

**ABUSE IN CARE ROYAL COMMISSION OF INQUIRY  
TULOOU – OUR PACIFIC VOICES: TATALA E PULONGA**

**Under** The Inquiries Act 2013

**In the matter of** The Royal Commission of Inquiry into Historical Abuse in State Care and in the Care of Faith-based Institutions

**Royal Commission:** Judge Coral Shaw (Chair)  
Ali'imua Sandra Alofivae  
Mr Paul Gibson  
Dr Anaru Erueti  
Ms Julia Steenson

**Counsel:** Mr Simon Mount QC, Ms Kerryn Beaton QC,  
Ms Tania Sharkey, Mr Semisi Pohiva, Ms Reina Va'ai, Ms Nicole Copeland, Ms Sonja Cooper, Ms Amanda Hill for the Royal Commission  
Ms Rachael Schmidt-McCleave, Ms Julia White and Ms Alana Ruakere for the Crown

**Venue:** Fale o Samoa  
141r Bader Drive  
Māngere  
AUCKLAND

**Date:** 20 July 2021

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**TRANSCRIPT OF PROCEEDINGS**

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1 [10.00 am]

2 **Hearing opens with prayer and song**

3 **COMMISSIONER ALOFIVAE:** Fa'afetai Reverend Thomas Kauie and to our Niuean  
4 community, fa'afetai, fakaalofa lahi atu for the opening blessing and the covering for our  
5 proceedings today. Manuia.

6 **CHAIR:** Good morning to everybody who has come today. We welcome you to the second day  
7 of this hearing of the Royal Commission into Abuse in Care, Tulou. Thank you for coming  
8 and we look forward to hearing our survivor witnesses today. I invite Ms Sharkey to  
9 present her evidence, thank you.

10 **MS SHARKEY:** Good morning Commissioners, we're just awaiting the arrival of our special  
11 witness, Mr Tigilau Ness, who should be coming through this door any minute now.

12 **CHAIR:** Perhaps if we play the drums it might work.

13 **MS SHARKEY:** I just hope we haven't lost him. **[Drums played]**. May I go up and see what's  
14 happened?

15 **CHAIR:** Please do, yes.

16 **TIGILAU NESS**

17 **MS SHARKEY:** Morning Tigilau, take a seat. By way of introduction, Tigilau Ness is a first  
18 generation New Zealand-born Niuean, a musician, political activist and member of the  
19 Polynesian Panthers Party. Tigilau will speak about his involvement in the social  
20 movement against the targeting of Pacific Islanders and Māori in the 1970s and 80s and  
21 abuse of Pacific peoples whilst in State care. Fakaalofa lahi atu Tigilau.

22 A. Fakaalofa lahi atu.

23 **CHAIR:** Tigilau, I know you've been here all day yesterday so you're no stranger but thank you  
24 for coming and being a witness today. Can I just ask you if you would take the affirmation  
25 before you begin your evidence?

26 A. Yes.

27 **Q.** Thank you. Tigilau, do you solemnly, sincerely and truly declare and affirm that the  
28 evidence that you will give to the Commission will be the truth, the whole truth and nothing  
29 but the truth?

30 A. Yes, I do.

31 **Q.** Thank you.

32 **QUESTIONING BY MS SHARKEY:** For the benefit of those listening here and on the  
33 livestream, Tigilau has provided a statement to the Inquiry which the Commissioners have  
34 before them and is taken as read and a copy will be made available on the website

- 1 following his evidence today. Before we start, Tigilau, are there any opening comments  
2 you would like to make?
- 3 A. Yes. Really honoured to be part of this event. It's historic. Yesterday I was witness to  
4 something absolutely amazing, you know, that the Pacific came together and I'm just really  
5 happy to be a witness to that, what happened yesterday, yeah.
- 6 Q. Thank you Tigilau. So let's start. You're a member of the Polynesian Panthers Party, is  
7 that correct?
- 8 A. Yes, I am.
- 9 Q. For the benefit of those watching who may not know, can you please tell us briefly about  
10 the Polynesian Panthers and why that party was created?
- 11 A. The Polynesian Panther Party started in 1971. It was formed by former gang members and  
12 university students, Pacific Island, Māori, yeah.
- 13 Q. And in your statement you provide some background about the migration of Pacific people  
14 to New Zealand. So we'll start -- your statement's just over there to the left of you, Tigilau,  
15 just so you've got a copy.
- 16 A. Yes.
- 17 Q. We'll start with some questions about your own experience. So who in your family comes  
18 to New Zealand first?
- 19 A. My father Koa(?) Ness came to New Zealand Aotearoa first from Niue Island. He came to  
20 work and get a better life. Having come here first in the 1950s he then paid for my mum to  
21 come over and with her came my two sisters. So he managed to work and work hard to  
22 earn the fare to bring them all over, yes.
- 23 Q. And how did he get here, wasn't by plane?
- 24 A. He came on Tofua, which was a mode of travel back then.
- 25 Q. So in your statement you talk about the waves of migration from the Pacific and we heard a  
26 bit about that yesterday.
- 27 A. Yes.
- 28 Q. But just briefly, what was happening in New Zealand at the time that saw these waves of  
29 migration, these Pacific people starting to come to New Zealand?
- 30 A. At that time there was a shortage of labour in Aotearoa New Zealand and the Government  
31 here required Pacific Island people to come over to work, fill in the spaces that were  
32 available to help the economy. And our people, Pacific Island people came over in droves  
33 for a better life for themselves, for their children, and economic reasons, I guess, you know,  
34 because overpopulation and just seeing what -- and hearing what New Zealand Aotearoa

- 1 had to offer, yeah.
- 2 **Q.** Thank you Tigilau. When your dad gets here and then your mum and sisters, where do  
3 they live when they arrive?
- 4 **A.** Dad first stayed in Parnell with some family who had come over first before him, then  
5 when my mother and sisters came over, they moved to Mt Roskill and then eventually to  
6 Newton.
- 7 **Q.** Okay. In your statement you talk about what Newton, Ponsonby, Grey Lynn was like back  
8 at that time and I'm just looking at your statement, we're looking at paragraphs 7 to 10. Can  
9 you tell us what it was like, Tigilau, and one of the comments you make is about Reverend  
10 Alec Toleafoa describing what K Road was like back then, can you please expand on that  
11 further?
- 12 **A.** Reverend Alec Toleafoa explained what Ponsonby, the inner city was like back then by  
13 saying that Karangahape Road was our internet highway back then, where our people  
14 would meet and see each other face-to-face, share stories, catch up with the news. That  
15 was -- he explained it very well. That was our internet highway back then, yes.
- 16 **Q.** And you talk about the PIC church, what was the importance of that church for Pacific  
17 people back then?
- 18 **A.** The PICC church was the gathering point for most of the Pacific Islanders who came to  
19 Aotearoa New Zealand. It was where they found refuge, guidance from the ministers and  
20 where they congregated. It was a gathering point, it was a focal point for the majority of  
21 Pacific Islanders who came over, you know, being in a strange land they -- the faith, the  
22 Christian faith helped them keep together until finally, you know, they dispersed, yeah.
- 23 **Q.** So the village life that we would have back in the Islands, is that essentially what the  
24 churches became here for us?
- 25 **A.** Yes, it provided a safe haven.
- 26 **Q.** And we heard yesterday Fa'amoana say that he recalls back then Pacific languages being  
27 spoken in Ponsonby, Grey Lynn. Is that what you recall?
- 28 **A.** Yes, it was a thriving Pacific community where the languages were spoken freely and  
29 openly and loudly in the marketplaces, in the streets and it was where our people  
30 congregated and met and spoke, yeah, proudly, yeah.
- 31 **Q.** So just moving on in your statement, we're looking at paragraph 11.
- 32 **A.** Yes.
- 33 **Q.** This is when you begin to talk about the attitudes towards Pacific peoples and Māori back  
34 then. I just want to look at these paragraphs a bit more and we'll start with what you recall

