual leave. They were requested on 10 November by email to do this via my team leader and manager, then Rachel Waanga at Employee Solutions, then letter sent on 11 November to Pete Chandler, Don Sorrenson, Scott Hart and Tessa Richardson.

I will outline multiple breaches with more to follow once I go through all the legislation including employment law, criminal and civil laws.

- 1. DHB uploading my private sensitive information onto clinical intranet without my permission and refusing to remove it**
- 2. Any fellow staff members and DHB employees able to access my private sensitive medical information; privacy officer putting privacy screen on my NHI stating that no one able to access my private information without my written consent, then Scott Hart breaches my private medical information and passes this on to other DHB staff members**
- 3. DHB covering up information regarding failure of duty of care of DHB staff members towards my daughter who died earlier this year that has not only affected me as a mother but also as an employee as this was done by my employer**

*Exhibit A page 1 of 16
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4. DHB including all these people named in private capacity co-ercing me to take an experimental drug with serious risk factors including death in order for me to keep my employment
5. Lodging of 4 incidents of harm onto Datix, failure of DHB to address
6. 15 November sent multiple emails requesting via Rachel Waanga from Employee solutions to stop deducting tax from my wages as now tax exempt and section 4 of Wages protection act is subject to section 5 (can only take deductions with my written consent) Taking deductions without my consent is act of fraud and harm.
7. DHB Employee solution representative Rachel Waanga and my manager Don Sorrenson allowed DHB to deduct 2 weeks so far of annual leave out of my pay; when DHB failed to provide me a safe work place, and are therefore required to pay my wages until such a time they can provide a safe work environment for me to return to.
8. Failure of DHB to provide me with a safe work space – put me in hot desk environment with no privacy in with mental health service staff who caused harm towards my daughter, environment now hostile due to discrimination created by DHB revealing my vaccination status without consent to access my medical information. In order for me to return they have to eliminate all threats against me including hostile reactions from other staff plus eliminating virus from the work place, plus address all my health and safety needs.
9. DHB declared there is an unsafe virus in the work place, it is therefore their responsibility to remove it. Failure of DHB to eliminate a virus from my work place, making it an unsafe place for me to be regardless of vaccination status as both vaccinated and unvaccinated can transmit the disease. See official government website page 3 written in bold in paragraph 4: I also note here that the government website also clearly says that masks do not protect you from transmission.
[ministry_of_health_position_statement_on_the_management_of_unvaccinated_individuals_in_healthcare_settings.pdf](#)
10. Failure of DHB and its representatives identified here to address any of my health and safety needs including 22 questions asked in letter dated 11 November.
11. As so much hostility and work health and safety hazards identified and now remaining unresolved after 6 weeks of going off work, I do not see that the DHB can create a safe work environment for me to return to. I had fully intended on working in my current job up until the time I am 70, as many of my other colleagues have done so. I am currently 54, so this is another 16 years.

I have been off work since 13 October with multiple emails, letters and injury claims lodged with not one attempt to address these. 2 meetings in last week have been set to discuss my vaccination status, but not address any of my health and safety issues. I am not willing to meet until such time all of my health and safety issues and breaches of my rights under national and international law here in New Zealand.

Under common law I am able to claim for damages and harm not only to the DHB but to all staff addressed in writing in their private capacity. My claim for damages is \$1000 per day plus interest from 13 October plus payment of \$709.70 of deductions from my wages plus 2 weeks of wages that were taken illegally and in bad faith out of my annual leave, plus costs plus interest to claim money due to me. I loved my job and fully intended working

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there until the age of 70, as many of my colleagues have. As the DHB is unable to provide a safe work environment for me to return to my claim goes up until the time I turn 70 on 5 October 2037. This is 16 years x \$5000 per week x 52 = \$4,160,000.00 plus \$709.70 plus \$3079.30 = \$4,163,789.00 plus costs and interest at 15% accruing daily from the date this liability notice is written. I also lay claim to my loss of wages for 16 years plus inflation adjusted I am expecting a wage increase early next years under PSA pay equity claim and anticipate my salary will go up to \$85,000 allowing for 3% inflation per year this figure comes to \$1,713,421 for loss of wages accruing at 15% daily from 25/11/21. As I am now tax exempt this amount would need to be paid in full. You have my bank account details for payment of \$4,163,789 + \$1,713,421 = \$5,877,210. If the DHB does not pay out my claims to harm I have the legal right to charge each person identified in their private capacity, and I will have the ability to seize your personal property.

Please note further charges will apply and be added once I review all the breaches of the above acts. I note that many offenses have charges \$100-500,000 per act, with many breaches that have occurred towards me, plus there are criminal charges of fraud, co-ercement and threats to my life, and due to staff being co-erced to have the experimental drug and some having severe adverse side effects and maybe even death there are likely to be charges for Crimes Against Humanity. I add here that failing to offer treatment protocols where there is very low risk of death in favour of the one the government puts forward that has high risk of death is also a crime against humanity, and failing to record severe adverse effects after having the vaccine or death is also failure in duty of care and a crime against humanity. Now that you have been informed you have no excuses and you can expect to be brought before a world court for crimes against humanity.

Please note it is to my advantage the longer you take to address your failure to address my employment issues and health and safety needs it is to my advantage due to the accruing interest that I can claim.

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Janine Arabella

Employee number 14635

Email for all communication is: janine.arabella1@gmail.com

Exhibit A page 3 of 16 gw



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janine arabella <janine.arabella1@gmail.com>

important information attached regarding employment issue

janine arabella <janine.arabella1@gmail.com>

Thu, Nov 25, 2021 at 1:34 PM

To: pete.chandler@bopdhb.govt.nz, Don Sorrenson <Don.Sorrenson@bopdhb.govt.nz>, tess.richardson@bopdhb.govt.nz, Scott Hart <Scott.Hart@bopdhb.govt.nz>, Rachel.Whaanga@bopdhb.govt.nz, meredith.mckenzie@bopdhb.govt.nz

It is now six weeks since the DHB has failed to provide a safe work place for me with no attempts or effort to resolve. Please open my letter and make some decisions to address.

Janine Arabella

 **important information obtained regarding DHB employee.docx.pdf**
92K



Exhibit A page 4 of 10 gw



janine arabella <janine.arabella1@gmail.com>

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important information attached regarding employment issue

Pete Chandler <Pete.Chandler@bopdhb.govt.nz>

To: janine arabella <janine.arabella1@gmail.com>, Don Sorrenson <Don.Sorrenson@bopdhb.govt.nz>, Tess Richardson <Tess.Richardson@bopdhb.govt.nz>, Scott Hart <Scott.Hart@bopdhb.govt.nz>, Rachel Whaanga <Rachel.Whaanga@bopdhb.govt.nz>, "meredith.mckenzie@bopdhb.govt.nz" <meredith.mckenzie@bopdhb.govt.nz>

Fri, Nov 26, 2021 at 7:04 PM

Kia ora Janine

This is just to acknowledge your letter and confirm the DHB is working on a response. This is not straightforward because of the range of issues you've raised and the fact that many of them are beyond the DHB's ability to influence in that we are required to adhere to the law.

Similarly it is not possible for us to eliminate one of the key hazards you have identified – ie the virus – but as you know there is free vaccination mitigation which is the best worldwide defence at this point and has been available to all staff for six months and now with two vaccine options available.

However, we acknowledge there are a number of issues in your letter and I'm sure you'll appreciate we have had a number of similar letters which are all being worked through.

I also acknowledge the various Datix incidents citing workplace harm as a result of the government's vaccine mandate.

We will endeavour to respond to you on all points raised during the coming week.

Best regards

Pete Chandler | Chief Executive Officer

Bay of Plenty District Health Board

Private Bag 12024, Tauranga Mail Centre, Tauranga 3143

New Zealand



+64 (07) 579 8363



Pete.chandler@bopdhb.govt.nz

M: 027 807 1937



Exhibit A page 5 of 16



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janine arabella <janine.arabella1@gmail.com>

important information attached regarding employment issue

janine arabella <janine.arabella1@gmail.com>

To: pete.chandler@bopdhb.govt.nz, Don Sorrenson <Don.Sorrenson@bopdhb.govt.nz>, Scott Hart <Scott.Hart@bopdhb.govt.nz>

Wed, Nov 22, 2023 at 3:01 PM

Dear Don, Scott, Peter

This is a reminder that the liability notice still stands as attached and received initially by you on 25 November 2021, as my health and safety employment issues were never resolved and be aware that these charges continue to go up with accruing interest. I received confirmation from each one of you that all my past correspondence was read, therefore you should all have a full understanding of your private liability. My understanding is that Tess and Meredith have left the organisation. If I am wrong you are welcome to forward this email to them

Janine Arabella

 **important information obtained regarding DHB employee.docx.pdf**
92K

Exhibit A page 5 of 16 gw



ASC - JA - p 28 of 161

janine arabella <janine.arabella1@gmail.com>

Janine Arabella requesting information

janine arabella <janine.arabella1@gmail.com>

To: Scott Hart <Scott.Hart@bopdhb.govt.nz>

Cc: Don Sorrenson <Don.Sorrenson@bopdhb.govt.nz>, pete.chandler@bopdhb.govt.nz

Sun, Nov 26, 2023 at 6:49 PM

Dear Scott

I refer you to my email sent below at 6.42pm on Monday 13 November and voicemail left for you on Wednesday 15 November at 3.31pm requesting you to contact me to inform me of the process of how to make a claim for wrongful termination. You completely ignored these and chose not to respond and were acting in dishonour until I reminded you 10 days later of your private liability and re-sent you my liability notice on Wednesday 22 November.

It is unacceptable to request a further two weeks before responding. I request a response by 5pm Monday 27 November which is two weeks since you were originally contacted. All I have asked for is the official dhb process to place a wrongful dismissal claim. To ensure there is no confusion or further delay tactics I now attach the liability notice so you have received it a third time plus have also placed it in signature required courier post bag today and as you are the manager of People and Culture will task you with printing the liability notice and providing a printed copy of it to Don Sorenson and Peter Chandler and any other person you consider appropriate. You now have no excuses and and no response by Monday 5pm on 27 November will be taken as a further action of dishonour on your behalf.

[Quoted text hidden]

3 attachments



image001.png
91K



image002.jpg
8K

Manaaakitanga



important information obtained regarding DHB employee.docx.pdf
92K

Exhibit A page 8 of 16 gw

ASC - JA - P 29 of 161



janine arabella <janine.arabella1@gmail.com>

Janine Arabella requesting information

Mon, Nov 27, 2023 at 8:29 AM

Scott Hart <Scott.Hart@bopdhb.govt.nz>
To: janine arabella <janine.arabella1@gmail.com>
Cc: Don Sorrenson <Don.Sorrenson@bopdhb.govt.nz>

Kia ora Janine,

Acknowledging receipt of your email.

We will aim to have a response to your request within 10 working days.

Ngā mihi

Scott Hart

Industrial Relations Manager

People and Culture

Hauora a Toi Bay of Plenty

| Imēra: scott.hart@bopdhb.govt.nz

Pohutukawa House, Tauranga Campus



Te Whatu Ora – Health New Zealand

TeWhatuOra.govt.nz

From: janine arabella <janine.arabella1@gmail.com>
Sent: Sunday, 26 November 2023 6:50 pm
To: Scott Hart <Scott.Hart@bopdhb.govt.nz>
Cc: Don Sorrenson <Don.Sorrenson@bopdhb.govt.nz>; Pete Chandler <Pete.Chandler@bopdhb.govt.nz>
Subject: Re: Janine Arabella requesting information

Dear Scott

I refer you to my email sent below at 6.42pm on Monday 13 November and voicemail left for you on Wednesday 15 November at 3.31pm requesting you to contact me to inform me of the process of how to make a claim for wrongful termination. You completely ignored these and chose not to respond and were acting in dishonour until I reminded you 10 days later of your private liability and re-sent you my liability notice on Wednesday 22 November.

Exhibit A Page 8 of 16 JW

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NZPost

S



Courier, Signature Required



DELIVERY DETAILS

Name: Scott Hart

Company: Manager People & Culture

Address: Pohutakawa House Tauranga Hospital
829 Cannon Rd

Town / City: Tauranga

Postcode: 3112 Phone: 075 798000

Country: New Zealand

Please fully complete the address panel in English.



