

An Open Letter 2nd March 2023: To the PGDB in reply to the PGDB letter dated 16th May 2022.

Please table this letter at the next PGDB meeting. Please could you reply by the 9th April 2023, the anniversary of the near fatal explosion in 2009. As always this will be publicly circulated along with any reply. Thank you in advance for your time.

Evidence can be provided if requested. But most, if not all, is known and available to the PGDB, as the PGDB is my main source for this evidence, provided for the hearing 3rd to 5th May 2011.

With enough notice I am happy to fly to Wellington and make a presentation of the evidence to accompany the tabling of my letter. I have 100's of documents and legal letters, happy to share.

My comments are in blue in reply to the original words of this letter that are in brown.

Dear Paul

Letter to Plumbers, Gasfitters, and Drainlayers Board

Thank you for the letter you sent to the Board on 4 April 2022 and the additional information you provided in support of that letter on 7 April 2022. As requested, this material was considered by the Board at its meeting last week on 3 May 2022.

As you note in your letter, the Board is an ongoing professional regulatory body with a changing membership. While some of the current practitioner members of the Board are aware of the incident at the fish and chip shop in Nelson, none of the current Board members had any direct involvement with your disciplinary case. Nor do any of the current Board members have any direct knowledge about the investigation into the explosion or the other matters you raise in your letter.

As the PGDB have had the better part of a full year to digest the evidence of corruption that I have raised, the position of being ill informed and unaware is not a valid claim today. The claim of being uninformed is now a convenient tool, not a fact. Corruption does not have a use by date, it does not expire after a period of inaction.

If I were a member of the PDGB and someone made such allegations as mine, I would make it my goal to investigate and disprove such allegations, to keep the integrity of the Board I was part of. To put it to the bottom of the pile and hope it goes away would not be an option.

As far as I am aware the PGDB is classed as a **perpetual** Industry Board, your wording that it is an "ongoing professional regulatory body" is misleading and is not what I referred to it by, it ignores the meanings associated with the word perpetual, i.e.

never ending or changing. Occurring repeatedly; so frequent as to seem endless and **uninterrupted**.

Similar:

Everlasting, never-ending, eternal, **permanent**, unending, endless, lasting, **constant**, **abiding**, enduring, timeless, ageless, undying, immortal, **unfailing**, unchanging, **never-changing**, **unvarying**, **unfading**, **invariable**, immutable, **indissoluble**, **uninterrupted**, **continuous**, **unremitting**, unceasing, **persistent**, **unbroken**

Opposite: transitory, temporary, intermittent (or ongoing???)

I have highlighted some more pertinent/relevant words to make my point. The current members inherit the past actions of previous members, if they are happy to be associated with these corrupts, then that is their call, but know it is a public call and shame on you.

The Board is concerned with a number of the matters you have raised and has sympathy for your position.

I do not require sympathy whatsoever. All that is required is a thirst for truth and justice. If you have concerns then where are your actions?

What are your concerns exactly, that you apparently openly ignore?

The Board has to comply with the provisions of the Plumbers, Gasfitters, and Drainlayers Act 2006 and can only carry out those functions it is allowed to do under the Act. Unfortunately, in relation to your case, there is nothing in the Act that allows the Board to review a previous investigation or disciplinary hearing. The only right of redress the Act allows in respect of a disciplinary hearing is a right to appeal to the Court and the Board understands that you exercised that right in relation to your disciplinary conviction at the time.

I whole heartedly agree that "The Board has to comply with the provisions of the Plumbers, Gasfitters, and Drainlayers Act 2006" Please may I direct your attention to parts of that Act below in black.

137 Functions of Board

(s) to do **any other things** as may, in the Board's **opinion**, be necessary **for the effective administration of this Act**:

(t) to **carry out any functions** that are incidental and related to, or consequential on, its functions stated in this section.

138 Powers of Board

The Board has **all of the powers** that are **reasonably** necessary or expedient to enable the Board to carry out its functions.