- 1 when you were a child, younger.
- 2 A. Yes.
- 3 Q. You talk about the "Congo run". Can I just ask about that, Tigilau. You say back then  
4 buses to Ponsonby were labelled the "Congo run". So what was the use of the word  
5 "Congo" about, what was that all about?
- 6 A. The "Congo run" was a derogatory term to describe the bus trip from our homes, like in  
7 Ponsonby, Grey Lynn, to the schools in an area Mt Albert, where I went to school,  
8 Mt Albert Grammar School. We caught the buses from Ponsonby Road, which went down  
9 into Wellesley Street and up Symonds Street and then along to New North Road and finally  
10 to Mt Albert Grammar School. where a lot of us went to from, you know, from Grey Lynn  
11 in the city. And it was called the "Congo run", because, you know, the bus was full of  
12 Pacific Island boys, youth.
- 13 Q. And what does the term "Congo" mean to you? What images does it make you think of?
- 14 A. It's a derogatory term and it reminded me of Africa, slavery, you know, it was a put down,  
15 mmm.
- 16 Q. And who was labelling the bus the "Congo run", was it society back then?
- 17 A. Yes, society in general, but then the school boys at Mt Albert Grammar School would call  
18 that the "Congo run", mmm.
- 19 Q. Thank you Tigilau. Then you mention in your statement some rules that specifically  
20 targeted certain ethnic groups and you talk about for Māori the pubs and the cinemas. Can  
21 you expand on that please?
- 22 A. Growing up in Newton the house where we lived was like 100 yards down from the Kings  
23 Arms Tavern, and my father went there regularly, and in his time Māori weren't allowed  
24 into the Public Bar, and I know that he used to give out jugs of beer to his Māori friends  
25 who were outside and he'd do that through the window, pass it to them through the window.  
26 So when I heard that later on in life, you know, then I understood what it was like for  
27 Pacific Island and Māori being separated like so.
- 28 Q. And with the cinemas, with movies?
- 29 A. I know that in South Auckland and Papakura there was segregation. Māori weren't allowed  
30 into certain parts of the theatre, picture theatre there. In fact, my brother-in-law wasn't able  
31 to get a haircut because he was brown. So he had to wait outside the barber shop in  
32 Papakura, and when his father came to pick him up he still hadn't had a haircut and he was  
33 asked why and he was told because he was brown and he wasn't allowed into the barber  
34 shop. He's actually Pākehā, Palagi, European, but he looked brown, he's got dark skin.

- 1 **Q.** Thank you Tigilau. And what happens with your mum's employment after your dad passes  
2 away?
- 3 **A.** When my father died, mum was made an offer by Social Welfare and she usually used to  
4 remind us that she had to sacrifice her work in order to look after us. Like when we were  
5 naughty or something like that she'd say "Welfare was going to take you'se away from me  
6 if I continued to work." So she was threatened by Social Welfare that they would take us,  
7 me and my sisters, off her if she continued to work. So, she took the offer of the widow's  
8 benefit and stayed home, stopped working and looked after us for the rest of her life.
- 9 **Q.** Right, so after your father passes away and she becomes a solo parent –
- 10 **A.** Yes.
- 11 **Q.** – she's given the ultimatum, either you stop working –
- 12 **A.** Yes.
- 13 **Q.** – or the children will be taken off you?
- 14 **A.** That's right.
- 15 **Q.** She was used to working, she loved working?
- 16 **A.** She came here to work, yes.
- 17 **Q.** And how did that make her feel?
- 18 **A.** I think as a solo parent back then she would have felt shame, whakamā, having to raise  
19 three children on a widow's benefit. I know that, because I read her diaries later on, she  
20 wrote every single item that she'd buy and pay for, you know, food as well as rent. So  
21 I knew that she scrimped and saved to put me and my sisters through school with the  
22 uniforms and, you know, looking after us on a widow's benefit, yeah.
- 23 **Q.** So it was a struggle?
- 24 **A.** Yes.
- 25 **Q.** Okay Tigilau, thank you. So just looking at paragraphs 13 and 14, you talk about the pub  
26 culture –
- 27 **A.** Yes.
- 28 **Q.** – in those days, and what that did to Pacific. Can you tell us more about that?
- 29 **A.** Well, the men, and the women too I would say, worked hard, and the culture back then was  
30 because it was like 6 o'clock closing for pubs back then, the culture was that the men would  
31 go to the taverns and pubs after work. And, you know, it was a way of them relaxing and  
32 our people learned that way, in fact became addicted to alcohol because that seemed to be  
33 the thing to do back then. For the menfolk the more you drank the more of a man you  
34 were. And that went through the older males and to the younger ones that came over. So

- 1 that, you know, they became addicted, I would say, yeah.
- 2 **Q.** How did that affect the Pacific culture, the family home?
- 3 **A.** Out of that came a lot of violence, family disruptions, all the bad things that are associated  
4 with, you know, too much alcohol. Yeah, for us children, we watched our parents and  
5 uncles turn into people that weren't nice. For those that were associated with church, they  
6 were strong, held the family together. But the majority, the culture back then was that the  
7 more you drank, the more of a man you are. And usually our people go over the top when  
8 it comes to, you know, certain things like that, yeah.
- 9 **Q.** You say in your statement instead of the PICC church, the hub became the pub. So did you  
10 see a shift in the Pacific culture values?
- 11 **A.** Yes. Mum would hold the home together, Dad would be out with his mates, and even bring  
12 his mates home. And watching them go out to the back, I would think that, you know, they  
13 were doing some really important kōrero or important talking and meeting. And later on in  
14 life I find out that that's what they were doing, you know, drinking and passing the time like  
15 so, yeah.
- 16 **Q.** Thank you. Okay, so now we're just going to talk a bit about your school before we get  
17 into things. And in primary and intermediate, how did you go at school?
- 18 **A.** I really excelled at primary school, in fact at Newton Central School I was dux and then at  
19 Kowhai Intermediate School again I was dux. So I excelled in English, I really loved  
20 school. I wasn't aware at the time the hardship that my mum was going through, you know,  
21 putting me and my sisters through education. Then I got to Mt Albert Grammar School and  
22 things just changed drastically.
- 23 **Q.** Okay. And tell us what happens at Mt Albert Grammar School.
- 24 **A.** At Mt Albert Grammar School I was put into an academic class where I was taught Latin  
25 and French and the rest of my friends who came from the neighbourhood, Ponsonby,  
26 Newton, they were put into commercial, agricultural classes. So I was a – we were  
27 minority at Mt Albert Grammar School and there I learned first-hand about racism and  
28 being treated inferiorly, even though I had excelled at school prior to that, the big waking  
29 up happened at Mt Albert Grammar School, yeah.
- 30 **Q.** Okay, and in terms of you saying how you were treated there –
- 31 **A.** Yes.
- 32 **Q.** – can you give some examples about the treatment you received or Pacific Islanders  
33 received there?
- 34 **A.** The majority of Pacific Island and Māori boys at Mt Albert Grammar School, we competed

1 against each other to see who got the most canes. Caning was the form of punishment there  
2 for any pupil that misbehaved or did something that wasn't acceptable to the teacher. So we  
3 were taken either in front of the class or outside of the classroom and caned. So much so  
4 that we used to compete and compare who got the most canes and we'd notch our belts and  
5 say "Oh today I got four", four notches on the belt and so we did that, you know, and to see  
6 who got the most canes which meant that you got the most notches in your belt. That was  
7 our way of coping, yes.

8 **Q.** Thank you Tigilau. And then it comes time where you leave high school. What is the  
9 incident that leads to that?

10 **A.** One morning I was called up into the headmaster's office and I was told to get a haircut. At  
11 that time I had an afro, we were learning about our culture and identifying ourselves as  
12 Pacific Islanders, and having naturally frizzy hair and being young boys at the time, I had  
13 an afro, quite a big one. And we'd – well, that one morning I was called up into the  
14 principal's office and told to get a haircut. And I protested and said what about these white  
15 boys who had hair below their collar. And the principal kept on insisting "No Ness, get a  
16 haircut." So I was taken back, and I kept on telling, what about these other Palagi boys  
17 who had long hair. Because at the time that was the hippie era, long hair and, you know, a  
18 rebelliousness I guess. For me it was my culture and I tried to explain to him about how  
19 Niue, the eldest boy gets a haircutting ceremony, but he wouldn't have a bar of it and  
20 I knew that he didn't understand anything about me, or my people, or our culture. And he  
21 kept on insisting, you know, "Get a haircut Ness." So, I stormed out of there, that was me,  
22 that was the end of my education. And as I was leaving I knew, you know, I'd crossed a  
23 line. I knew that my mother would kill me if she found out, you know, she'd put so much  
24 time and effort into me getting to one of the top schools and here I was blowing it all over a  
25 haircut, over a man, a white male who didn't understand where I was coming from, you  
26 know, yeah.