This bag is made from 80% recycled plastic

Post code Tracking Number LW 121 245 355 NZ

NOTICE OF LIABILITY dated 25 November 2021 from Janine Arabella

Att Don Sorrenson in role and acting as manager Support Net plus in private capacity
 Att Tessa Richardson, Executive Director – People & Culture plus in her private capacity
 Att Peter Chandler, CEO BOPDHB plus in his private capacity
 Att Scott Hart, working for People and Culture BOPDHB plus in his private capacity
 Att Meredith Mckenzie as employee representative of Employee Solutions BOPDHB plus in private capacity
 Att Rachel Waanga as employee representative BOPDHB and in her private capacity
 Att all BOPDHB council members in the role of council member as well as in private capacity named here as Sharon Shea, Geoff Esterman, Ron Scott, Hori Ahomiro, Mark Arundel, Bev Edlin, Ian Finch, Marion Guy, Leonie Simpson, Arihia Tuoro, Wayne Williams

I am left with no choice for course of action other than to issue liability notice to all parties that are complicit in breaches and duty of care towards me as an employee. Due to no action of DHB to resolve matters after 6 weeks off work because of failure to provide a safe work environment for me to work.

To all of the above people, you are liable in your private capacity as well as professional roles you act as agent for the BOPDHB and government of New Zealand. This is due to breach of the Wages Protection Act 1983, H+S Act 2015, Employment relations Act 2000, NZ Bill of Rights Act 1990, Human Rights Act 1993, Crimes Act 1961 and Criminal Procedure Act 2011 and I have the legal right to charge you in the private. Other Laws and Acts relevant that you are in breach of are: Universal declaration of human rights 1948, Nuremberg Principles, Declaration of Helsinki 1964, International Covenant on Civil and Political Rights United Nations 1967, plus the Secret Commissions Act 1910, plus International Crimes and Criminal Act 2000 sections 9-23

I, Janine Arabella have been off work since 13 October due to failure of the DHB to provide a safe work environment for me. The date of this letter is 25 November, 43 days since I first went off work. On 2 November the DHB stopped paying my wages and started unlawfully and in bad faith deducting my annual leave. They were requested on 10 November by email to do this via my team leader and manager, then Rachel Waanga at Employee Solutions, then letter sent on 11 November to Pete Chandler, Don Sorrenson, Scott Hart and Tessa Richardson.

I will outline multiple breaches with more to follow once I go through all the legislation including employment law criminal and civil laws.

1. DHB uploading my private sensitive information onto clinical intranet without my permission and refusing to remove it
2. Any fellow staff members and DHB employees able to access my private sensitive medical information; privacy officer putting privacy screen on my NHI stating that no one able to access my private information without my written consent, then Scott Hart breaches my private medical information and passes this on to other DHB staff members
3. DHB covering up information regarding failure of duty of care of DHB staff members towards my daughter who died earlier this year that has not only affected me as a mother but also as an employee as this was done by my employer

Exhibit A page 9 of 16



PROOF OF DELIVERY
LW121245355NZ

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Report generated
November 30 2023 at 03:18 pm

Delivered	06.39 am	Tuesday November 28 2023
With courier for delivery	05.40 am	Tuesday November 28 2023
Collected from sender	09.23 am	Monday November 27 2023
Collected from sender	09.22 am	Monday November 27 2023

Signed for by:
Peter Minto

11/28/23 10:00
11/28/23 10:00

Any questions? Get in touch! nzpost.co.nz/contact-form
To view our privacy policy and terms & conditions visit nzpost.co.nz/terms-of-business

Exhibit A page 10 of 16 gw

12/10/23, 4:56 PM

Gmail - Janine Arabella requesting information

ASC - JA - p 32 of 161



janine arabella <janine.arabella1@gmail.com>

Janine Arabella requesting information

janine arabella <janine.arabella1@gmail.com>

Wed, Nov 29, 2023 at 5:03 PM

To: Debra East <Debra.East@bopdhb.govt.nz>, meredith.mckenzie@bopdhb.govt.nz

Dear Debra

As neither Scott nor Don nor Peter forwarded you the attachment that was associated with the email and you confirm you did not receive it I now forward to you for your information the liability notice that has now been sent 4 times to Scott, Don and Peter plus originally received by Tess Richardson and Meredith Mackenzie and Rachel Waanga on 25 November 2021 plus all DHB board members.

Janine



Virus-free. www.avg.com

[Quoted text hidden]

important information obtained regarding DHB employee.docx.pdf
92K

Exhibit A page 11 of 16

gw



ASC - JA - p 33 of 161

janine arabella <janine.arabella1@gmail.com>

Janine Arabella requesting information

----- Forwarded message -----

From: **janine arabella** <janine.arabella1@gmail.com>

Date: Wed, Nov 29, 2023 at 5:03 PM

Subject: Re: Janine Arabella requesting information

To: Debra East <Debra.East@bopdhb.govt.nz>,

<meredith.mckenzie@bopdhb.govt.nz>

Dear Debra

As neither Scott nor Don nor Peter forwarded you the attachment that was associated with the email and you confirm you did not receive it I now forward to you for your information the liability notice that has now been sent 4 times to Scott, Don and Peter plus originally received by Tess Richardson and Meredith Mackenzie and Rachel Waanga on 25 November 2021 plus all DHB board members.

Janine



Virus-free. www.avg.com

On Wed, Nov 29, 2023 at 3:00 PM Debra East <Debra.East@bopdhb.govt.nz>

wrote:

Kia Ora Janine

I refer to your email dated the 13 November 2023 at 6.23pm.

As there was no attachment to that, and if I refer back to the correspondence you are relying upon, it appears it is a communication for January 20222, when the Gvt imposed a PHO related to covid vaccinations.

We have not been advised to provide any remedial action to claimants who believe they have a case against their employer at that time, being BOP DHB.

You have requested advice on how to pursue this claim you state below.

As this case would be covered under Employment Law and MBIE you would / could speak with someone there or engage your own advocate to **validate your findings below**.

To reiterate, we have not been advised that there are actions that we as an employer need to undertake.

Nga mihi nui

Debra East

Executive Director – People and Culture

Hauora a Toi Bay of Plenty

waea pūkoro: 027 227 4199 | Imēra: debra.east@bopdhb.govt.nz

829 Cameron Road, Tauranga | PO Box 12024, Tauranga 3143

Te Whatu Ora – Health New Zealand
TeWhatuOra.govt.nz

From: Scott Hart <Scott.Hart@bopdhb.govt.nz>
Sent: Monday, 27 November 2023 8:29 am
To: janine arabella <janine.arabella1@gmail.com>
Cc: Don Sorrenson <Don.Sorrenson@bopdhb.govt.nz>
Subject: RE: Janine Arabella requesting information

Kia ora Janine,

Acknowledging receipt of your email.

We will aim to have a response to your request within 10 working days.

Ngā mihi

Scott Hart
Industrial Relations Manager
People and Culture
Hauora a Toi Bay of Plenty

| Īmēra: scott.hart@bopdhb.govt.nz
Pohutukawa House, Tauranga Campus

Te Whatu Ora – Health New Zealand
TeWhatuOra.govt.nz

From: janine arabella <janine.arabella1@gmail.com>
Sent: Sunday, 26 November 2023 6:50 pm
To: Scott Hart <Scott.Hart@bopdhb.govt.nz>
Cc: Don Sorrenson <Don.Sorrenson@bopdhb.govt.nz>; Pete Chandler <Pete.Chandler@bopdhb.govt.nz>
Subject: Re: Janine Arabella requesting information

Dear Scott

I refer you to my email sent below at 6.42pm on Monday 13 November and voicemail left for you on Wednesday 15 November at 3.31pm requesting you to contact me to inform me of the process of how to make a claim for wrongful termination. You completely ignored these and chose not to respond and were acting in dishonour until I reminded you 10 days later of your private liability and re-sent you my liability notice on Wednesday 22 November.

It is unacceptable to request a further two weeks before responding. I request a response by 5pm Monday 27 November which is two weeks since you were originally contacted. All I have asked for is the official dhb process to place a wrongful dismissal claim. To ensure there is no confusion or further delay tactics I now attach the liability notice so you have received it a third time plus have also placed it in signature required courier post today and as you are the manager of People and Culture will task you with printing the liability notice and providing a printed copy of it to Don Sorrenson and Peter Chandler and any other person you consider appropriate. You now have no excuses and no response by Monday 5pm on 27 November will be taken as a further action of dishonour on your behalf.

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Janine from house of Arabella

Care of [37A] Glue Pot Road

Oropi, Tauranga [3173]

10th day of December 2023

To Peter Chandler in the flesh, former CEO BOPDHB
Sent via courier post 17 Te Karaka Drive , Te Puna 3174 Tracking post LW123841911NZ
And work address being Western Bay of Plenty Primary Health Organisation (PHO) 87 First Ave, Tauranga 3110
Tracking post LW123841925NZ

Dear Peter

As you are past CEO for BOPDHB I have needed to keep you fully informed as to where things are at, as my health and safety plus discrimination issues were never addressed, especially now it has come to light that over 11,000 DHB employees were exempted of having the vaccine showing clear evidence of discrimination towards those whose employment was wrongfully terminated including mine.

I contacted Scott Hart on 13 November 2023 via email plus left him voicemail at 3.31pm on 15th November and he chose not to respond back to either the email or voicemail, so on 22 November I resent the liability notice with my charges to Scott Hart and Don Sorrenson and yourself to your DHB email address which appears to still be current as past employee emails receive an email rejection notice.

This is the original liability notice that was sent to you on 25 November 2021 where you responded back by email on the following day Friday November 26th 2021 to acknowledge that you received this email and letter attached and your letter was Cc'ed back to all the original DHB staff it was sent to – Don Sorrenson, Tess Richardson, Scott Hart, Rachel Whaanga and Meredith McKenzie.

On 24th day of November 2023 Scott Hart sent me an email acknowledging the original email sent on 13th of November that he would aim to have a response to me within 10 working days. I responded back that this was unacceptable on 26 November as he had already two weeks and requested a response by 5pm on 27 November and reattached the liability notice and Cc'ed this to you and Don Sorrenson, and requested him to print a copy and provide the hard copy to you and Don.

On 27th day of November Scott Hart then sent me another email acknowledging the receipt of the email on 26 November which had the liability notice attached and said I will have a response to this email within ten working days which ends on Monday 11 December.

Can you please inform me by my email janine.arabella1@gmail.com or by courier post by 5pm on 13th December 2023 that the email pete.chandler@bopdhb.govt.nz is current and that you did receive the emails discussed above being 22 November and 26 November 2023 from me with the liability notice attached and can you also please advise that Scott Hart did provide you with a printed out copy.

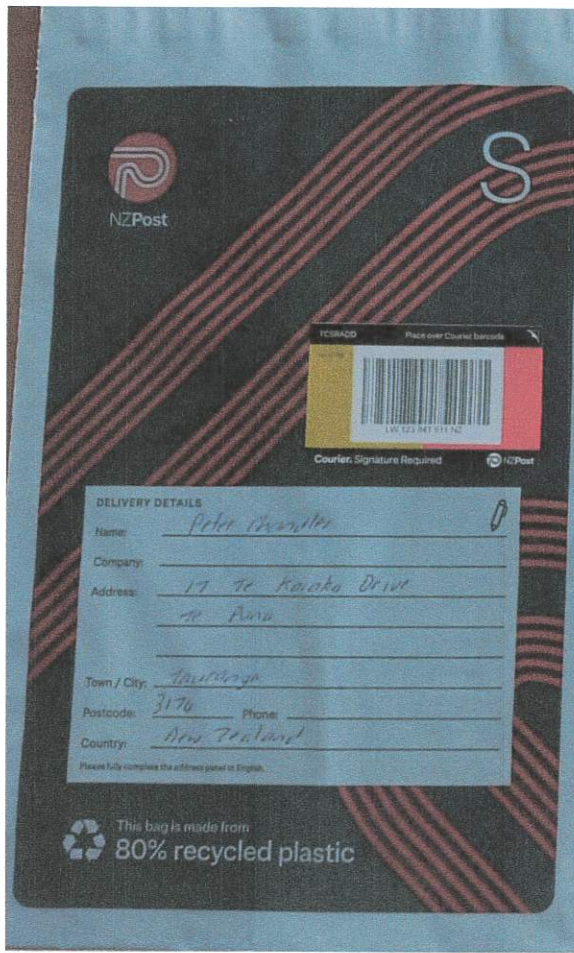
Please note that a non-response is acting in bad faith and a non response will be taken as silent acquiescence that you did receive these emails with attachments.