171 Exclusion of liability

Subsection (1) does not exclude the liability of any **body** or person for anything done or omitted in **bad faith or without reasonable care**.

I have highlighted some more pertinent words to make my point. It appears to me and I should imagine other fair-minded laymen, that there is provision for the PGDB to **reasonably** carry out its duties **for the effective administration of this Act**.

Of note: In this Act there is a lot of lip service paid to **reasonable** behaviour in the Act. I ask you with all honesty, was **anything** that happened to me **reasonable**? The actions of the PGDB and its investigator was anything but reasonable. And so, the whole fiasco should be cancelled not appealed, to appeal gives validity to the corruption.

Was the investigator or the hearings panel taken to task for their egregious behaviour?

For instance, when Stephen Parker shut the hearing down just as his long-term colleague (the investigator Tony Hammond) was putting his foot in it on cross examination, which would have left me 100% innocent?

You just need to be of the opinion that it is necessary for the effective administration of the Act. It has to be more effective to root out corruption. I am 110% sure the authors of this Act did not intend upholding or covering up corruption. It was never a goal or something to be achieved or admired, quite the opposite. Its your job to fix this.

Do you think that the actions of the PGDB were reasonable... or were the actions done in **bad faith or without reasonable care?**

I most definitely know for a fact that the latter is true. I have born witness to it with 14 years of stress, embarrassment, accusation and nightmares. It has literally changed my face, I have vitiligo on my face, caused by stress. It is a loss of pigment in the skin; I see it every day.

I find it hard to hold down a job and have either worked away from home in my trade or at home outside of my trade, basically demoted to an unskilled worker to be near my family.

When I meet people they say, "oh you're the guy who blew up the chip shop". You've seen how convoluted and huge the body of evidence against this is, believe me you can't condense it in a conversation with people you've just met.

I just want my name cleared.

At my appeal that cost \$5k just to lodge. The High Court Judge was replaced just before my appeal took place, and even though we submitted a huge amount of deposition documents detailing the egregious behaviour and the blatant ignoring of all the "conflicts of interest" by the PGDB. We were closed down to only appeal the last and only charge (which is a BS charge anyway). After initially allowing 3 days (from memory), we were in there for about 3 hours.

We were admonished by the Judge for saying I had had lies told about me. We were told by the Judge that we could not call them lies, but had to refer to them as "untruths". This pretty much set the tone for the rest of the short process. I don't believe I had a fair go at all.

My claim of "lies" was made in reference to the letters that were sent by the PGDB to all the sites of charges (except the chip-shop), prejudicing all the people at these sites that I was "issuing illegal certs" in the North Island before my hearing. Places I hadn't even holidayed at, let alone carried out any work. A hearing when 50% of the charges were amended to fit a bit better just weeks out from the said hearing, after a two-year investigation.

These letters were later rescinded because the "letters could have been worded better" i.e. it would be better to have told the truth, not untruths.

The Board would like to acknowledge that you were never found guilty of any disciplinary offences in relation to the gas explosion at the Milton Street fish and chip shop. The Board has not disciplined any other registered practitioner in relation to the complaint made by Lance Windleburn from the Department of Labour in relation to the incident at the Milton Street fish and chip shop.

So no one to this day has been held accountable, that's disgusting. I asked a retired Police Officer if they would stop looking for a criminal (I think I used the word murderer) if the person accused on the stand was found innocent. His reply was a resounding and definite, "NO". But if it wasn't me to blame, then the PGDB has no interest, is this reasonable? No, it is not.

The PGDB have ignored 9 people of interest for charges that warranted ruining my business and reputation, but if it couldn't be pinned on me then the PGDB are not interested, is this reasonable (as per the Act). Are the PGDB acting in good faith with reasonable care or in **bad faith without reasonable care?**

As the blast victim lay in a drug induced coma in a burn's unit in Wellington, the PGDB denied in writing of receiving cert 345138, which still managed to magically appear on their electronic register.