27 **Q.** So that was you standing up for what you believed in?

28 **A.** Yes. My identity was in question and, you know, being young and angry then, I guess, that  
29 just – I just walked out of Mt Albert Grammar School with my head hung down knowing  
30 the consequences weren't going to be very good. But I refused to accept what this  
31 European was telling me about my culture. I was old enough then to understand that,  
32 mmm.

33 **Q.** Thank you Tigilau. Okay, so we're now moving to paragraph 25 of your statement. This is  
34 where we are talking about the increasing tension towards Pacific Islanders.

- 1 A. Yes.
- 2 **Q.** So you've left high school, how do you end up in the Polynesian Panthers?
- 3 A. Well, as you do at a young age I was hanging out with some friends, local friends and one  
4 who had gone to Mt Albert Grammar School as well, young Samoan who already belonged  
5 to the Polynesian Panthers. He told me that "We need people like you." So I went along,  
6 I joined the Polynesian Panthers from then. I went along to a meeting where they were  
7 recruiting, looking for young members, and I went along and I absolutely enjoyed and  
8 identified with everything that was going on at that meeting, and I decided from there to  
9 help my people, and so I continue to do the same, yeah.
- 10 **Q.** All right, and we're just about to bring up an exhibit. I just wondered, Tigilau, if you could  
11 please read out paragraph 26 of your statement.
- 12 A. It was not uncommon to walk down Karangahape Road and see Pacific Islanders being  
13 stopped randomly and questioned by the Police. It was not uncommon for Pacific Islanders  
14 to get picked up for no reason by the Police and be charged with idle and disorderly  
15 offences. Some of our children would be taken. They would spend days, nights or some  
16 even weeks in the cells and then charges simply dropped. This treatment is abuse in care.
- 17 **Q.** Thank you Tigilau. So we've got this document up here which you've seen?
- 18 A. Yes.
- 19 **Q.** And it's what the Polynesian Panthers and ACORD wanted to make public. And if we can  
20 zoom in we've got one case here. Fred, who was Samoan, turned 15 in July 1973. On  
21 Monday November 12 he was simply standing in Queen Street, picked up by Police as part  
22 of Operation Cleanup. I just wanted to ask, Tigilau, do you remember situations such as  
23 this?
- 24 A. Yes, many times.
- 25 **Q.** Many times. I'm just zooming in on another section of this, just the top of this part here,  
26 Tigilau, he had never been before the courts before. So I just wanted your views on the  
27 Police arresting and taking our youth into the cells.
- 28 A. Well, in today's world that would never be acceptable. Back then it was like we were being  
29 targeted to fulfil a quota and it seemed like it didn't matter to the authorities if our parents  
30 or if the children's parents knew what was happening, whether the – it didn't seem to matter  
31 that the young people who were arrested or picked up by Police understood what was  
32 actually happening to them.
- 33 **Q.** Right, and this situation that we just looked at there –
- 34 A. Yes.

- 1 **Q.** – that was 1973?
- 2 **A.** Yes.
- 3 **Q.** So that was before the Dawn Raids started?
- 4 **A.** Yes.
- 5 **Q.** So these types of situations were happening before the Dawn Raid period began?
- 6 **A.** It was kind of normalised. We expected, as young people we expected to be stopped by  
7 Police randomly.
- 8 **Q.** Just on that exhibit again, there's a comment that since that boy's arrest his parents had only  
9 spoken to him once briefly in the corridor at Mt Eden Prison. And you're nodding your  
10 head and I just wanted to ask, was that common as well for children?
- 11 **A.** Yes, yes. The parents had no idea what their children were being led into. In fact, they  
12 would come down on the children as being disruptive and naughty and breaking the law  
13 and, you know, going against what they came here for, a better life, you know, that kind of  
14 understanding. So they absolutely respected the law as it was put on to them and felt that  
15 their children were the ones being bad.
- 16 **Q.** Right, okay, and just finally in this part we look at this boy reappeared in the Children's  
17 Court November 20 for sentence but was remanded again in custody until December 7th.  
18 So November 12th to December 7th at 15 years old. And my question again, just to clarify,  
19 is that's what was happening to our children back in those days?
- 20 **A.** Yes. Yes, it was – we expected that every time, as young people, we expected that. We  
21 were afraid of course. I was one of the fortunate ones that never got, you know, put into,  
22 like welfare, because the situation, you know, with my mum being a widow and stuff. But  
23 I watched a lot of my friends go through the court system and they'd disappear for long  
24 periods of time.
- 25 **Q.** Thank you Tigilau. We're just about to bring up another document. This is from the  
26 Zealandia paper. So 10.30 am on this particular date a Rarotongan school boy questioned  
27 by the Police and later arrested on a single charge of being idle and disorderly and this  
28 young Rarotongan boy had never previously appeared before the courts. He's 14 years old  
29 and remanded in custody for a week. And you mention in your statement charges of being  
30 idle and disorderly and I just wanted you to please expand on that.
- 31 **A.** Idle and disorderly was a charge that meant that whoever was being charged with that was  
32 out on the streets, no money in the pocket, and the intention was that that person was going  
33 to rob, steal, burglar, obtain money somehow, and because they didn't – just because they  
34 didn't have any money in their pocket. That's being idle and disorderly, standing around in

- 1 the streets, you know, or even walking in the streets, the fact that they were brown, yeah,  
2 mmm.
- 3 **Q.** And just looking back at that again, is that in the situation again we see that no-one  
4 bothered to tell the boy or his family, it wasn't until two days later that a welfare officer told  
5 his parents where their son had been taken?
- 6 **A.** **[Nods].** That was, in our time, a common occurrence. It happened regularly. In my  
7 neighbourhood in Newton, I remember a Māori family, and there were a lot of the children  
8 that hung out with us. One day they just disappeared. I understand later on, I found out  
9 later on in life that they were actually taken away by the Police, put into the system, welfare  
10 system, and I never heard from them or saw them again. I often wondered what happened  
11 to them.
- 12 **Q.** Just finally on that exhibit. So this was a case from that year, 15 year old spent nearly four  
13 weeks in Mt Eden while awaiting sentence, the first week sharing a cell with an alleged  
14 rapist. So our children were in prison with much older –
- 15 **A.** Yes.
- 16 **Q.** – people charged with quite serious offences?
- 17 **A.** Yes.
- 18 **Q.** And just something you had mentioned before, Tigilau, did you know of anyone personally  
19 who was young and had been remanded or held at Mt Eden Prison?
- 20 **A.** Yes.
- 21 **Q.** So just looking at paragraph 27.
- 22 **A.** Yes.
- 23 **Q.** What was the attitude of Pacific peoples towards the Police back then?
- 24 **A.** I would say at first that our people were humble and, just as this statement says, our people  
25 would do whatever the Police said. They were the law, they were so-called looked on as  
26 being the authority, and that Aotearoa New Zealand was a Motu Palagi, was a white  
27 country, so we must obey the white people's rules and laws.
- 28 **Q.** And then you say there that our people would always plead guilty?
- 29 **A.** Yes. Being young then I would say they were cajoled and persuaded, to make it easier just  
30 plead guilty. So a lot of them did. To get through it really quickly, you don't have to stay  
31 here this long, so they were encouraged and persuaded to plead guilty, get it over and done  
32 with, not knowing what the real consequences would be.
- 33 **Q.** Then in paragraph 28 you talk about our parents' attitude.
- 34 **A.** Yes.