To ensure that you have received the hard copy of the three page liability notice I have resent it via tracked courier to your current work address and home address, as the liability notice has remained current and valid due to the issues never being addressed. As you were the CEO at the time you still carry the responsibility to address these issues. Hoping that you will assist to speed up the process, and now that I have evidence that you have received the liability notice three times you have no excuses. You will be informed of the next step in my claim for wrongful dismissal shortly.

From the living woman 'Janine' known to the DHB as Janine Arabella

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Exhibit A page 15 of 16
gpd



Janine from house of Arabella
Care of [37A] Glue Pot Road
Omipi, Tauranga [3173]
10th day of December 2023

To Peter Chandler in the flesh, former CEO BOPDHB
Sent via courier post 17 Te Karaka Drive, Te Puna 3174 Tracking post LW123841911NZ
And work address being Western Bay of Plenty Primary Health Organisation (PHO) 87 First Ave, Tauranga 3110
Tracking post LW123841925NZ

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On 27th day of November Scott Hart then sent me another email acknowledging the receipt of the email on 26 November which had the liability notice attached and said I will have a response to this email within ten working days which ends on Monday 11 December.

Can you please inform me by my email janine.arabella1@gmail.com or by courier post by 5pm on 13th December 2023 that the email peter.chandler@bopdhb.nz is current and that you did receive the emails discussed above being 22 November and 26 November 2023 from me with the liability notice attached and can you also please advise that Scott Hart did provide you with a printed out copy.

Please note that a non-response is acting in bad faith and a non response will be taken as silent acquiescence that you did receive these emails with attachments.

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From the living woman 'Janine' known to the DHB as Janine Arabella

Page 1 of 1

NOTICE OF LIABILITY dated 25 November 2021 from Janine Arabella

Att Don Sorrenson in role and acting as manager Support Net plus in private capacity
Att Tessa Richardson, Executive Director - People & Culture plus in her private capacity
Att Peter Chandler, CEO BOPDHB plus in his private capacity
Att Scott Hart, working for People and Culture BOPDHB plus in his private capacity
Att Meredith McKenzie as employee representative of Employee Solutions BOPDHB plus in private capacity
Att Rachel Waanga as employee representative BOPDHB and in her private capacity
Att all BOPDHB council members in the role of council member as well as in private capacity named here as Sharon Shea, Geoff Esterman, Ron Scott, Hori Ahomiro, Mark Arundel, Bev Edlin, Ian Finch, Marion Guy, Leonie Simpson, Anihia Tuoro, Wayne Williams

I am left with no choice for course of action other than to issue liability notice to all parties that are complicit in breaches and duty of care towards me as an employee. Due to no action of DHB to resolve matters after 6 weeks off work because of failure to provide a safe work environment for me to work.

To all of the above people, you are liable in your private capacity as well as professional roles you act as agent for the BOPDHB and government of New Zealand. This is due to breach of the Wages Protection Act 1983, H+S Act 2015, Employment relations Act 2000, NZ Bill of Rights Act 1990, Human Rights Act 1993, Crimes Act 1961 and Criminal Procedure Act 2011 and I have the legal right to charge you in the private. Other Laws and Acts relevant that you are in breach of are: Universal declaration of human rights 1948, Nuremberg Principles, Declaration of Helsinki 1964, International Covenant on Civil and Political Rights United Nations 1967, plus the Secret Commissions Act 1910, plus International Crimes and Criminal Act 2000 sections 9-21

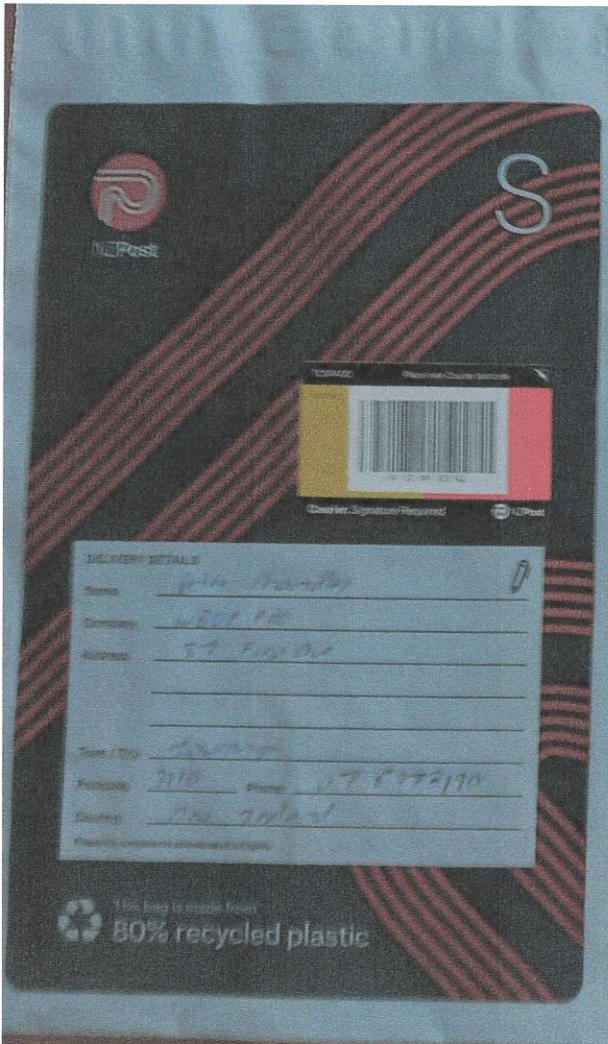
I Janine Arabella have been off work since 13 October due to failure of the DHB to provide a safe work environment for me. The date of this letter is 25 November, 43 days since I first went off work. On 2 November the DHB stopped paying my wages and started unlawfully and in bad faith deducting my annual leave. They were requested on 10 November by email to do this via my team leader and manager, then Rachel Waanga at Employee Solutions, then letter sent on 11 November to Pete Chandler, Don Sorrenson, Scott Hart and Tessa Richardson.

I will outline multiple breaches with more to follow once I go through all the legislation including employment law, criminal and civil laws.

1. DHB uploading my private sensitive information onto clinical intranet without my permission and refusing to remove it
2. Any fellow staff members and DHB employees able to access my private sensitive medical information; privacy officer putting privacy screen on my NHl stating that no one able to access my private information without my written consent, then Scott Hart breaches my private medical information and passes this on to other DHB staff members
3. DHB covering up information regarding failure of duty of care of DHB staff members towards my daughter who died earlier this year that has not only affected me as a mother but also as an employee as this was done by my employer

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Exhibit A page 16 of 16



Janine from House of Arabella
 Care of [37A] Glue Pot Road
 Orero, Tauranga [3173]
 10th day of December 2023

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 And work address being Western Bay of Plenty Primary Health Organisation (PHO) 87 First Ave, Tauranga 3110
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Dear Peter

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I contacted Scott Hart on 13 November 2023 via email plus left him voicemail at 3:31pm on 15th November and he chose not to respond back to either the email or voicemail, so on 22 November I resent the liability notice with my charges to Scott Hart and Don Sorrenson and yourself to your DHB email address which appears to still be current as past employee emails receive an email rejection notice.

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Page 1 of 1

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 Att Rachel Waanga as employee representative BOPDHB and in her private capacity
 Att all BOPDHB council members in the role of council member as well as in private capacity named her Sharon Shea, Geoff Esterman, Ron Scott, Hori Ahomiro, Mark Arundel, Bev Edlin, Ian Finch, Marion Guy, Le Simpson, Anriha Tuoro, Wayne Williams

I am left with no choice for course of action other than to issue liability notice to all parties that are compliant breaches and duty of care towards me as an employee. Due to no action of DHB to resolve matters after 6+ off work because of failure to provide a safe work environment for me to work.

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1. DHB uploading my private sensitive information onto clinical intranet without my permission refusing to remove it
2. Any fellow staff members and DHB employees able to access my private sensitive medical info privacy officer putting privacy screen on my NHI stating that no one able to access my information without my written consent, then Scott Hart breaches my private medical info and passes this on to other DHB staff members
3. DHB covering up information regarding failure of duty of care of DHB staff members low daughter who died earlier this year that has not only affected me as a mother but also as an employee as this was done by my employer

To BOPDHB Employee Representatives: Don Sorrenson, Tess Richardson, Scott Hart, Pete Chandler, Meredith McKenzie and Rachel Waanga

From Janine Arabella, employee at Support Net

20 December 2021

Dear Don, Tess, Scott, Pete, Meredith and Rachel

I have made it very clear that I have many personal grievances towards the DHB organisation and staff members acting in authority positions where many of my individual, employment and health and safety rights have been breached. Since the DHB are making their primary focus around the vaccine mandate I have highlighted these in yellow, but every aspect of my health and safety and every breach is important.

I will summarise the breaches here.

- (1) Fraudulent cover up of events that occurred that lead to the death of my daughter while under the mental health act and care of the DHB. Covering up important information to avoid liability are criminal chargeable acts. This is failure of responsibility towards my daughter, me as a mother and me as an employee.
- (2) Breach of my private medical information, firstly private sealed documents uploaded onto clinical intranet without my permission and failure to remove them, then breach to obtain information of my vaccination status.
- (3) DHB taking out unauthorised funds from my wages after being informed on 15 November that I am now tax exempt from 11 November. The contact person at IRD who is responsible for processing my tax exempt status is Bernadette Newman, who can be contacted by email on bernadette.newman@ird.govt.nz. I ask that I receive a copy of any correspondence from her or any other representative from IRD.
- (4) Failure to provide safe work environment due to placing me in open hot desk office with no own space or privacy with sharing the space with some of staff from mental health services involved with my daughter's failed care.
- (5) Failure to provide safe work space due to declaring there is a virus in the work place and failure to remove it.
- (6) Failure to address discrimination towards me and changing the rules where I was allowed to work from home with no patient contact until the time they questioned my vaccination status.
- (7) Co-ercement to take an untested drug where one of the risk factors is death plus many having severe adverse reactions and sickness and threatened with termination of employment and loss of income if I do not take it. It is a lie that it is my choice, as I have been threatened with loss of employment. (please see attached autopsy report of person who died of vaccine as proof that one of risk factors is death).
- (8) Prohibited to come to work based on discrimination due to vaccination status when government official document provided 14 December clearly states that both vaccinated and unvaccinated can transmit the disease, and as both can transmit any form of segregation is discrimination.
- (9) Conditional acceptance given to have vaccine based on all people involved in the decision making of my termination including Don Sorrenson, Meredith McKenzie, Scott Hart, Pete Chandler, Tess Richardson and Rachel Waanga plus the doctor or person administering the drug providing personal guarantee and liability signed agreement that the drug is safe and effective and I shall come to no harm and if I did they will take full responsibility and liability.
- (10) If Don, Pete, Tess, Meredith, Rachel and Scott 'follow orders' of enforcing taking the vaccine as coercion, you are therefore complicit with the government in the vaccine roll out and can potentially be charged for any adverse reactions, deaths including the government recommended treatment protocol for treatment of covid 19 which has high death rate compared to other low risk death treatment options. There are international charges under the Nuremberg Code for Crime Against Humanity and Criminal Procedure Act 2011 Schedule 1 Category 4 offences part 2 International Crimes sections 9 and 10 which have penalties of up to life imprisonment and death. Please see attached

official mdsafe document with final recommendations regarding Pfizer where Mdsafe clearly states that they are unable to recommend this product for consent in New Zealand. I state clearly here that I do not wish for any harm to occur to any staff member within the DHB, but believe I have a responsibility to inform them of potential consequences and accountability of their decisions and actions. Nuremberg Principle number 4 states "The fact that a person acted pursuant to order of his Government or of a superior does not relieve him from responsibility under international law, provided a moral choice was in fact possible to him."

There is no threat of harm of any form from me and I also state clearly that I am of sound mind. I provided DHB staff members with an opportunity to remedy themselves by showing that they are trying to correct actions of harm by acting in good faith and removing actions of bad faith, as actions of bad faith lead to you being charged in the private. It is now in your hands what you decide to do.

Crimes Act 1961 section 201 Infecting with disease: Every one is liable to imprisonment for a term not exceeding 14 years who, wilfully and without lawful justification or excuse, causes or produces in any other person any disease or sickness.