Apparently this denial still stands (I have the letter)... Apparently the only evidence (while still denying receiving the said cert) is "that it's on the electronic register"... how absurd is that? This cert is for the most recent work at the exploding chip shop. Interestingly cert 345138 lacked any record of a test for leaks, as do quite a few more certs. These other certs were also denied being received, until I sent the carbon copies from the gas supplier.

I am glad you brought up the complaint made by Department of Labour.

I have, since our last correspondence, come into possession of the actual original report with interviews. The very document that started all this pain for my family. Please see below two excerpts, both concerning the owner's opinion on who connected the fryers.

It has not been adequately ascertained as part of the investigation who has actually installed the appliances. **Hostservice Commercial Kitchens** indicate in their statement that they do not arrange or conduct installation but rather supply and deliver only. Mr **Paul Gee** the gasfitter employed by **Allgass Products** at the time of the installation indicates that he also did not fit the appliances into place. **Mr Clarke** also refutes that he installed the appliances.

Can you recall the person and business that installed the gas vats in the front of the store?

A1 Gas, but cannot remember the persons name, and Host services delivered and connected the vats.

Who supplied the hoses and connection fittings for the installation of the gas vats?

Host services

As this is the initial document, the instigator of all my problems, do you think the PGDB's actions after receiving this report is warranted or reasonable? Especially (or is it because) I had been complaining about dodgy certs covering dangerous work for over 6 years, I nearly vomited when I read this report.

I think we can all safely assume that no one is going to say, “oh the exploding fryers... yes I fitted them”.

This is why it should be investigated by an impartial, competent, uncorrupted investigator with no bias or conflicts of interest...he was the total opposite of this.

Why was Host services believed while I was dragged over red-hot coals, subjected to a very bias witch-hunt?

The so called “impartial” investigator (he was not) withheld well over 100 photos of the site of the explosion, some of these photos showed what I had testified to from the outset, i.e. the pipe was lowered to very near the floor. This lowering resulted in the pinching of the supply hose against the floor, rupturing this third hose sold to supply two fryers. (This lowering is evidenced by the original fixing holes in the wall with the pipe some 600mm off the floor in these photos).

Please compare the dates on these two documents below. The hose that caused the explosion was sold after I left Allgas by some 6 weeks. The investigator was in possession of these documents. Is this **bad faith without reasonable care?** I believe it is undeniably so. What is your opinion PGDB?

The image shows a document with handwritten notes at the top: "INITIAL INSTALL" and "JUNE 03". The document contains the following information:

Invoice/Cr.Note VIEW
Client: 3259
Wilson St Takeaways

Dept: 10 Nelson

Price 1-6 1

Disc Gr: 7

Salesperson: 4

Branch: 1

Quantity: 1.00

Price: 61.600

Disc%:

Amount: 61.60

Code: 008

Item Details: 1 Gas Cooker Bayonet Hose 9/16

No: 106236
OP

Date: 21/01/04 (circled in red)

Order Number:

Our Reference: 188668

This letter confirms the employment details of Mr Paul Gee, who was employed by Allgas Products, A Division of Shell NZ Ltd, as a Gas Fitter, from 24 February 2003 to 2 December 2003.

The Board acknowledges that this response does not give you the answers you are seeking. Regrettably it does not consider that there is anything more it can do in relation to the concerns you raise about the investigation leading to your disciplinary hearing and the conduct and outcome of that hearing.

I totally disagree and believe you can.

All the processes, procedures, investigation, hearing and appeals are irrelevant and moot, because it **should never have happened** in the first place and it was carried out undeniably in very much **bad faith AND without reasonable care** whatsoever. While contradicting and totally in the face of the intention of 171 of the Act. The same Act that the PGDB are happy to hide behind.

All the PGDB has to do is cancel the heinous actions of its predecessors, admit the corruption and apologise to my wife. It is totally within your remit.