- 1 **Q.** And them almost feeling, well, definitely feeling very grateful to this country.
- 2 **A.** Yes.
- 3 **Q.** Could you expand on that please, Tigilau?
- 4 **A.** I think one of the biggest feelings our parents felt was that they didn't want their children to  
5 bring shame to their name, or to their family, or for the reasons why they came here in the  
6 first place, you know, to do well. And by coming up against the authority for simple things  
7 like idle and disorderly, you know, our parents wouldn't understand those laws and let  
8 alone stand up for their children. They had the feeling that the white law was right and they  
9 had to be subservient to that, putting aside all that they know and their heritage and their  
10 proud history, all of that, their culture, and, you know, be subservient to the law of this  
11 country.
- 12 **Q.** Thank you Tigilau. So then we talk about this group of young teenagers who decided it  
13 was time to start fighting back.
- 14 **A.** Yes.
- 15 **Q.** So we'll move now to the Polynesian Panthers. So when you first joined the Polynesian  
16 Panthers, it was – was it still quite new, the party, had it just recently been established?
- 17 **A.** Yes. 1971.
- 18 **Q.** And when you joined, what were the Polynesian Panthers looking at that time, what were  
19 they talking about, what was the movement, what did it look like at that time?
- 20 **A.** The Polynesian Panther Party was talking about revolution, changing the Society, the rules,  
21 the laws in this country, because it was affecting us in a negative way. We felt that we  
22 were being oppressed by unjust laws and a society that didn't really care about us. Having  
23 brought our parents over to fulfil a task, do work, we felt that we weren't being accepted  
24 and being treated unfairly.
- 25 **Q.** And at paragraph 33 you say, "When we started we were more or less like a lost generation  
26 wandering in the city. That's why I call myself a 'traffic islander'."
- 27 **A.** Yes.
- 28 **Q.** What do you mean by that?
- 29 **A.** Well, I was born in central Auckland city, St Helen's Hospital in Pitt Street, so you know,  
30 the main – one of the main things that stand out in the city is traffic Islands. Being born in  
31 CBD I started calling myself a traffic islander, you know, yeah.
- 32 **Q.** And so in the next paragraph you talk about the Polynesian Panthers forming strong  
33 allyships with other anti-racism groups. Who were they?
- 34 **A.** The people who saw the injustices that we were facing, groups like ACORD, Auckland

1 Citizens on Racial Discrimination, CARE, Citizens Against Racial – For Racial Equality,  
2 and these were like middle class Palagi organisations. People like People's Union, these  
3 were young Palagi and Pacific Island and Māori organisations that existed to fight against  
4 the injustices that our people, Māori and Pacific Island, were facing at that time, yeah.

5 **Q.** Okay, so paragraphs 36 to 38 you provide a very long list of all the community  
6 development, the service that the Polynesian Panthers were doing for Pasifika.

7 **A.** Yes.

8 **Q.** I just wanted you to take us through some of those, Tenants Aid Brigade?

9 **A.** Yes, that was a play on words, TAB.

10 **Q.** Right.

11 **A.** That was a group organised to help tenants who were about to be evicted from their homes  
12 by landlords who were charging exorbitant rent for run-down houses that today wouldn't be  
13 acceptable, taps weren't running, it was rat-infested, leaks and yet our people were being  
14 charged high rent, and when our people balked at that, we supported them, they came  
15 through our community worker, the first paid community worker in Ponsonby, in  
16 Auckland, and they came to us asking for help. We'd organise the group, TAB, Tenants  
17 Aid Brigade, and we'd go to their houses and either squat, refuse to pay the rent, collect the  
18 rent and bank it in a separate bank account and only pay the landlord once he'd fixed the  
19 houses, you know, to be livable.

20 **Q.** Right. And then you talk about the Polynesian Panthers interpreting all sorts of documents  
21 into different Pacific languages.

22 **A.** Yes.

23 **Q.** And that wasn't funded, that was all voluntary?

24 **A.** Everything we did was voluntary. The interpreting of certain, like counsel, Legal Aid, we  
25 found interpreters in the community who were doing it already, but us as young people  
26 sought them out and to help our people, yeah.

27 **Q.** And just to confirm paragraph 38, please Tigilau, for those who are listening about all the  
28 other work and service that the Polynesian Panthers done, could you please read that out?

29 **A.** Yeah. We organised prison visits for families, programmes, sports and debating teams for  
30 inmates, provided a halfway house for young men released from prison, ran homework  
31 centres, offered interest free people's loans, organised food banks which at one point  
32 catered for 600 families.

33 **Q.** So you guys were pretty busy?

34 **A.** Yes.

- 1 **Q.** And just a reminder, how old were you back then?
- 2 **A.** We were all 16, 17, 18. The oldest I think would have been 19.
- 3 **Q.** And then on the next paragraph, Tigilau, paragraph 39 you talk about the PIG Patrol.
- 4 **A.** Yes.
- 5 **Q.** Just generally, why was it created?
- 6 **A.** The Police Investigation Group was formed to follow the Police around who were doing  
7 such things as picking up Pacific Island and Māori, targeting our people, and putting them  
8 through what we felt was an oppressive regime targeting Pacific Island youth. So we knew  
9 that if we followed them around, they'd be less inclined to arrest and charge if they had  
10 witnesses watching what they were doing. So we were more or less patrolling the Police.
- 11 **Q.** And did it have that impact that you were hoping it would?
- 12 **A.** Oh, yes. We had people from Civil Liberties and some lawyers in fact, people from  
13 ACORD, middle class Palagi people who had the cars, of course, and provided the vehicles  
14 because we were too young to have any licenses or cars. They provided the transport and  
15 we'd follow the Police around to stop them harassing our people.
- 16 **Q.** And you talk about the Legal Aid booklet.
- 17 **A.** Yes.
- 18 **Q.** What was the Police response to that?
- 19 **A.** They weren't very happy at all. When our people started telling them that they knew their  
20 rights and that they can't be arrested because the Police weren't in full uniform, like having  
21 their helmet on, like having their numbers displayed. They said "Where did you get that  
22 information from? You know, you're misleading the people." And we'd printed out about  
23 600 Legal Aid booklets at the time. And that was to inform our people about their rights,  
24 you know. And we said to the Police when they questioned where we got our information  
25 from, "Go and talk to our lawyer, lawyers," who – one was David Lange and of course they  
26 balked at that. And it helped slow down what they were doing to our people at the time,  
27 yes.
- 28 **Q.** Then at paragraphs 42 to 45 you speak about the Polynesian Panthers' support for Māori.  
29 Can you just describe what that support looked like and how the party turned out in support  
30 for Māori?
- 31 **A.** Well, in the Polynesian Panthers most of us knew how to speak our language and we found  
32 that Māori were discouraged, in fact beaten for speaking the Reo. And being young people  
33 of course we were very incensed by that because we know our culture and yet our brothers  
34 and sisters in our group were being forced to not speak, discouraged to practise culture. So

- 1 naturally we sided and supported every single struggle that Māori people ever had.
- 2 **Q.** You talk about the Bastion protest?
- 3 **A.** Yes.
- 4 **Q.** You were arrested?
- 5 **A.** Yes, one of 222 people that were arrested for occupying Māori land protest, yeah.
- 6 **Q.** And then for the Springboks tour which is a bit later, you were arrested and imprisoned for  
7 nine months?
- 8 **A.** Yes.
- 9 **Q.** Now coming to the Dawn Raids, Tigilau, what happens in New Zealand in the early 1970s,  
10 what's happening at that time?
- 11 **A.** There was an economic downturn. New Zealand was cut off from trading with England.  
12 England went to the EEC, New Zealand was left very much on its own. Unemployment  
13 was rife. That unemployment was blamed on Pacific Islanders taking jobs from New  
14 Zealanders from Kiwis. The end result was that the Government at the time chose to target  
15 people who were considered overstayers. And the people that they targeted the most were  
16 Pacific Island overstayers. Yet we knew that the majority of overstayers in this country at  
17 the time were white, were European.
- 18 **Q.** And just when you were talking about them targeting Pacific Islanders –
- 19 **A.** Yes.
- 20 **Q.** – there was a difference between some of the Pacific nations in terms of their residence  
21 status.
- 22 **A.** Yes.
- 23 **Q.** And so I just wanted to know if you could please expand on that a bit. Niue, Tokelau,  
24 Cook Islanders.
- 25 **A.** Niue, Tokelau, Cook Islands were part of the Realm Countries where New Zealand had an  
26 association, which meant that we didn't need passport or visas to travel.
- 27 **Q.** And other countries did, and what were the – at that time what were the countries that did,  
28 main countries that needed these immigration visas?
- 29 **A.** The countries that were required to provide visas were Tonga, Samoa, Fiji.
- 30 **Q.** So just looking at paragraph 54, you talk about a politician making a reference about how  
31 he can tell the difference?
- 32 **A.** Yes.
- 33 **Q.** Could you just explain that please, Tigilau?
- 34 **A.** In order to show that he knew the difference between a Tongan and a Samoan and a Cook

1 Island and a Niuean, other Pacific Islanders, he likened us to cattle. He said he knew the  
2 difference between a Friesian and a Jersey cow. So he could tell the difference between a,  
3 you know, the different ethnicities.