Criminal Procedure Act 2011 Schedule 1 Category 4 offences part 2 International Crimes sections 9 and 10

Section 9 - Genocide the penalty is the same for murder which in world court is death penalty or life imprisonment

Section 10 – Crimes against humanity is the same for murder which in world court is death penalty or life imprisonment

Health and Safety at Work Act 2015

I went off work on 13 October due to failure of DHB to provide me with a safe work environment. To date the work environment has not changed. The DHB has been given multiple opportunities to remedy this. My health and safety issues far exceed the vaccine mandate.

83 Right of worker to cease or refuse to carry out unsafe work

- (1) A worker may cease, or refuse to carry out, work if the worker believes that carrying out the work would expose the worker, or any other person, to a serious risk to the worker's or other person's health or safety arising from an immediate or imminent exposure to a hazard.
- (2) A worker may continue to refuse to carry out the work if—
 - (a) the worker attempts to resolve the matter with the PCBU as soon as practicable after first refusing to do the work; and
 - (b) the matter is not resolved; and
 - (c) the worker believes on reasonable grounds that carrying out the work would expose the worker or any other person to a serious risk to the worker's or other person's health or safety arising from an immediate or imminent exposure to a hazard.

Part 2 Health and safety duties

Subpart 1—Key principles relating to duties

30 Management of risks

- (1) A duty imposed on a person by or under this Act requires the person—
 - (a) to eliminate risks to health and safety, so far as is reasonably practicable; and
 - (b) if it is not reasonably practicable to eliminate risks to health and safety, to minimise those risks so far as is reasonably practicable.
- (2) A person must comply with subsection (1) to the extent to which the person has, or would reasonably be expected to have, the ability to influence and control the matter to which the risks relate.

17 Meaning of PCBU

- (1) In this Act, unless the context otherwise requires, a person conducting a business or undertaking or PCBU—

- (e) the safety record of the person (including, without limitation, any warning, infringement notice, or improvement notice issued to the person or enforceable undertaking agreed to by the person) to the extent that it shows whether any aggravating factor is present; and
- (f) the degree of departure from prevailing standards in the person's sector or industry as an aggravating factor; and
- (g) the person's financial capacity or ability to pay any fine to the extent that it has the effect of increasing the amount of the fine.

Employment Relations Act 2000

Good faith employment relations

4 Parties to employment relationship to deal with each other in good faith

- (1) The parties to an employment relationship specified in subsection (2)—
 - (a) must deal with each other in good faith; and
 - (b) without limiting paragraph (a), must not, whether directly or indirectly, do anything—
 - (i) to mislead or deceive each other; or
 - (ii) that is likely to mislead or deceive each other.

4A Penalty for certain breaches of duty of good faith

A party to an employment relationship who fails to comply with the duty of good faith in section 4(1) is liable to a penalty under this Act if—

- (a) the failure was deliberate, serious, and sustained; or
- (b) the failure was intended to—
 - (i) undermine bargaining for an individual employment agreement or a collective agreement; or
 - (ii) undermine an individual employment agreement or a collective agreement; or
 - (iii) undermine an employment relationship; or
 - (iv) undermine the pay equity claim resolution process under Part 4 of the Equal Pay Act 1972; or
- (c) the failure was a breach of section 59B or section 59C.

104 Discrimination

(1) For the purposes of section 103(1)(c), an employee is discriminated against in that employee's employment if the employee's employer or a representative of that employer, by reason directly or indirectly of any of the prohibited grounds of discrimination specified in section 105, or the employee's union membership status or involvement in union activities in terms of section 107,—

- (a) refuses or omits to offer or afford to that employee the same terms of employment, conditions of work, fringe benefits, or opportunities for training, promotion, and transfer as are made available for other employees of the same or substantially similar qualifications, experience, or skills employed in the same or substantially similar circumstances; or
- (b) dismisses that employee or subjects that employee to any detriment, in circumstances in which other employees employed by that employer on work of that description are not or would not be dismissed or subjected to such detriment; or
- (c) retires that employee, or requires or causes that employee to retire or resign.

(2) For the purposes of this section, detriment includes anything that has a detrimental effect on the employee's employment, job performance, or job satisfaction.

Remedies in relation to personal grievances

123 Remedies

(1) Where the Authority or the court determines that an employee has a personal grievance, it may, in settling the grievance, provide for any 1 or more of the following remedies:

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36 Primary duty of care

- (1) A PCBU must ensure, so far as is reasonably practicable, the health and safety of—
 - (a) workers who work for the PCBU, while the workers are at work in the business or undertaking; and
 - (b) workers whose activities in carrying out work are influenced or directed by the PCBU, while the workers are carrying out the work.
- (2) A PCBU must ensure, so far as is reasonably practicable, that the health and safety of other persons is not put at risk from work carried out as part of the conduct of the business or undertaking.
- (3) Without limiting subsection (1) or (2), a PCBU must ensure, so far as is reasonably practicable,—
 - (a) the provision and maintenance of a work environment that is without risks to health and safety; and
 - (b) the provision and maintenance of safe plant and structures; and
 - (c) the provision and maintenance of safe systems of work; and
 - (d) the safe use, handling, and storage of plant, substances, and structures; and
 - (e) the provision of adequate facilities for the welfare at work of workers in carrying out work for the business or undertaking, including ensuring access to those facilities; and
 - (f) the provision of any information, training, instruction, or supervision that is necessary to protect all persons from risks to their health and safety arising from work carried out as part of the conduct of the business or undertaking; and
 - (g) that the health of workers and the conditions at the workplace are monitored for the purpose of preventing injury or illness of workers arising from the conduct of the business or undertaking.

44 Duty of officers

- (1) If a PCBU has a duty or an obligation under this Act, an officer of the PCBU must exercise due diligence to ensure that the PCBU complies with that duty or obligation.
- (2) For the purposes of subsection (1), an officer of a PCBU must exercise the care, diligence, and skill that a reasonable officer would exercise in the same circumstances, taking into account (without limitation)—
 - (a) the nature of the business or undertaking; and
 - (b) the position of the officer and the nature of the responsibilities undertaken by the officer.
- (3) Despite subsection (1), a member of the governing body of a territorial authority or regional council elected in accordance with the Local Electoral Act 2001 does not have a duty to exercise due diligence to ensure that any council-controlled organisation (as defined in section 6 of the Local Government Act 2002) complies with its duties or obligations under this Act unless that member is also an officer of that council-controlled organisation.
- (4) In this section, due diligence includes taking reasonable steps—
 - (a) to acquire, and keep up to date, knowledge of work health and safety matters; and
 - (b) to gain an understanding of the nature of the operations of the business or undertaking of the PCBU and generally of the hazards and risks associated with those operations; and
 - (c) to ensure that the PCBU has available for use, and uses, appropriate resources and processes to eliminate or minimise risks to health and safety from work carried out as part of the conduct of the business or undertaking; and
 - (d) to ensure that the PCBU has appropriate processes for receiving and considering information regarding incidents, hazards, and risks and for responding in a timely way to that information; and
 - (e) to ensure that the PCBU has, and implements, processes for complying with any duty or obligation of the PCBU under this Act; and
 - (f) to verify the provision and use of the resources and processes referred to in paragraphs (c) to (e).

50 Liability of officers

An officer of a PCBU may be convicted or found guilty of an offence against section 44 whether or not the PCBU has been convicted or found guilty of an offence under this Act relating to the duty or obligation.

Subpart 5—Prohibition of adverse, coercive, or misleading conduct

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88 Meaning of adverse conduct

- (1) For the purposes of this subpart, a person engages in adverse conduct if—
- (a) the person—
 - (i) dismisses a worker who is an employee; or
 - (ii) terminates a contract for services with a worker; or
 - (iii) refuses or omits to employ or engage any person on work of any description that is available and for which that person is qualified; or
 - (iv) refuses or omits to offer or afford to the worker the same terms of employment or engagement, conditions of work, fringe benefits, or opportunities for training, promotion, and transfer as are made available to other workers of the same or substantially similar qualifications, experience, or skills who are employed or engaged in the same or substantially similar circumstances; or
 - (v) subjects the worker to any detriment, in circumstances in which other workers employed or engaged by the person on work of that description are not or would not be subjected to such detriment; or
 - (vi) retires the worker, or requires or causes the worker to retire or resign or terminate a contract for services; or
 - (b) the person terminates a commercial arrangement with another person; or
 - (c) the person refuses or fails to enter into a commercial arrangement with another person.
- (2) For the purposes of this subpart, a person also engages in adverse conduct if the person organises to take any action referred to in subsection (1) or threatens to organise or take that action.
- (3) For the purposes of subsection (1)(a)(v), detriment includes anything that has a detrimental effect on the worker's employment or engagement, job performance, or job satisfaction.

92 Prohibition on coercion or inducement

- (1) A person must not organise or take, or threaten to organise or take, any action against another person with intent to coerce or induce the other person, or a third person,—
- (a) to perform or not to perform, or to propose to perform or not to perform, a function under this Act or a function under this Act in a particular way; or
 - (b) to exercise or not to exercise, or propose to exercise or not to exercise, a power under this Act or a power under this Act in a particular way; or
 - (c) to refrain from seeking, or continuing to undertake, a role under this Act.
- (3) A person who contravenes subsection (1) commits an offence and is liable on conviction,—
- (a) for an individual, to a fine not exceeding \$100,000;
 - (b) for any other person, to a fine not exceeding \$500,000.

144 Private prosecutions (awareness that employers and managers can be charged in their private capacity)

151 Sentencing criteria

- (1) This section applies when a court is determining how to sentence or otherwise deal with an offender convicted of an offence under section 47, 48, or 49.
- (2) The court must apply the Sentencing Act 2002 and must have particular regard to—
 - (a) sections 7 to 10 of that Act; and
 - (b) the purpose of this Act; and
 - (c) the risk of, and the potential for, illness, injury, or death that could have occurred; and
 - (d) whether death, serious injury, or serious illness occurred or could reasonably have been expected to have occurred; and

- (a) reinstatement of the employee in the employee's former position or the placement of the employee in a position no less advantageous to the employee;
- (b) the reimbursement to the employee of a sum equal to the whole or any part of the wages or other money lost by the employee as a result of the grievance;
- (c) the payment to the employee of compensation by the employee's employer, including compensation for—
 - (i) humiliation, loss of dignity, and injury to the feelings of the employee; and
 - (ii) loss of any benefit, whether or not of a monetary kind, which the employee might reasonably have been expected to obtain if the personal grievance had not arisen;
- (ca) if the Authority or the court finds that any workplace conduct or practices are a significant factor in the personal grievance, recommendations to the employer concerning the action the employer should take to prevent similar employment relationship problems occurring;
- (d) if the Authority or the court finds an employee to have been sexually or racially harassed in the employee's employment, or treated adversely in the employee's employment on the ground that the employee is, or is suspected or assumed or believed to be, a person affected by family violence, recommendations to the employer—
 - (i) concerning the action the employer should take in respect of the person who made the request referred to in section 108(1)(a) or was guilty of the harassing behaviour or of the adverse treatment on that ground, which action may include the transfer of that person, the taking of disciplinary action against that person, or the taking of rehabilitative action in respect of that person;
 - (ii) about any other action that it is necessary for the employer to take to prevent further harassment, or adverse treatment on that ground, of the employee concerned or any other employee.
- (2) When making an order under subsection (1)(b) or (c), the Authority or the court may order payment to the employee by instalments, but only if the financial position of the employer requires it.

Human Rights Act 1993

Part 2 Unlawful discrimination

Discrimination in employment matters

22 Employment

- (1) Where an applicant for employment or an employee is qualified for work of any description, it shall be unlawful for an employer, or any person acting or purporting to act on behalf of an employer,—
 - (a) to refuse or omit to employ the applicant on work of that description which is available; or
 - (b) to offer or afford the applicant or the employee less favourable terms of employment, conditions of work, superannuation or other fringe benefits, and opportunities for training, promotion, and transfer than are made available to applicants or employees of the same or substantially similar capabilities employed in the same or substantially similar circumstances on work of that description; or
 - (c) to terminate the employment of the employee, or subject the employee to any detriment, in circumstances in which the employment of other employees employed on work of that description would not be terminated, or in which other employees employed on work of that description would not be subjected to such detriment; or
 - (d) to retire the employee, or to require or cause the employee to retire or resign,—
 - by reason of any of the prohibited grounds of discrimination.
- (2) It shall be unlawful for any person concerned with procuring employment for other persons or procuring employees for any employer to treat any person seeking employment differently from other persons in the same or substantially similar circumstances by reason of any of the prohibited grounds of discrimination.