While it may not be able to assist you with your concerns about the investigation and disciplinary hearing, the Board can advise you that investigations into complaints against practitioners are very different today to what they were in 2008 – 2009. The Board employs and engages professional investigators (many ex-New Zealand Police) and robust, peer reviewed technical advice is provided as a part of all investigations. In addition, complaints are carefully considered before they are recommended for investigation to determine whether a less formal and more educative approach is appropriate for dealing with any concerns raised rather than a formal disciplinary hearing. The complaints and investigations process are also subject to ongoing monitoring and review to identify any changes or improvements that can be made. It is hoped that these processes are now more thorough and balanced than they may have been in past and that opportunities for any errors or problems are therefore reduced.

How condescending and insulting. So, let me get this straight...

I am to take solace in the admittance that it was so bad in 2009 that you had to totally change it and its all better now?

The PGDB by this admittance must know how bad it was and why. And you expect me to accept that all the present PGDB members are in the dark about all this? Do me a favour.

I am to take consolation in that you don't flippantly ruin peoples lives and terrorise their wife anymore? That's awfully helpful.

If you are "carefully considering" complaints now...what did the perpetual PGDB do before, whilst unmonitored and unreviewed?

In my experience the PGDB act with impunity, with venomous obsession. All done while ignoring "robust, peer reviewed technical advice" which I tried to provide at the hearing and appeal, and still can.

I am to accept I have been succoured in the fact that errors are reduced, so by default you admit there were errors made in my case? Mine was far more than an error, it was a targeted reputation assassination. But at least you've started to admit how bad it was.

The PGDB have had the better part of a year to digest this corruption since my last letter. I stated I would write every anniversary. The PDGB has had plenty of time to prepare and ruminate on this distasteful state of affairs. You are now very much aware.

So, do you join the corruption or fix the corruption in your role as a perpetual PGDB?

Thank you for taking the time to raise your concerns with the Board

Not a problem, until this is resolved I will send a letter every year to be tabled. Until someone with a back bone and moral compass has the will to address and fix it.

Please seriously consider who you are protecting and who you are continuing to punish. It reflects very much on the PGDB.

When I apply for a job, I have told the truth which usually ends in me not landing the role or I omit to tell my future employer about this dire situation, which makes me lie (telling untruths) to protect the corrupt who are truly guilty. And from experience it comes out anyway.

Of Note: I once managed to get a job locally at the power station, after working away for quite some time after the hearing. All I wanted to do was be near my family. Allan Bickers was doing a tour of the power company assets as a Board member of the power company, I literally bumped into him at the power station. Co-incidentally I was made redundant not long after.

I want my life back and an apology to my wife.

As we were losing our freshly renovated home, she received child sexual case notes on probability. I found her hysterical, please explain the relevance of this filth in my case. Do you stand by this?

I did nothing wrong at all, I actually tried to warn about it for 6 years prior to the explosion, only to be framed for it.

My last charge is also moot along with the whole process, because the PGDB told an elderly couple (who actually complained of fumes entering their home, where as mine did not)...to "just shut the window when you use the califont". There is a **robust, peer reviewed technical advice** in the form of a British Standard that totally explains away this last charge in my case. I was not allowed to produce it at my appeal.

If you let this stand then, in my opinion, you are as egregious, corrupt and hypocritical as your predecessors. The reluctance to see natural justice served is evident to date, please change this.

I ask you in all sincerity should this have ever happened to my family, if your answer is no then do something about it.

I have a lot of evidence to go toward finding those who are responsible for this explosion and the other charges, I am happy to share, if you have the will. Why would the PGDB want to hold on to this, is it because you want to keep the 100% conviction rate? If so, that is so sad.

I have heard rumour that apparently the PGDB's foreign owned insurance company have instructed the PGDB to admit no liability (as all insurance companies do), but it begs the question... is it a good situation to have a company, headquartered offshore, dictate terms to a NZ government representative **perpetual** industry Board? Is this true? If so, are you happy with this?

Yours with integrity,

Paul Gee

2nd March 2023.