4 **Q.** Right.

5 **A.** By saying, you know, he can tell the difference between a Friesian cow and a Jersey cow,  
6 so what's the difference.

7 **Q.** But it wasn't just the Tongans, the Samoans and the Fijians that the Police were stopping?

8 **A.** No, they included anybody that was brown.

9 **Q.** And just looking at paragraph 51 of your statement, Tigilau, what would the Police do  
10 when they raided a home?

11 **A.** The Police would bust into homes of brown people in the early hours of the morning and  
12 arrest anyone who didn't have ID or a passport. Anyone arrested was shipped out the same  
13 day. They would pull the bedding off you and shine the spotlight in your eyes. They  
14 would scream, yell and swear at our people, calling them names, telling them to get up and  
15 to get out, dragging our people out of their homes in whatever they were wearing.

16 **Q.** Right. At paragraph 55 you say that the Polynesian Panthers would get a call when people  
17 were being raided. Can you tell us more about that?

18 **A.** Yes. We had an office in Ponsonby and the phone was manned 24/7. We'd get a phone  
19 call and we'd send one of our oldest members, Agnes Tuisamoa, to see the people who  
20 were arrested. She was a Samoan community worker and an advocate for Pacific Island  
21 people, very well-respected. She was a big woman, she had a big loud voice, and you  
22 never crossed her really. Our people listened to her because she was the oldest member of  
23 the Panthers and one of her children was also a Panther.

24 **Q.** And you talk about just one example in your statement.

25 **A.** Yes.

26 **Q.** Can you just describe what happens there?

27 **A.** At one time Agnes Tuisamoa was called out to go down to Central Police Station early in  
28 the morning about 4 or 5 o'clock. There was mother who had been taken in, thrown in the  
29 cells and was still in her nightie. She had her two-month old baby with her. The mother  
30 was told to feed her baby with the milk that was on the table which was used for their  
31 coffee. They were both deported by 7 o'clock that same morning with only the clothes on  
32 their backs.

33 **Q.** Right. And then you talk about how the Minister of Immigration at the time, there's some  
34 backlash and an overstayers' register comes in. What did that introduce?

- 1 A. The overstayers register was like an amnesty.
- 2 Q. Right.
- 3 A. And whoever signed it were promised that an amnesty would be given them.
- 4 Q. Right. And then you talk about in paragraph 58, you talk about the change in Government  
5 with Muldoon and the National Party. What happens to the intensity of the Dawn Raids?
- 6 A. Yes. In 1975 Robert Muldoon and the National Party renewed the campaign against  
7 overstayers. During the general elections the National Party played a racist electoral  
8 advisement that stoked negative racial sentiments towards Pacific Island people. It  
9 portrayed Pacific Islanders as being violent alcoholics and taking all the jobs.
- 10 Q. Just following that a couple of paragraphs down, Tigilau, you talk about the Police  
11 launching Operation Pot Black.
- 12 A. Yes. In 1976 Auckland Police launched Operation Pot Black. This involved intensified  
13 raids throughout the day and night and Police checks on the streets.
- 14 Q. And at the time, what was Robert Muldoon's response about the Dawn Raids?
- 15 A. Robert Muldoon's response was a denial of any such thing happening.
- 16 Q. Okay. I'm just going to bring up Police doc. Tigilau, if I could please get you to start  
17 reading from the fourth line down. We'll highlight it for you.
- 18 **CHAIR:** It would be helpful if you, just for the public, explain what this document was.
- 19 **QUESTIONING BY MS SHARKEY CONTINUED:** Yes, my apologies. It's a document that  
20 records a meeting with officers, police officers regarding the arrests of immigrant  
21 overstayers, and it is dated 22 October 1976. So just starting from the word "The  
22 Commissioner", Tigilau, if you could please read that out.
- 23 A. "The Commissioner for some time has been having discussions with Government on the  
24 subject of illegal immigrants and overstayers. Although he has told them that it is not the  
25 Police's job, that it is something for the Labour Department, it has finally come back from  
26 the Prime Minister that he is dissatisfied with the Labour Department and wants this done  
27 and he is giving it to the Police for three months."
- 28 Q. Thank you Tigilau. We'll just bring up the next. If you could please read that section out.
- 29 A. "The whole situation has come down to the fact that for three months now the Police are  
30 going to round up as many illegal immigrants and overstayers as they can possibly get. Our  
31 function will be to arrest them and leave it to the Labour Department to prosecute."
- 32 Q. Thank you Tigilau. We'll just bring the document down a bit further.
- 33 A. "The circular that had previously been put out about overstayers is cancelled. There will be  
34 a new one issued. There is complete discretion as to time of arrest. They are only

- 1 concerned with results as Mr Muldoon said, he has never heard anything so ridiculous as  
2 not being able to arrest an overstayer before 6 am. The Police will do all the work. We  
3 took this over and we are doing it."
- 4 **Q.** Thank you Tigilau. Just finally one last part.
- 5 **A.** "All other Police, and this is where the CIB come in, in particular, are to question all likely  
6 overstayers. Any contact that the Police have with a prospective illegal immigrant they are  
7 to invoke the Immigration Act powers we have to ensure he is not an illegal immigrant or  
8 overstayer before we let him go."
- 9 **Q.** Thank you Tigilau. And given what -- the document we've just read, I just wanted to know  
10 what your thoughts were on hearing that the Police were going to arrest anyone that they  
11 thought might be an overstayer and not let them go unless it was confirmed otherwise?
- 12 **A.** That's pretty scary. It's like they're given the authority to arrest people and that the people  
13 are guilty until proven innocent. And they're not innocent until proven guilty.
- 14 **Q.** Thank you Tigilau. So we're just going to bring up another exhibit, and this is from a  
15 newspaper article. Do you remember this article, Tigilau?
- 16 **A.** Yes. Yes.
- 17 **Q.** So this article confirms that after one night patrols stopped hundreds of Polynesians in the  
18 streets. Is that an accurate reflection of what you recall it being like at that time?
- 19 **A.** Yes. It was very scary. We were incensed that this isn't South Africa because we believe  
20 and know that that's what happened in apartheid South Africa and we believe this is not  
21 South Africa.
- 22 **Q.** Just in that article, so it says here that it happened in Wellington and Christchurch too. Is  
23 that from your knowledge, you're aware that the Dawn Raids weren't just isolated to  
24 Auckland?
- 25 **A.** Yes, very much aware of it in Wellington because one of our good friends in Wellington  
26 organised a Dawn Raid on politicians there as well.
- 27 **Q.** And here we have there the Police stopped Polynesians on suspicion that they might be  
28 overstayers or illegal immigrants and that reflects the document that you just read out.
- 29 **A.** Yes.
- 30 **Q.** And on the next part that we're going to bring up, "The Star was told today". My question  
31 here, Tigilau, is about people being arrested who actually did have valid permits.
- 32 **A.** Yes.
- 33 **Q.** Were you aware of situations like that?
- 34 **A.** Yes. Because we had an office in Ponsonby that people would ring and call for advice or

1 help, we were aware of people being illegally detained, like they weren't overstayers at all.  
2 I find out later on in life, like quite recently, over the things that are going to – about to be  
3 happening regarding the overstayer issue, that a lot of Niue people were stopped and there  
4 was that agreement where we're not – we don't – we're not required to have passports. Old  
5 Niue men who were stopped and they've only just come out and talked about it now. I find  
6 that incredible. And it just shows that the racism that our people experienced, not only  
7 covered Pacific Islanders and people who were here legally, like Niue and Tokelau and  
8 Cook Island, but also Māori who were stopped. So it was a blanket brown targeting.