Verified by Living :Janine: trading as Janine Arabella
Needs assessor Support Net, DHB Employee

Exhibit C - 7 pages

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BAY OF PLENTY
DISTRICT HEALTH BOARD
HAUORA A TOI

Cnr Clarke St & 20th Ave
Private Bag 12024
Tauranga 3143
New Zealand
Phone 07 579 8000
Fax 07 571 5434

Private and Confidential

22 December 2021

Janine Arabella

By email: janine.arabella1@gmail.com

Tēnā koe Janine,

Final Decision

This letter relates to the Covid-19 Public Health Response (Vaccinations) Order 2021 ("the Order"), and its impact on your employment. As you know I issued a preliminary decision on 13 December 2021, and invited you to a meeting, which occurred by Zoom on 20 December 2021.

Scott Hart and Tess Richardson attended with me, and a member of your household, Julian, attend with you. We had advised you that we would arrange a recording of the meeting, which we did. A private and confidential transcript is attached. Below is a summary of comments made during the meeting (I have not captured everything below):

- You introduced yourself, and Julian, and asked that everyone acknowledge the humanity of one another, and appreciate that it was a difficult situation.
- You read from a prepared letter and advised that we would be provided with a copy straight after the meeting (you letter of 20 December 2021).
- We reiterate that we were acting under a law, and that the Order required us to ensure that the people undertaking certain work were vaccinated. We asked you to confirm your vaccination status. You indicated that you had given conditional acceptance, but required certain things of us as a condition of your becoming vaccinated (answering 22 questions which you feel we have not adequately answered and signing personal liability guarantees). You confirmed you were not vaccinated and advised that your position was that if we really believed the vaccine was safe and effective, we would sign the personal liability guarantee that you had asked us to sign.
- We asked you about whether you believed that your role was covered by the Order. You said you believed it was not, because it could be undertaken remotely. We discussed this in detail with you (I have recorded more about your comments about this later in this letter).
- We asked if there was anything else that you wanted to raise, and you said the issue of trust and the requirement that you hot desk in an environment with staff members who were involved in your daughter's care.
- You advised that you understood you would never be able to attend the workplace if we implemented a 'segregated' environment, and you remained employed working from home.
- We asked if you felt it would be useful for us to arrange a meeting for you with a clinician to discuss your concerns. You declined.
- We reiterated that the choice to be vaccinated was yours, and that DHB is seeking to comply with the Order. You disagree with this, as you feel there is definitely coercion, as there is a loss of income for people and you were aware of people who felt coerced.

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- You advised that your view was that in trying to comply with the Order, we were actually breaking lots of other laws, and these laws were ones you saw as more important as they related to human rights and discrimination, and you feel there will be liability for us in 'private' if we continue with our actions.

You have provided me with the following letters about this matter:

- 28 October 2021
- 11 November 2021
- 15 November 2021
- 25 November 2021 Notice of Liability
- 29 November 2021
- 14 December 2021 (including the Ministry of Health document you provided with it); and
- The letter you provided on 20 December 2021 for the meeting, and the two documents accompanying it.

I have read and considered all of these, as well as the other comments you have made about this. This letter sets out my final decision and the reasons for it.

Order Coverage

The Covid-19 Public Health Response (Vaccinations) Order 2021 ("the Order") was amended effective from 25 October 2021, and provides that in order to perform certain work in the health and disability sector, you must be vaccinated. It covers:

- Health practitioners providing health services to patients in person
- Workers who carry out work where health services are provided to members of the public by 1 or more health practitioners and whose role involves being within 2 metres or less of a health practitioner or a member of the public for a period of 15 minutes or more
- Workers who are employed or engaged by certified providers and carry out work at the premises at which health care services are provided
- Care and support workers

My decision is that your role is covered by this Order.

In this regard, we note that the definition of 'care and support workers' is "...a person employed or engaged to provide care and support services within a home or place of residence".

Your work as Needs Assessor/Service Co-ordinator for Support Net requires you to provide 'care and support services' within the homes of clients, as your role requires you to enter the homes of people and work with them to undertake assessments to ensure that their needs for care and support are met to enable them to continue to live in their home, including ensuring that they receive the appropriate personal care and household managements services needed. I note that the definition of care and support services is as follows:

"care and support services means services that are funded by the Ministry of Health, a DHB, or ACC and provided to a person for the purpose of—

(a) assisting the person to continue to live in the person's home or in the community (such as personal care and household management services); or

- (b) providing mental health and addiction support services, or vocational and disability support services; or*
- (c) if the person has a disability, assisting the person to work in the community; or*
- (d) if the person has an injury covered by the Accident Compensation Act 2001, supporting the person's rehabilitation from the injury or supporting them to achieve and sustain their maximum level of participation in everyday life"*

You are also employed by a certified provider, and your role also requires you to carry out work at the premises where health care services are provided, as you undertake some of your duties as Tauranga Hospital.

Further, your role requires you to work within two metres for more than 15 minutes of Health practitioners where they provide health services to members of the public, as you work in an open plan office with other NASC workers and they are providing healthcare services from the same location to members of the public.

I have considered the comments you have made about undertaking work from home for periods of time during the last two years due to Covid-19. However, my view is that the role you are employed to perform is covered by the Order, and any question about whether it could be undertaken from home on an ongoing basis, should be considered as an 'alternative option' (which I have done below).

My view is therefore that the role you are employed to perform is covered by the Order.

Your Vaccination Status

We asked for your vaccination status, and you confirmed that you are not vaccinated.

You said that you had asked us to answer 22 questions and provide personal liability guarantees for you, and said that if we were confident the vaccine was safe and effective we would have no problem signing the personal liability guarantee. Tess reiterated to you in the meeting, that we were implementing legislation, and it was the legislation, not the DHB, that was requiring vaccination for your role.

I have considered the reasonableness of your request that a number of employees of the DHB (including myself) sign personal liability guarantees, and determined it is not reasonable that we do so. It is not our choice or decision that you be vaccinated. As Tess explained in our meeting, the DHB is subject to legislation that requires that it not allow people to undertake certain work without being vaccinated. We are acting on behalf of the DHB in implementing its legal obligations under the Order.

Alternative Options

We discussed in some detail your view that your role could be undertaken completely remotely. You said you had done this for periods of time both last year and this year, and you felt you could continue to do that. You said you had obtained support from your colleagues and Team Leader as necessary, in undertaking work remotely, and you said that you could Zoom into Team Meetings. Your view was the between 75%-80% of assessments could be done remotely.

We do not consider that this is a good option as we believe to provide the right level of service to our patients, in-person assessments are necessary. Your role is to primarily to facilitate "interRAI" Home Care Assessments which involves observing and talking to clients (and their support people) in their own homes, and we consider that if you work from home doing fully remote work that you would not be able to complete these face-to-face assessments. Any remote assessments are not, in our view, of the same level of effectiveness or at the same standard of quality, as a face-to-face assessment, and would not be a satisfactory replacement for in-person assessments on an ongoing basis. While we have had to use remote assessments due to concerns relating to Covid-19, this is not our preferred way of undertaking this work. It was always intended to be a stop-gap measure to get us through a difficult period of time where undertaking assessments in person created unacceptable risks to health and safety, or where it could not occur due to lockdown.

Further, as you indicated, you could never undertake all assessments this way. According to you, 20-25% cannot occur remotely.

Lastly, this issue does not only relate to the performance of your role, but also to the way in which the DHB, as your employer, is able to engage with you as an employee. If you remained unvaccinated, you would be unable to attend DHB premises on an ongoing basis, and this is a position which would constrain the ability of the DHB to engage with you, and support you, as its employee.

I have also considered whether there are any redeployment options which may be available. However, I have not identified anything suitable due to the coverage of the Order, and its wide application across our services.

Your Responses

You have raised a number of issues in the course of your correspondence, and in our discussions with you. We have tried to address these with you, and have sought to provide ways forward for you, including the process to make a complaint about your daughter's care, and advising you that we would work with you to ensure your working environment was one that you felt comfortable in, given your concerns about being in a workplace with those who had treated your daughter while she was in DHB care.

You have raised privacy concerns, which we tried to address with you, but I noted in your most recent letter (20 December 2021) you said you were concerned about your medical records being accessed to ascertain your vaccination status. I note that the Privacy Act 2020 is subject to other laws, and the Order allows employers to access the Ministry of Health vaccine register to check the vaccination status of employees covered by the Order. That is where the information was obtained from (as opposed to a search of your broader medical records).

You have also been concerned about our inability to provide reassurances that Covid-19 will be kept out of the workplace. As advised, we cannot provide certainty about that, but we are taking all reasonably practicable steps to prevent the risk of harm from Covid-19. I was prepared and willing to discuss our mitigation measures further in our meeting.

I note that you provided us with two documents alongside your 20 December 2021 letter. One purported to be a report produced by Noelyn Ann Hung regarding a post-mortem examination (or part of one) which linked the death of an individual to the vaccine. The other document you told us in our meeting was part of Court documents that showed that there were concerns with approving the vaccine but that these were overruled. I have looked at the documents. However, as indicated, it is not our decision to impose the vaccination requirement on you. Rather, it is the result of the Order. I also note that there have been two options for vaccination in New Zealand since the end of November 2021.

You have raised a lot of legal arguments with us. I have tried to address some of these specifically below. However, I note your broader argument is that you understand that our actions are required by law, and that we are acting in accordance with legislation, but you believe that there are other more important laws that we should follow. I acknowledge you feel this way, but I do not believe our actions are in breach of any laws.

With respect to some of the specific legal arguments you raised:

- No one is willfully causing you to be sick, or obtain a disease (you referenced section 201 of the Crimes Act 1961). As we have made clear, you can choose whether to be vaccinated, our involvement is to determine what impact your decision will have on your employment if you are not vaccinated.
- You referred to Sections 9 and 10 of Part 2 of Schedule 1 of the Criminal Procedure Act:
 - Genocide relates to intending to destroy all or part of a national, ethnical, racial or religious group. That does not apply here.
 - Nothing occurring in this situation is of the nature of a 'crime against humanity'.
- You have indicated that you have the right not to carry out unsafe work. We have not required you to undertake unsafe work. This process is about whether you agree to be vaccinated, and if not, what the potential impact could be on your employment. We have also reassured you that we are taking mitigation measures with respect to Covid-19, consistent with our health and safety obligations, and that your concerns about working with members of the mental health services team can be addressed and resolved if you were to return to work. We offered to arrange a meeting for you with a clinician, but you declined this.
- You have quoted section 88 of the Health and Safety at Work Act 2015 which is a definition of adverse conduct. We note this definition is used in section 89, and applies only to the extent that the adverse conduct is **because of** one of the reasons listed in section 89. We are making a decision about your employment based on the Order, and are not taking any action against you as a result of the issues you have claimed arise with respect to health and safety at work. Rather, we continue to be open to resolving those concerns for you, although we are not able to completely remove all risk of Covid-19 from the workplace.
- You have quoted section 92 of the Health and Safety at Work Act 2015 in respect of 'coercion'. That definition relates to situations where someone attempts to 'coerce' another person in respect of their powers, functions or roles under that Act. This does not appear to be relevant with respect to whether or not you are vaccinated, and what impact non-compliance with the Order may have on your employment.
- You have referenced good faith duties under the Employment Relations Act 2000. We agree that good faith is relevant to our process, and we have acted in good faith and consulted with you about the Order, and its potential impact on your employment, including providing you with information relevant to our decision and allowing you the opportunity to comment on that, before we make a decision. We have not done anything to mislead or deceive you.
- You have referenced section 104 of the Employment Relations Act 2000, which is about union discrimination. We are not taking any actions against you in respect of union activities, and therefore this section is not relevant.

- You have also referenced unlawful discrimination under the Human Rights Act 1993, and quoted section 22 which prevents discrimination in employment on the basis of any of the prohibited grounds of discrimination. Being unvaccinated is not a prohibited ground of discrimination, and therefore unvaccinated people are lawfully able to be treated differently in their employment on the basis of their vaccination status. You have not advised of any prohibited ground of discrimination that applies to you, which is relevant to this matter.
- You have also referred to some remedies for personal grievance and sentencing criteria, as well as liability of officers. However, as no unlawful action is occurring, these are not relevant.