9 **Q.** And that leads into the next section of that article that we're going to look at. So asked if  
10 only Islanders were questioned, the response was "Naturally we'd look twice at someone  
11 we did not think was New Zealand born." That's what you recall?

12 **A.** Yes.

13 **Q.** If we can go to the next part of that article please Steph. So this is the Minister of  
14 Immigration and the comment, "We've only just started this, we went for the obvious ones  
15 first. Asked if would teach constables the difference between Islanders and Māoris, he said  
16 'I think the difference is obvious'." And that's just confirming what you had said before.

17 **A.** Yes.

18 **Q.** So Islanders and Māori all tarred with the brown brush?

19 **A.** Yes.

20 **Q.** And that overstayers register, who uses that register later on when it comes to tracking  
21 down Pacific Islanders? You say it in your statement but I'll just get you to clarify that,  
22 Tigilau.

23 **A.** That register was used by the National Party to target people who had registered and ship  
24 them away. It identified the people who had claimed mercy from the ruling party at the  
25 time, expecting clemency and amnesty, and yet here was the following Government using  
26 that register to take those people away.

27 **Q.** Right. Just looking at paragraph 61, 62, if I could just bring up the next exhibit please  
28 Steph. Just very quickly we're going to bring up this exhibit, Tigilau. We won't spend  
29 much time on, this is one of the survivors who is the subject of that article is up next, but  
30 you make some very firm statements. I just wanted to ask you to confirm that your firm  
31 statements in situations such as this–

32 **A.** Yes.

33 **Q.** The Police treatment of these Pacific people was abuse in State care, is that what you're  
34 saying?

- 1 A. Yes.
- 2 **Q.** Where Pacific peoples had valid visas or had signed the overstayers' register and were held,  
3 some for hours, some for days, and even weeks, that was abuse in State care, is that what  
4 you're saying?
- 5 A. Absolutely.
- 6 **Q.** And at paragraph 63 you talk about not having passports and being shipped out the same  
7 day. Can you expand on that, Tigilau?
- 8 A. I think they were acting, the Police and Immigration were acting as swiftly as possible,  
9 either to fulfil a quota system or to prove their superiority, or whatever it was. But they  
10 targeted people and straight away without any hesitation, any representation, anything at  
11 all, stepped them straight out.
- 12 **Q.** And at paragraph 64 you talk about your experience of church services being interrupted  
13 and your knowledge about that. Could you expand on what you say in that paragraph  
14 further?
- 15 A. I lived in Crummer Road in Grey Lynn and just down the road from me, about 11, 12  
16 houses down from where I was, was a Free Church of Tonga. And during that time, during  
17 that period of the Dawn Raids, at least 60 churchgoers were railroaded into Police central  
18 headquarters, processed to see whether they were overstayers. The minister of that church  
19 was also processed. That only happens in South Africa, under the apartheid regime, masses  
20 of people in church, peaceful, singing psalms and hymns, you know, being raided by  
21 Police, surrounded by dogs, taken into central and processed.
- 22 **Q.** Thank you Tigilau. Could I please ask you to read paragraph 66.
- 23 A. The Dawn Raids were not isolated to Auckland. I later learned of a family in Invercargill  
24 who were Dawn Raided and an uncle deported back to the Islands. Social services then  
25 came and put a brother and sister into State care. It is reported that they never recovered  
26 from their experiences. This story was shared at the Educate to Liberate exhibition in  
27 Southland Museum and Art Gallery which was curated by an honorary member of the  
28 Polynesian Panthers, Pauline Vaeluaga Smith.
- 29 **Q.** Thank you Tigilau. And you talk a couple of paragraphs down about the military wing. I  
30 don't want you to get into any classified information as we've talked about before.
- 31 A. Yes.
- 32 **Q.** But what was the military wing?
- 33 A. The military wing was the name given to Polynesian Panther members who were prepared  
34 to go to prison or step outside the normal protests, for example marching out on the streets

1 with placards, that was the norm. This was a group who were prepared to come up with  
2 strategies to deal with whatever situation we were confronted with, racism, oppression, you  
3 know, like the TAB.

4 **Q.** Right, and just a reminder again, Tigilau, how old were you all at this time?

5 **A.** We were still in our 17, 16, 17, 18 year olds.

6 **Q.** Okay, and then you talk about on the next page the Dawn Raids coming to an end.

7 **A.** Yes.

8 **Q.** Why did you think that was, what leads to the ending of the Dawn Raid period?

9 **A.** I think there was a groundswell in Aotearoa New Zealand, pushed and encouraged and the  
10 majority of Aotearoa New Zealand being made aware of what was happening to  
11 Pacific Island and Māori. We had supporters like Ngā Tamatoa, Whakaahau from South  
12 Auckland here and other Palagi organisations who knew that what was happening wasn't  
13 right. We collaborated together to protest and shine a light on what was happening to our  
14 people at this time. And it worked because by about 1978 there were no more such Dawn  
15 Raids. But I know and we understand that these things still go on. We only have to look at  
16 Tūhoe, we only have to look at Ihumātao to know that these institutionalised racist attitudes  
17 still exist. We only have to look at this Royal Commission of Inquiry.

18 **Q.** And so you say in your statement that although the Dawn Raid ended and your comment  
19 just then that the practice of -- the practice of Police still targeting Pacific Islanders and  
20 Māori was still happening, that hasn't stopped or didn't stop?

21 **A.** It continues.

22 **Q.** I just want to bring up one document. This is the Race Relations Report. It was an  
23 investigation into allegations of discrimination in the application of immigration laws. It's  
24 a bit of a mouthful, but that's what the document is. I just want you to please read out those  
25 conclusions, Tigilau, briefly.

26 **A.** "As at 26 March 1986 Pacific Islanders comprised a minority, 33.54% or 40.5%, depending  
27 on the statistics used of all overstayers in New Zealand. The remainder, 66.46 or 59.5%  
28 came from the American, British and others categories.

29 Despite the fact that Pacific Islanders were a minority of total overstayers, they  
30 comprised an overwhelming proportion, 86.26% of prosecutions. American, British and  
31 other overstayers were only a small minority, 13.74% of the total prosecutions brought by  
32 the Department.

33 These statistics confirm David McLoughlin's claim that Pacific Islanders comprise  
34 a minority of overstayers in New Zealand but are a majority of those prosecuted for this

1 offence."

2 **Q.** And Tigilau, this was in 1986, how many years after the Dawn Raids was that?

3 **A.** Over a good 10 years.

4 **Q.** And just on the issue looking back at some of the evidence that you've given today, and we  
5 had talked about interpreters and what the Polynesian Panthers had done in interpreting for  
6 people.

7 **A.** Yes.

8 **Q.** When our -- when Pacific peoples were arrested and appeared in courts, were there  
9 interpreters available back then?

10 **A.** There weren't many. I don't think the justice system was aware even that people needed  
11 interpreters.

12 **Q.** And so do you go along with ACORD and make an appearance somewhere about the issue  
13 of interpreters being available?

14 **A.** Yes, yes, I did.

15 **Q.** Can you expand on that?

16 **A.** I was asked as part of the Polynesian Panthers to speak to the need of interpreters. And  
17 I got up and spoke in front of the Justice and the Government and all the people involved at  
18 the time. I got up and spoke in Niuean, and I smiled and I used my language and abused  
19 them all in Niuean, and I was smiling. And I said to them after that, "So how do you think  
20 you can understand what I'm saying and how can you expect to fix me if you don't know  
21 what I've been saying, if you don't understand my language" you know. I just use that as an  
22 example of how they didn't understand and how we would be misinterpreted, just by  
23 smiling and saying something, you know, they had no idea at all.

24 **Q.** And what was their reaction to that?

25 **A.** I think the judge told me to sit down and told my co-worker "Tell your representative to sit  
26 down and be quiet."

27 **MS SHARKEY:** Madam Chair, I'm just mindful that a break is coming up.

28 **CHAIR:** Yes, we're about to move on to something different?

29 **MS SHARKEY:** Yes, we are about to move on to something different.