My decision

I have carefully considered all the information you have provided, including the content of our meeting on 20 December 2021. However, my decision is that:

- Your role is covered by the Order;
- You are not vaccinated in accordance with the Order, and therefore cannot currently perform your position;
- You are unable to become compliant by becoming fully vaccinated by 1 January 2022 (as there is a period of three weeks required between Pfizer doses, and four weeks between Astra Zeneca doses), and you do not intend to become fully vaccinated in the foreseeable future;
- Your role cannot be altered to enable it to be performed to our satisfaction from home on an ongoing basis;
- No other alternative or redeployment options have been identified at this time

Therefore, having considered the information available to me, I am hereby giving you four weeks notice of the termination of your employment. That means your employment will end on 21 January 2022. As you are unable to attend the workplace at the current time, you will continue not to work during your notice period, but you will be paid.

There are two other points to be aware of, during your notice period:

- If you become fully vaccinated, your notice will be cancelled, unless it would cause unreasonable disruption for us. I note that you have an obligation under the Order to advise us as soon as practicable if you are vaccinated, and confirm the name of the vaccine and date you received it;
- We will continue to explore any redeployment options – to this end if you believe there is an appropriate redeployment option which you could perform, could you please let us know what it is urgently, so we can consider it while you remain our employee. While our initial view, as advised to you, is that there are no suitable positions currently being advertised by the DHB which are not covered by the Order, if you disagree, or believe any of them are suitable, you are welcome to let us know urgently.

Janine, I sincerely hope that you will reconsider your decision during your notice period. I remind you that if you need assistance with access to the vaccine, we remain willing to assist you with this. I appreciate that you feel there are other issues impacting on your employment relationship with us, including your daughter's death. However, I am confident that we could work together to try and resolve your concerns and continue our employment relationship in good faith. I hope that you will consider this. However, I also respect you right to make the decision that is right for you, and I wish you well for the future.

Yours sincerely,



Don Sorrenson

Regional Manager Support Net and Community Care Coordination
Bay of Plenty District Health Board

To BOPDHB Employee Representatives: Don Sorrenson, Tess Richardson, Scott Hart

From Janine Arabella, employee at Support Net

3 January 2022

Dear Don, Tess, Scott

I am going to keep things very brief. According to the letter provided by Don on 22 December the decision made to terminate my employment was based on that my job requires me to be within 2 metres of a member of the public or other health practitioner for more than 15 minutes a day. Since the first covid 19 lockdown in March 2019 I have social distanced more than 2m when meeting with clients, our desks in the office were placed more than 2 metres apart, so this reasoning is not based on fact or truth. Even though I can perform all of my job with social distancing of 2m, I said I can also do 100% of my job of doing assessments and attending meetings via zoom. I clearly stated that I only require to do 4-5 assessments per week to meet my KPI performance indicators each week. At any time there are 200-500 assessments sitting in the data base, and I only have to find up to 5 each week to do via zoom. So in summary I can do my 100% of my job with 2m social distancing or via zoom, so if you terminate my employment you are doing it illegally without justification. I know of another staff member within DHB who has been allowed to continue working remotely and you have the authorisation and ability to allow me to return to working remotely. The only reason I can come up with for you terminating my employment is because you either can't or won't address all my other health and safety issues or personal grievances, and are trying to take the easy way out.

Janine Arabella

Needs assessor Support Net, DHB Employee



janine arabella <janine.arabella1@gmail.com>

Letter and transcript attachments.

Tess Richardson <Tess.Richardson@bopdhb.govt.nz>

To: janine arabella <janine.arabella1@gmail.com>, Don Sorrenson <Don.Sorrenson@bopdhb.govt.nz>, Scott Hart <Scott.Hart@bopdhb.govt.nz>

Tue, Jan 18, 2022 at 8:20 PM

Kia ora Janine,

I have received your communication from 3 January 2022.

In that letter you have said that you understand that your employment was terminated: "...based on my job requires me to be within 2 metres of a member of the public or other health practitioner for more than 15 minutes a day."

There are four different ways in which a health and disability worker can be covered by the Order. An employee only needs to come under one of those four limbs, to be covered, and they have to remove themselves from all four in order to escape coverage.

Your employment was terminated because your role was covered by the Order, and we were not able to identify a reasonable alternative which would move you outside of the coverage of the Order. If you have a look at pages 2-3 of Don's 22 December 2021 letter, you will see Don determined that you were covered under more than one limb. The parts of the Order he determined applied to you were:

- Workers who carry out work where health services are provided to members of the public by 1 or more health practitioners and whose role involves being within 2 metres or less of a health practitioner or a member of the public for a period of 15 minutes or more
- Workers who are employed or engaged by certified providers and carry out work at the premises at which health care services are provided
- Care and support workers

In this regard, there were other reasons, beyond keeping two metres away from others, for why your role was covered by the Order. Even if you remained two metres away from others, you fall within the definition of a 'care and support worker', and you are also employed by a 'certified provider' to carry out work at premises where health care services are provided (Whakatane Hospital).

After Don determined that your role was covered by the Order, he worked through whether there were potential alternatives which would move you outside the coverage of the Order. As you will see in that letter, he considered your proposal to make your role fully remote, but felt it was not a reasonable alternative in the circumstances. His decision and reasons in relation to this are set out on pages 3-4 of his letter.

Janine, I can assure you that the other issues you have raised are not the reason your employment has been terminated. We have consistently advised you that we are willing to work through the matters you raised. Having said that, in relation to your Covid-19 related health and safety concerns, we have made it clear that we are not, and will not, be able to promise you an environment which is definitely free from Covid-19, but that we would always continue to take reasonably practicable steps to manage the risks arising from it.

AW

Exhibit F: Stuff news media article dated 13 October 2023 announcing that 11,005 DHB staff were exempted from having the vaccine

Information from following weblink

<https://www.stuff.co.nz/national/politics/133104602/fact-check-did-11000-people-really-get-a-vaccine-exemption>

article by Olivia Wannan 14:25, Oct 13 2023

Fact check: Did 11,000 people really get a vaccine exemption?

Interviewing Winston Peters, New Zealand First

After being asked about anti-vaccination supporters, “11,500 people got the exemption from the health department”.

When vaccine mandates were in force, two exemptions were available. Medical exemptions might be granted to those with a recent infection (since the Ministry of Health recommends six months between catching Covid and getting a jab), plus those with life-threatening health issues or who’d experienced an adverse reaction to the first injection – though applications were tightly scrutinised. These exemptions last a maximum of six months.

Healthcare organisations could also apply for an exemption on behalf of their employees, lasting eight weeks at most. They’d need to prove that significant disruption to services would occur if workers did not remain in place, and they’d tried to make alternative arrangements.

While the 11,000-plus figure is astonishing, Peters’ claim is not without evidence.

NZ First provided an Official Information Act response from Te Whatu Ora Health NZ – the central organisation which replaced District Health Boards.

The letter said 103 applications for an exemption to avoid significant service disruption had been successful between November 2021 and September 2022. A figure of “approximately 11,005” came from adding up the health and disability workers covered by these 103 applications.

NZ First said the person that gave Peters the data transposed the third and fifth digits, so the veteran politician said 11,500 not 11,005.

Asked to clarify, Te Whatu Ora confirmed the 11,005 figure. Many, though not all, were employed by the former DHBs.

Some DHB applications covered hundreds of employees.

In total, the DHBs had 85 successful applications, the agency said.

With only 20 DHBs, some were granted recurring permission to let unvaccinated staff work between November 2021 and September 2022.

Because of that, employees could have been counted multiple times in the 11,005 statistic.

Te Whatu Ora Health NZ spokesperson Matt Hannant said the exemptions allowed health services to continue uninterrupted. Applicants “had to outline their plan to avoid Covid-19 transmission and confirm that no alternate service delivery option was possible”.

In addition, another 6410 people received a temporary medical exemption between November 2021 and September 2022, according to Te Whatu Ora – with 89% of these covering those with a recent Covid-19 infection.

The figures are significantly higher than previously-released data.

In March, Covid-19 Minister Chris Hipkins answered National MP Chris Bishop’s questions, stating up to 2600 people had received a service disruption exemption and up to 304 a medical exemption between November 2021 and February 2022. (The data provided monthly figures, so a person with an exemption granted in both November and February could have been counted multiple times.)

Exhibit G - New Zealand man who died of gunshot wound to be recorded as COVID-19 death



New Zealand man who died of gunshot wound to be recorded as COVID-19 death: Report

by [Sydney Shea, Trending News Editor](#) November 11, 2021 03:16 PM

A New Zealand man who died of a gunshot wound is reportedly being tallied as a coronavirus-related death until an investigation is completed.

Robert Hart, the 40-year-old who died on Nov. 5 after allegedly being shot in Auckland, tested positive for the coronavirus, according to a report that cited police.

"An additional death in Auckland has today been added to the national Covid-19 figures," the New Zealand Ministry of Health said. "This person's death is subject to a police investigation and the Ministry will not be commenting further on it, at this stage."

"Health authorities may test a deceased person for COVID-19 if their cause of death is not clear and if there is some concern that COVID-19 may have been involved, for example, where there is a link to a known case, or considering symptoms prior to death," a Ministry of Health spokesperson told the *New Zealand Herald*. "A deceased person testing positive for COVID-19 may also assist public health officials in identifying close contacts and taking any further action if needed."

There was reportedly a change in the way New Zealand reports deaths that have any link to the coronavirus, even if COVID-19 wasn't the cause, said Dr. Ashley Bloomfield, director-general of the country's Health Ministry, at a briefing.

"The clinical criteria will continue to be guided by [World Health Organization] definition, which is basically to report any death where the person had an acute COVID-19 infection regardless of what the cause of death might be,"

Exhibit H - 2 pages autopsy report confirming vaccine death and date it was given to DHB by email on 20/12/23

ASC-JA - p 55 of 161



janine arabella <janine.arabella1@gmail.com>

letter 7 and attachment from medsafe and autopsy report from Janine with content presented at zoom meeting 20/12

janine arabella <janine.arabella1@gmail.com>

Mon, Dec 20, 2021 at 3:30 PM

To: Don Sorrenson <Don.Sorrenson@bopdhb.govt.nz>, Scott Hart <Scott.Hart@bopdhb.govt.nz>, tess.richardson@bopdhb.govt.nz, pete.chandler@bopdhb.govt.nz, Rachel.Whaanga@bopdhb.govt.nz, meredith.mckenzie@bopdhb.govt.nz

From Janine Arabella

3 attachments



autopsy report.jpg
105K



official medsafe document.pdf
2554K



To BOPDHB staff dated 20 December 2021.pdf
166K

Exhibit H page 1 of 2 gw

Noelyn A Hung
BSc, MBChB, FNZSP, FRCPA
NZMC Number 15219
PO Box 1777, DUNEDIN, NZ 9054
Ph 021 48 21 48

CONTRACTOR TO COMMUNIO Ltd, NEW ZEALAND

I, Noelyn Ann HUNG state:

I am a qualified practicing Pathologist in New Zealand. At the request of the National Initial Investigation Office Duty Coroner, I made post mortem examination of the body identified to me as:

Identification Name: Rory James NAIRN
CSU Number: CSU-2021-DUN-000335
Identification Method: Ankle Band
Mortuary Reference: Dunedin 21C179

SUMMARY:

From the following detailed examination, it is my opinion that the cause of death is acute myocarditis, and in view of the history of symptoms since COVID-19 vaccination, and no other cause for myocarditis, is consistent with vaccine-related myocarditis. Vaccination with the first Pfizer dose had occurred 12 days earlier and myocarditis-related symptomatology was reported thereafter.

PRINCIPAL PATHOLOGICAL FINDINGS:

1. Myocarditis and Pericarditis,
 - a. Lymphocytic, giant cell and eosinophil type
 - b. Causally-associated 12 days post COVID-19 vaccination
2. Atherosclerosis, aortic, mild
3. COVID-19 negative
4. Meckel's diverticulum, incidental

CAUSE OF DEATH:

Part I.

- a. Direct cause: Sudden Cardiac Death
- b. Antecedent cause: Myocarditis
- c. Underlying conditions: Symptoms since first COVID-19 vaccine administration

Part II. Other significant conditions contributing to the death, but not related to the disease or condition causing it: Nil identified

Reviewers:

Aspects of this case of been reviewed and their opinions incorporated into this report.

Professor Ian Morison, Dunedin SCL: Bone marrow

Dr Jane Velutic, Commuio: Cardiac features

Dr James Ussher, Dunedin Hospital: Microbiology

Cardiac Inherited Disease Group: Review but do not consider that they can contribute.

20220120 10:00:00 AM

Exhibit I - Information taken from the CMS data base in 2021 comparing Ivermectin and Remdesivir for treating Covid 19

CMS = Centers for Medicare and Medicaid Services in USA

See information below showing that 25% death rate and 25% severe adverse reactions in United States America following taking Remdesivir

Remdesivir Death events: For deaths recorded following taking Remdesivir (Veklury)

7,960 beneficiaries prescribed Remdesivir for COVID-19

2,058 beneficiaries died

25.9% remdesivir patients died

46% of those died within 14 days of remdesivir treatment

5 day course of treatment cost \$2340US

Remdesivir severe adverse events

Clinical trials data reflects reality: 25% serious adverse events

From Remdesivir Clinical Trial Final Report:

“Serious adverse events were reported in 24.6% of patients who received remdesivir and survived (24.6%).”

Is this safe and effective???

Source: <https://www.nejm.org/doi/full/10.1056/nejmoa2007764>

Ivermectin stopped being using in New Zealand at time of Covid 19

Ivermectin Safety Profile as shown in the CMS data Ivermectin average amount per patient: \$24 Remdesivir average is \$2,340 to \$3,120 for one 5-day treatment

Universe	Beneficiaries Prescribed Ivermectin in 2021	Beneficiaries who died	% Beneficiaries who died
All patients	142,778	5,093	3.5%
COVID patients	44,709	3,238	7.2%

To BOPDHB

Employee Representatives: Don Sorrenson, Tess Richardson, Scott Hart, Pete Chandler, Meredith McKenzie and Rachel Waanga

From Janine Arabella, employee at Support Net

14 December 2021

A letter was provided to every one of you except Rachel Waanga on 29 November plus a notice of liability on 25 November that did include Rachel. Scott on behalf of all of you was requested to respond back and address the content of the letter dated 29 November by 12pm and this did not occur. He has failed in action and actions of bad faith remain in place for every single one of you. I now request that every single one of you respond back in writing to this letter dated 14 December and answer the specific questions asked to remove actions of bad faith, as you are all without excuse.

I also state that the letter from Don Sorrenson dated 13 December contains lots of incorrect information. I have given conditional acceptance to have the vaccine and the DHB has not met my requests to cover their actions of coercion and fraudulent behaviour. I have also agreed to meet based on my health and safety questions being answered and health and safety issues addressed and actions of bad faith being removed and all 22 questions answered properly. As they haven't, I have now added further questions that have to be answered.

I have now written 5 formal letters plus the current one, totalling 6. They are dated 28/10, 11/11, 15/11, 25/11, 29/11 and now this letter dated 14/12.

My third letter dated 15/11 had 22 questions that needed to be answered where I specifically asked the following near bottom of second page 'I request that none of my own writing be changed, deleted or reinterpreted. If the wording gets changed it is acting in bad faith towards me.' The wording was changed and this shows further actions of bad faith towards me. This is unacceptable and needs to be remedied. Questions 10 and 20 were the same but were asked in 2 different sections, one to do if I returned to work with no patient contact as unvaccinated. The second in context if I was vaccinated. I requested each of 5 staff named in this letter to confirm they had read my 3 letters, so there requires to be a yes next to each of these names. Question 21 was regarding personal liability, Don and Scott have indicated that none of you are willing to sign a personal guarantee and liability agreement. If you do not agree to sign a personal guarantee and liability agreement you are basically saying that the vaccine is not 'safe and effective' and are therefore complicit with the government in participating in the vaccine roll out and all the adverse reactions, vaccine deaths, and coercion of DHB staff and public to have the vaccine. To state I have a choice is a lie as you are threatening me with removal of my livelihood if I do not have this vaccine. Each of 6 staff members named in this agreement now have to respond to each of the questions below and respond back to my email by 12pm Friday 17 December to help remove actions of bad faith.

<p>10) Please confirm that my letters dated 28/10 and 11/11 and 15/11 have been read by all the 6 parties that this letter is addressed to, as each of these people can be charged in their private capacity if they break any laws or breach any of my rights.</p>	<p>Letter 28/10 read Don yes Scott yes Tess yes Peter yes Meredith yes Rachel yes</p>	<p>Letter 11/11 read Don yes Scott yes Tess yes Peter yes Meredith yes Rachel yes</p>	<p>Letter 15/11 read Don yes Scott yes Tess yes Peter yes Meredith yes Rachel yes</p>
<p>20) Please confirm that my letters dated 28/10 and 11/11 and 15/11 have been read by all the 6 parties that this letter is addressed to, as each of these people can be charged in their private capacity</p>	<p>Letter 28/10 read Don yes Scott yes Tess yes Peter yes Meredith yes Rachel yes</p>	<p>Letter 11/11 read Don yes Scott yes Tess yes Peter yes Meredith yes Rachel yes</p>	<p>Letter 15/11 read Don yes Scott yes Tess yes Peter yes Meredith yes Rachel yes</p>

if they break any laws or breach any of my rights.			
<p>21) Will all 6 parties who named in this letter sign the personal guarantee and liability agreement for accepting full liability if any harm happened to me after taking the vaccine? Each person to confirm that they have said 'no'. I give permission to change to yes</p>	<p>Don no Scott no Tess no Peter no Meredith no Rachel no</p>	<p>Don no Scott no Tess no Peter no Meredith no Rachel no</p>	<p>Letter 14/12 read Don yes Scott yes Tess yes Peter yes Meredith yes Rachel yes</p>
<p>23) Please confirm that my letters dated 25/11, 29/11, 14/12 have been read by all the 6 parties that this letter is addressed to, as each of these people will be charged in their private capacity if they break any laws or breach any of my rights.</p>	<p>Letter 25/11 read Don yes Scott yes Tess yes Peter yes Meredith yes Rachel yes</p>	<p>Letter 29/11 read Don yes Scott yes Tess yes Peter yes Meredith yes Rachel yes</p>	<p>Letter 14/12 read Don yes Scott yes Tess yes Peter yes Meredith yes Rachel yes</p>
<p>24) Please confirm that the pdf attachment of the ministry of health statement of position on the management of unvaccinated dated 18 November has been read by all 6 parties.</p>	<p>Don yes Scott yes Tess yes Peter yes Meredith yes Rachel yes</p>		
<p>25) Has the DHB removed the virus from my work place, yes or no, I give permission to remove the incorrect word yes or no but not to add any further words as this is action of bad faith. Further comments just below. Response required from all 6 parties</p>	<p>Don yes or no Scott yes or no Tess yes or no Peter yes or no Meredith yes or no Rachel yes or no</p>		

Question 25) continued: From my letter dated 25 November DHB declared there is an unsafe virus in the work place, it is therefore their responsibility to remove it. Failure of DHB to eliminate a virus from my work place, making it an unsafe place for me to be regardless of vaccination status as both vaccinated and unvaccinated can transmit the disease. See official ministry of health document itemised in question 23 off government website page 3 written in bold in paragraph 4: "Where there is high COVID 19 vaccine coverage (i.e above 80% of eligible people are fully vaccinated), transmission is more likely to occur from a vaccinated rather than unvaccinated individual." The DHB has clearly provided an unsafe work environment plus showing discrimination towards unvaccinated by using the traffic light system and each of you are liable in your private capacities if you carry out this order of mandate or of the traffic light system or any other current government orders due to breaking many other and higher laws. I also note here that the government website also clearly says that masks do not protect you from transmission. Please advise in question asked in box above from all 6 parties named in this letter – has the DHB removed the virus from my work place yes or no – remove the word that is incorrect. You have been given permission to delete incorrect word yes or no but not allowed to make any other changes to this question and response as all that is required is a yes or no response or your actions show bad faith. If the virus has not been removed then the environment is still unsafe and the DHB have to continue paying me until such time that it is safe.

I do not see any way that the DHB can provide a safe work environment for me, and I have evidence of many actions of fraud, crimes committed, breaches of health and safety and employment law, plus tax law and tax fraud. My next course of action depends on the actions of the 6 staff members that this is addressed to. As you are all liable in your private capacity as well as professional capacity it may be easier to pay me out. Please be aware that that legal documents are already drawn up with more information being added every day, including more charges. Please note that I have close contact with an American doctor and lawyer plus many New Zealand lawyers who are advising me of steps of action. The only place

in the world that charges that are related to Pfizer can be made in New York, so it is very convenient that I have close contacts that can take it to this level if required. So charges are being laid using New Zealand and England common law plus all NZ laws, plus American law and international law. I am surprised that any of you can sleep at night knowing how much liability you are up against as individuals with further monetary charges being added daily due to my extensive research into laws being broken and penalties plus the 15% incurring interest. I suggest you read sections 5-13 of the Secret Commissions Act 1910, where the penalties of giving or delivering false receipt of any kind of documents is up to 7 years imprisonment, and Crimes against Humanity charges are up to life imprisonment or the death penalty.

You each have until 12pm Friday 17 December to respond by email exactly as requested to each questions 10, 20,21, 23, 24 and 25. If the questions are responded to as requested to help remove actions of bad faith I will attend a zoom meeting by invitation for Monday 20 December at 3pm. I will be leading this meeting and the first question will be have you removed the virus and if not then work environment remains unsafe and the DHB has failed to provide a safe environment for me to return to and therefore there is no point addressing any more questions until there is a safe work environment for me to return to. I had requested to work from home but you have denied me the ability to do so, you have threatened to fire me based on discrimination and are still liable to pay me and find a way to provide a safe work environment for me to work in. Please note if I attend there will be in attendance an American doctor plus my legal team listening in plus it will be recorded.

Please note this letter is written by the living breathing :Janine: who trades as Janine Arabella and as I am not a Crown entity I am not subject to Crown Law and you will all be called to higher account for all of your actions. I strongly suggest the DHB finds a way to pay me out of the costs to you all as individuals could even be your lives if you continue with current actions, as I am recording the onflow of all your actions particularly to do with tax fraud, fraudulent cover up over failure of duty of care towards my daughter, coercion of any staff member or public who was not given proper informed consent to having the vaccine or treatment protocol and ended up with medication or vaccine reaction or has or will die as a result of failure to act on the knowledge of exposure of cover ups. This includes the treatment protocol that is in place to treat COVID 19 which has a high death rate compared using a high price drug compared to a low price drug of Ivermectin and Hydroxychloroquine with very low death rate overseas. I have given Pete Chandler a way to redeem your actions and how to show that you are trying to correct harm caused by your actions.

Pete Chandler is fully aware of the cover ups regarding the care of my daughter while under the DHB that contributed to her death, and that this gives me extreme motivation to find the DHB and individuals liable for any type of actions that led or lead to the harm of others, and that I will follow through with all the actions that I have set in place. Pete Chandler is the only one who holds the power in his hands to redeem each of the staff members. This redemption involves paying me out until the time I am 70 in full plus damages as per liability notice given on 25 November with no tax taken out as I am now tax exempt, (I had fully intended to work at Support Net until the age of 70, as have most of my work colleagues). This would be showing good faith of honouring of my employment contract, that the DHB has no right to change the terms of my employment contract without my consent. Once this occurs I will let go and not seek to lay further charges against the DHB or its individual staff members in their professional and private capacity. The money I receive will be used to set up a health service in honour of my daughter who died, so I can honour her memory and help others. This is the only thing that will redeem each of you as individuals, so it is now in Pete Chandler's hands as to whether he will agree to pay me out and end the serious consequences towards you as individuals.

Verified by Living :Janine: trading as Janine Arabella
Needs assessor Support Net
DHB Employee



PP Arabella

Please reply back to my preferred method of communication to my email janine.arabella1@gmail.com
rights reserved having supreme authority in this matter

Exhibit 3

ASC-JA-P 61 of 161

LW 124 150 325 NZ

Courier.