30 **CHAIR:** Tigilau, I think we'll give you a break and give everyone else a break. We'll take  
31 15 minutes for a cup of tea and we'll come back.

32 **MS SHARKEY:** Thank you.

33 **Adjournment from 11.29 am to 11.55 am**

34 **CHAIR:** Thank you everybody, we'll resume with the evidence of Tigilau Ness.

- 1 **QUESTIONING BY MS SHARKEY CONTINUED:** All right, Tigilau, so we had just finished  
2 talking about the Dawn Raids.
- 3 A. Yes.
- 4 **Q.** Now I'm just looking at paragraph 77 of your statement, just that section there, and we're  
5 talking about the impacts of the Dawn Raids. Could you please just take us through what  
6 were the impacts of the Dawn Raids on Pacific peoples?
- 7 A. The Dawn Raids was a really dark time for us. Our parents came here to do good, to do  
8 well, to survive, but because of that era and because of certain beliefs that people had about  
9 us Pacific Islanders, we were treated in an inhuman way.
- 10 **Q.** What did it do to the relationship between Pacific people and the Police, for example?
- 11 A. I think there was a deep mistrust between Pacific Island and Māori with the arm of the  
12 Government that's called the Police, yeah.
- 13 **Q.** What did it do -- you talk about a racist attitude that was divisive, turned Pacific and Māori  
14 against each other. Could you expand on that?
- 15 A. Because of the overstayer issue, there was a stereotyping that was placed on both Māori and  
16 Pacific Island. One, that Pacific Islanders were brought here and came over here to do the  
17 jobs that Māori people were not prepared to do. When you look at the history of it, then  
18 you can understand why. And also that Pacific Islanders were here to take jobs away from  
19 Māori. In fact, to be part of the colonial arm to kind of keep Māori, you know, separated or  
20 down or --
- 21 **Q.** Right.
- 22 A. Yeah.
- 23 **Q.** Then you talk about the Dawn Raids causing a division between Pacific people.
- 24 A. Yes.
- 25 **Q.** How did that happen?
- 26 A. As is typical, I think the divide and rule tactic started to work well, you know, and that it  
27 turned a lot of the Pacific Island people against one another, for whatever reason.  
28 Pacific Island people started dobbling each other off, telling, exposing relatives even to the  
29 authorities, claiming that some of their relatives were overstayers when they weren't even,  
30 it would have been just a difference of family matters and things like that, but it turned  
31 certain Pacific Island people against each other, some of the older ones, you know, because  
32 of the authority and the shame and all that the overstaying issue dragged out turned the  
33 people against each other.
- 34 **Q.** You talk about the shame and the stigma in your statement.

- 1 A. Yes.
- 2 **Q.** To this day, are you still hearing stories, new stories of people who were impacted by the  
3 Dawn Raids?
- 4 A. Yes, because it has come to the attention of us all. A lot of the older people now are  
5 coming out with their stories of how they were intimidated and how they were afraid and  
6 how they were targeted, but they keep it to themselves. Like my two sisters, I was never  
7 aware that they were afraid of going to work, of being picked up. My sister – one of my  
8 sisters worked nightshift for the Auckland post office, she was afraid that she would be  
9 picked up at night, going to work. She never said that ever before. So when she saw the  
10 programme on TV about the overstayers and what I was involved in, she came out and said  
11 that she was afraid back then too.
- 12 **Q.** Part of the discussion now about educating our children, our youth about the Dawn Raids,  
13 what are the Polynesian Panthers doing to educate our children?
- 14 A. We want our history, our true history, the facts about the Dawn Raids, just like the statistics  
15 here read out, we want our children to be taught about those things, to learn about those  
16 things, to be able to hold their head up high and that the overstay stigma that will carry on  
17 for a little while yet, we want that removed, you know? We want our children to learn that  
18 certain ones of us stood up against that kind of oppressive attitude and things that happened  
19 to us.
- 20 **Q.** Right, and that it's important for them to learn about the years before the Dawn Raids as  
21 well as that Dawn Raid period?
- 22 A. Exactly, our true history.
- 23 **Q.** Our true history?
- 24 A. Yes.
- 25 **Q.** So the Polynesian Panthers go out into schools?
- 26 A. Yes, we've been speaking to at least 21 schools now for the last 11 years, telling them our  
27 story about what we did for the community and that we weren't a gang, another stigma that  
28 was placed on us, you know, and we encourage the children to be inquisitive, be proud of  
29 who they are. Our platform now is to eliminate all forms of racism, to celebrate mana  
30 Pasifika and to Educate to Liberate. As one of our learned members – and she's here today,  
31 and I honour her for that, we go out to the schools and she tells the students that that is our  
32 platform and programme today.
- 33 **Q.** Right.
- 34 A. Yes.

- 1 **Q.** And you want to acknowledge her and who is that?
- 2 **A.** She is Associate Professor Dr Melani Anae.
- 3 **Q.** Thank you, Tigilau, we do acknowledge her presence here today. I just want to move  
4 towards – we're coming to the end of the session, Tigilau, and we're looking at the apology  
5 that's coming.
- 6 **A.** Yes.
- 7 **Q.** I just wanted to ask you, what will an apology from the Government about the Dawn Raids  
8 do for Pacific peoples, that apology?
- 9 **A.** For a start, it will heal, it will be an admission that they were wrong and that what they did  
10 to our people was not right and should never happen again, and we want our children to  
11 learn about that and know that they have every right to stand up when they see things that  
12 aren't right, like the Dawn Raids, and like these other things that will happen in the future,  
13 we want them to have an identity that they can be proud of and if we're part of that, then  
14 our work is, you know, to me, successful.
- 15 **Q.** In your statement, you say you want a full acknowledgment of what was done to Pacific  
16 Islanders during that period. What do you mean by that?
- 17 **A.** That the truth come out about how our people were treated, about the racist attitude of this  
18 country and its Government, about the institutionalised racism that our – all our people  
19 have suffered from the very first time when the colonials came to this land, to the Pacific.  
20 You know, the true history of the Pacific be taught in our schools, so that our children are  
21 informed and they can make right decisions, and to be proud of who they are.
- 22 **Q.** Right. And your view is that that apology that's coming should be supported by all political  
23 parties?
- 24 **A.** Yes.
- 25 **Q.** You say it's not about retribution and you're not fussed with restitution. What do you mean  
26 by that?
- 27 **A.** We're not talking about reparation, money, even amnesty, we're talking about education for  
28 the future of our children so they know the true events that brought these things about.  
29 Also about the attitude of the people who are in power, about institutionalised racism,  
30 giving them the choice and the information of how to cope and how to dismantle the  
31 institutionalised racism that still continues today.
- 32 **Q.** In your statement, you talk about with our young ones now, there's an opportunity to set  
33 things right. I just wanted to ask before we close, Tigilau, your message to our Pacific  
34 children and our youth who will be watching you today.

1 A. I learned something at the Polynesian Panthers 50th anniversary and that came from a Ngā  
2 Tamatoa brother who said that they asked permission from their parents and from their  
3 tupuna and from their elders, they asked permission to do what they had to do, stand up for  
4 land rights, stand up for the reo, they had – they wanted – they tried to ask permission.  
5 Well, I take that on board now and I say you don't have to ask permission, young ones, you  
6 just get up and do it, mmm.

7 **Q.** Tigilau, fakaauae lahi. You're happy to accept questions from the Commissioners?

8 A. Yes.

9 **CHAIR:** Thank you. I'll just ask my colleagues if they have any questions for you.

10 **COMMISSIONER ERUETI:** Tēnā koe Tigilau, ngā mihi nui ki a koe mō tō kōrero. I'm really  
11 inspired by your evidence today and your quest for social justice for your community, the  
12 Niuean community, Pacific people, but also for Māori, and I wondered how, with recent  
13 events with the Black Lives Matter movement in the US and, you know, 50 years on,  
14 I wonder how – I'm interested in how you see that movement and its impacts on Aotearoa  
15 and recognising the ongoing – the enduring effects of discrimination and whether that has  
16 led to another sort of – another wave of a new movement or rejuvenated resurgence of mahi  
17 on discrimination through organisations like the Polynesian Panthers.