Signature Required *Debra East*

Delivery target: next working day between major towns and cities.
(This is a guide only, see Postal Users' Guide for details)

Compensation for loss or damage up to \$2,000, subject to NZ Post's Public Contract. For full terms and conditions, go to nzpost.co.nz

Janine from house of Arabella

Care of [37A] Glue Pot Road

Oropi, Tauranga [3173]

2nd day of January 2024

To the living woman known as 'Debra East'

Acting as Executive Director of People and Culture for Te Whatu Ora, formerly known as Bay of Plenty District Health Board [BOPDHB]

Via email to debra.east@bopdhb.govt.nz and via courier to 829 Cameron Road, Tauranga 3112

Cc to Peter Chandler, Don Sorrenson, Scott Hart, Margie Apa

Dear Debra

A letter was received from you via your email address debra.east@bopdhb.govt.nz on 21st day of December 2023. As we were entering into Christmas shutdown period I have waited until now to respond back. You bullet pointed your communication into 15 points. As this is not an affidavit I will only respond to points that I think are relevant to my Affidavit of Truth and Claim of Harm and Wrongful Dismissal and Discrimination dated 13 day of December 2023 and received on 14th December by all 5 parties Peter Chandler, Debra East, Scott Hart, Don Sorrenson and Margie Apa as representatives of BOPDHB, DHB and Te Whatu Ora corporations.

Firstly this is not a personal grievance case – this is a claim of harm with civil commercial and criminal implications. If none of the individuals have done anything wrong, they would have no difficulties answering my questions and affirming or rebutting my affidavit and testimony. If they won't answer the questions and rebut, then through their own lack of response are admitting their own guilt and liability. One of my next courses of action will be criminal and civil charges where individuals will be required to stand before a jury to rebut and answer these questions and more.

Secondly there are higher laws that precede Crown Law. It is more powerful and recognised in law to have three witnesses affirm an affidavit.

Thirdly as Peter Chandler has deleted his email address that was current on 13th day of December and at the same time closed the PHO office so that my correspondence was obstructed being received at Peter Chandler's office for up to a week and have evidence of this. By law the five individuals need to receive communication directly to them with proof that this has occurred. You are welcome to inform me of Peter Chandler's preferred place of direct communication with his new email address and as the PHO office got obstructed receiving courier mail I have no choice but to send to his home address to obtain the proof that it has been received in the event of further delays occurring through obstruction.

As my Affidavit contained the wording 'All Rights Reserved' at the bottom of each page I have the right to make additions or correct any honest errors as long as I inform the 5 parties and corporations of these changes. I have added some words to the signing pages to ensure there is it clear that me and the three witnesses affirm the words are written and affirmed by me. This has not changed any of the content of the material, however as Te Whatu Ora has just recently given a 20% pay increase to all Allied Health employees I do have the right to increase my monetary claim if not paid out by 20th of January 2024. I look forward to a fully rebutted response back by each individual to my Affidavit and will agree to extend the time frame by one further week until 18th of January 2024 which is more than sufficient time and I confirm that an un rebutted affidavit does stand as truth in law and commerce.

From the living woman 'Janine' known to the DHB as Janine Arabella

Janine

pp Arabella

Attached are pages 10 and 11 of affidavit

pp

Courier.

LW 124 150 373 NZ

Signature Required *Pete Chandler's home*

Delivery target: next working day between major towns and cities.
(This is a guide only, see Postal Users' Guide for details)
Compensation for loss or damage up to \$2,000, subject to NZ

Courier.

LW 124 150 339 NZ

Signature Required *P Chandler wk*

Delivery target: next working day between major towns and cities.
(This is a guide only, see Postal Users' Guide for details)
Compensation for loss or damage up to \$2,000, subject to NZ
Post's Public Contract. For full terms and conditions, go to nzpost.co.nz

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As my Affidavit contained the wording 'All Rights Reserved' at the bottom of each page I have the right to make additions or correct any honest errors as long as I inform the 5 parties and corporations of these changes. I have added some words to the signing pages to ensure there is it clear that me and the three witnesses affirm the words are written and affirmed by me. This has not changed any of the content of the material, however as Te Whatu Ora has just recently given a 20% pay increase to all Allied Health employees I do have the right to increase my monetary claim if not paid out by 20th of January 2024. I look forward to a fully rebutted response back by each individual to my Affidavit and will agree to extend the time frame by one further week until 18th of January 2024 which is more than sufficient time and I confirm that an un rebutted affidavit does stand as truth in law and commerce.

From the living woman 'Janine' known to the DHB as Janine Arabella

Janine pp girabella


Attached are pages 10 and 11 of affidavit

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Janine from house of Arabella

Care of [37A] Glue Pot Road

Oropi, Tauranga [3173]

2nd day of January 2024

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Courier.

LW 124 150 356 NZ

Signature Required *Don Sorrenson*

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Janine from house of Arabella

Care of [37A] Glue Pot Road

Oropi, Tauranga [3173]

2nd day of January 2024

To the living woman known as 'Debra East'

Acting as Executive Director of People and Culture for Te Whatu Ora, formerly known as Bay of Plenty District Health Board [BOPDHB]

Via email to debra.east@bopdhb.govt.nz and via courier to 829 Cameron Road, Tauranga 3112

Cc to Peter Chandler, Don Sorrenson, Scott Hart, Margie Apa

Dear Debra

A letter was received from you via your email address debra.east@bopdhb.govt.nz on 21st day of December 2023. As we were entering into Christmas shutdown period I have waited until now to respond back. You bullet pointed your communication into 15 points. As this is not an affidavit I will only respond to points that I think are relevant to my Affidavit of Truth and Claim of Harm and Wrongful Dismissal and Discrimination dated 13 day of December 2023 and received on 14th December by all 5 parties Peter Chandler, Debra East, Scott Hart, Don Sorrenson and Margie Apa as representatives of BOPDHB, DHB and Te Whatu Ora corporations.

Firstly this is not a personal grievance case – this is a claim of harm with civil commercial and criminal implications. If none of the individuals have done anything wrong, they would have no difficulties answering my questions and affirming or rebutting my affidavit and testimony. If they won't answer the questions and rebut, then through their own lack of response are admitting their own guilt and liability. One of my next courses of action will be criminal and civil charges where individuals will be required to stand before a jury to rebut and answer these questions and more.

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From the living woman 'Janine' known to the DHB as Janine Arabella

Janine


pp Arabella

Attached are pages 10 and 11 of affidavit

gw

ASC - JA - p 6 of 161

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From the living woman 'Janine' known to the DHB as Janine Arabella

Janine
PP Arabella

Attached are pages 10 and 11 of affidavit

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Courier.

LW 124 150 342 NZ

Signature Required

Margie Apa

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Care of [37A] Glue Pot Road

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From the living woman 'Janine' known to the DHB as Janine Arabella

Janine
pp gtabella

Attached are pages 10 and 11 of affidavit

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accumulates to take this action plus she can make claim off any individuals whose actions showed dishonour or discrimination towards her, plus she will add to her claim \$1000 per day plus 15% accruing interest since the date of death of her daughter Talia for deliberate cover ups to hide any DHB liability into Talia's death and duty of care while under the mental health act and under the care of the DHB; with author's autograph and three witnesses verifying this affidavit plus Exhibits 'A to J' attached to this Affidavit listed with the contents of these exhibits on the next page; and

50. each of the people that this Affidavit is addressed to are required to respond back in writing to the postal address of the author Janine within twenty eight [28] calendar days by 5pm from the first date of receipt to either confirm information in points as correct or rebut the points directed at them point by point with full disclosure and evidence to support any claim and make the following statement: "I [first name and last name] the living man/woman agree that I have read the eleven page Affidavit of the author Janine in its entirety including exhibits 'A' to 'J' and that what I have stated is true and correct in it's entirety with supporting evidence with full disclosure and sign this with my name and wet ink signature in my full private and commercial capacity as an individual and in my role as [write your role] for the District Health Board and it's successor company Te Whatu Ora -Health New Zealand, and have also ensured that this Affidavit was given to any other living man or woman who is considered the Principal at either the District Health Board or Te Whatu Ora to give them the opportunity to rebut this affidavit due to the commercial liability of the corporations"; with a non response or not adding the statement in bold included in this paragraph in point 50 signed with his/her wet ink signature from every individual named is taken and accepted as silent acquiescence and tacit acceptance that all content in this Affidavit and its exhibits 'A to J' is true and correct; and

51. all facts are created with my first-hand knowledge that are declared in this Affidavit of Truth and Claim of Harm and Wrongful Dismissal and Discrimination; and

52. my un rebutted Living Testimony in the form of Affidavit of Truth and Claim of Harm and Wrongful Dismissal and Discrimination including Exhibits A to J under Maxims of law and commerce stands as truth and correct in Law and commerce in its entirety, where I, Janine the author hold the original signed copy, and hold the lawful right to claim assets until paid out in full my un rebutted claims.

I, living soul author Janine solemnly affirm, declare and state that my testimony expressed in this Affidavit of Truth and Claim of Harm and Wrongful Dismissal and Discrimination dated the 13th day of December in year 2023 is correct and true with my first hand knowledge and supporting evidence made under the penalty of perjury and Divine law, Scriptural law, Ecclesiastical law, Natural law and Common law and Roman Civil Maxim of Law that 'He who remains silent, when he ought to have spoken and was able to, is taken to agree.'



by 'Janine' of the clan Arabella
the author and Principal
PO Getabella

In the mouth of two or three witnesses shall every word be established from 2 Corinthians chapter 13 verse one.

In the year of 2023 on the thirteenth day of the twelfth month we confirm as witnesses that living soul author Janine personally appeared before me with this affidavit document affirming it to be her act and deed and testimony. We subscribe our names as witnesses and affix the thumb print of clean right hand to affirm for this Affidavit of Truth and Claim of Harm and Wrongful Dismissal and Discrimination dated the 13th day of December in year 2023 and we

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gnw

do hereby sign in accordance and satisfaction with Divine right, the relevant provisions of Roman Civil Maxims of Law, Divine law, Scriptural law, Ecclesiastical law, Natural law and Common law;

Witnesses: Printed Appellation/Autograph /Creators Seal Address

Autograph of 1st Witness

Margaret Louise of house of Colmore
599 Mountain Road, Oroqui 3173
Home Executor


Margaret Louise PP MLD

non-negotiable-autograph all rights reserved: none waived ever

Autograph of 2nd Witness

Robin John of house of Colmore
599 Mountain Road, Oroqui 3173
Home Executor


Robin John P.P. MLD

non-negotiable-autograph all rights reserved: none waived ever

Autograph of 3rd Witness

Paula of house of Harrison
1416 Upper Ohauiti Road, 3173
Health Professional


Paula P.P. MLD

non-negotiable-autograph all rights reserved: none waived ever

Attached are the following exhibits:

- Exhibit A:** Notice of Liability presented on 25 November 2021 – 3 pages plus 13 pages of evidence of all dates it was received with no rebuttal
- Exhibit B:** Letter from me to DHB staff Don, Scott, Tess, Meredith and Rachel dated 20 December 2021 presented at zoom meeting outlining my 10 breaches of care plus quoting number of NZ Law breaches – 6 pages
- Exhibit C:** Letter from Don Sorrenson dated 22 December 2021 with termination decision of employment-7 pages which also confirmed that all my correspondence had been received and read
- Exhibit D:** My response to letter of termination sent 3rd of January 2022 – 1 page
- Exhibit E:** Email from Tess Richardson confirming termination of employment 18th of January 2022 – 1 page
- Exhibit F:** mainstream media article 13 October 2023 announcing that 11,000 DHB staff were exempted from having the vaccine – 1 page
- Exhibit G:** Washington Post Article dated 11th November 2021 of New Zealand man who died of gunshot wound recorded as covid death
- Exhibit H:** email 20/12/21 with attached autopsy report as proof that one of the side effects and risk factors of taking the Pfizer vaccine was death - 2 pages
- Exhibit I:** Information taken from CMS data base in 2021 comparing Ivermectin and Remdesivir for treatment of Covid 19
- Exhibit J:** letter dated 14 December 2021 sent via email on 15 December to Don Sorrenson, Scott Hart, Pete Chandler, Meredith Mckenzie, Tess Richardson and Rachel Whaanga which addressed the personal liability of staff members for threatening to terminate me based on discrimination plus confirmed that author is not a Crown Entity and is not subject to Crown Law that author commercial charges are being made using New Zealand and England Common Law plus Maxim laws of commerce – 3 pages

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AT gw