18 A. Well, back in the 70s when we first started, one of the sayings then was black is beautiful.  
19 It runs much along the lines of Black Lives Matter today, 50 years later. So back then it  
20 must have been that black wasn't beautiful in order for that saying to come about. So today,  
21 that Black Lives Matter, well us here in Aotearoa, New Zealand, we have a small window  
22 of opportunity to show them how to live together and to recognise the tangata whenua and  
23 take on board that aroha is the key to us going forward. So to shine an example for the rest  
24 of the world, like our black brothers and sisters in America, that aroha is something they've  
25 never heard about, no doubt, but they will hear about it now, which is the word and the  
26 message that we can put out there for the rest of the world to see. In this environment of  
27 Covid and danger, aroha is the key going forward, mmm.

28 **Q.** Yeah, kia ora, quite right, they learn from us, yeah. Appreciate it, ka mihi.

29 **COMMISSIONER STEENSON:** Tēnā koe Tigilau e rangatira.

30 A. Fakaalofa atu.

31 **Q.** Your kōrero today has certainly reminded me of a few events of my own youth, so thank  
32 you. They weren't the most pleasant, but nonetheless they remind you of what we face, and  
33 there have been recent events with rangatahi being stopped by Police and photographed.  
34 I'm just wondering what your observations are around that, given that it's happening more

1 recently?

2 A. That has to stop. The authorities, the Police, the Government representatives, again, it has  
3 to be based on aroha. To be randomly stopped like so, that's the old way of doing things.  
4 That's no longer acceptable in our world today. The young ones will look at us and judge  
5 us for what we didn't do. Mmm.

6 Q. Kia ora. I want to pay tribute to you for all of your mahi and I'd be remiss if I didn't do  
7 that, given your efforts to help my whānau at Takaparawhā up at Bastion Point.

8 A. Yes.

9 Q. So, yeah, whakamihi, whakamihi, whakamihi ki a koe, tēnā koe.

10 A. Kia ora, tulou.

11 **COMMISSIONER ALOFIVAE:** Tigilau, fakaue lahi ke he hau a loto fakamalolo moe  
12 manamanatuaga. Moe matutakianga e hau a Iloilo. Fakailoa atu he mai tuai sigahau e  
13 fakatuloa-aga e Niu Sila. Ha koe hau a fakamooli a loto toa tagata tuga koe, koe tautolu osi  
14 ke onoono ke ke aho nei. Kia fakamonuina mai e Atua ia koe. Fakaue lahi. Tigilau, the way  
15 you have outlined for us the strong synergy between Māori and Pasifika communities very,  
16 very early in the piece, as referred to by my fellow colleague here, Dr Erueti, and the  
17 relationship, the very special relationship that Pasifika have always had from Māori, not  
18 always respected, not always honoured, but the richness of your kōrero, your talanoa this  
19 morning adds so much to all of the other stories that we've heard and the local stuff that our  
20 own communities here in Mangere were doing to actually help shield and harbour our  
21 young people, and I just want to honour, because I see that there's a representative here in  
22 the room from one of our local Māori communities, just from our college here, Southern  
23 Cross campus, the Stirling whānau, who their daughter is here this afternoon in the form of  
24 Judge Ophir Cassidy, and what they did.

25 So even though they didn't understand what the raids were always all about, but  
26 they knew that lots of Pasifika kids were running away from homes to be hidden so they  
27 used their local marae to do that. And so all of the work that you guys were doing in  
28 Auckland and all around the motu all adds to our protective layers of who we are. And  
29 there are many other stories about how Māori actually taught our people to speak te Reo so  
30 that people would get confused about who was Pasifika and who was Māori so, you know,  
31 sometimes we've got to be ingenious to be able to stay alive.

32 A. Yes.

33 Q. Yeah. But I just wanted to add my gratitude and my thanks to my colleagues who have just  
34 spoken as well. Thank you for the beauty and the wisdom of your talanoa this morning.

1 Fa'afetai lava.

2 **CHAIR:** On behalf of the Commissioners and on behalf of everybody listening, whether they are  
3 in this room or watching online, I want to give a formal vote of thanks to you. You,  
4 Tigilau, are a repository of knowledge and you are the holder and the bearer of what you  
5 have referred to and which we accept is the true history. That is a very powerful statement.  
6 It is not history that's written in books, but it is kept in the minds, the souls, the hearts and  
7 the experience of people like yourself, and the gift you've given us is the willingness to  
8 share it. I know that you have shared it often and you've spoken about the schools, I've  
9 seen you on television and the like, but today you are sharing it in front of a Royal  
10 Commission. You are sharing it in a place that will be recorded, documented, mused upon  
11 and handed to the Government with recommendations.

12 So your sharing today has another layer, as my colleague likes to talk about,  
13 another layer of significance and importance and we're grateful for that. Not only are you  
14 contributing to the volume of knowledge that we are gathering about Pasifika abuse in care,  
15 you are also educating, and that, I know, is one of your great aims in life, is to educate.  
16 You are a voice of hope for a non-racist future that we all crave, we strive for, but without  
17 the courage of people like yourself, we won't have it. So you are a true example. I liked  
18 your phrase, "Get up and do it", that is a rallying call if ever there was one.

19 And before I finish and before – I know you wish to bless us with your song,  
20 I want to acknowledge the presence of two significant groups in this room. I know there  
21 are many more than two, but for the purposes today, may I acknowledge the Niuean  
22 community, who has come in full support and in full voice to support their own. Thank  
23 you for coming, thank you for your support. And the other group who I know are scattered  
24 through I think over on that side are the members of the Polynesian Panthers who have all  
25 come. I'm not going to name you all because I will leave one of you out and then you'll be  
26 offended and you might stand up and get up and do it and I wouldn't like that.

27 But thank you, thank you for your legacy of education, activism and courage in the  
28 strife, and thank you for coming and supporting your brother here today. We really  
29 appreciate it. And now the stage is yours.

30 A. Thank you. Thank you. Yesterday, I was privileged to – we were all privileged to hear  
31 some music from Brother John. So because I'm a musician, I would like to contribute a  
32 song I was inspired from a time when I went to Capetown in South Africa and I attended  
33 the 13th World Congress For Infant Mental Health when it was said that infant mental  
34 health wasn't considered, it was all about adult mental health. Well, I was inspired by one

1 of the keynote speakers there who spoke about children being the future. So, yeah, I'd like  
2 to sing you all a song. Thank you, maestro.

3 [Song]. Can't get more Pacific than that. "Grow little children, no no sorrow, for  
4 we're in here to keep safe you, grow little children for tomorrow, you will keep safe  
5 children too. Grow little children, grow. Grow little children, grow. Grow little children,  
6 love your mothers, they're the ones who carried you. Love them like you love no other,  
7 you will carry children too. Grow little children, grow. Grow little children, grow. Grow  
8 little children, love your fathers, they're the ones who cared for you. Love them like you  
9 love no other, you will father children too. Grow little children, grow. Grow little children,  
10 grow. So grow little children you're the future, this whole world depends on you. What  
11 you love and what you value, lives for future children too. Grow little children, grow.  
12 Grow little children, grow." Thank you Fete, love you, my brother.

13 [Applause and standing ovation]

14 [Song in response]

15 **MS SHARKEY:** Commissioners, we just ask for a brief adjournment before the next witness.

16 **CHAIR:** Yes certainly.

17 **MS SHARKEY:** Thank you.

18 **CHAIR:** We won't go far, we'll be back as soon as we're allowed.

19 **Adjournment from 12.23 pm to 12.31 pm**

20 **CHAIR:** Good afternoon, Mr Pohiva.

21 **MR POHIVA:** Good afternoon, Commissioners. Our second witness for today is Mr Tesimoni  
22 Fuavao. He is a Tongan man, a survivor of Police Dawn Raid in 1976. He'll be talking  
23 about being approached by Police prior to being raided, him and his family being raided,  
24 and how this has impacted on him and also his family members. His mode of evidence,  
25 ma'am, is by way of prerecorded interview and that was a recent change due to personal  
26 reasons, but he is here today to be with us and he is supported by his niece who is seated  
27 next to him. Can I also acknowledge and a big fakamalo to his family who are seated at the  
28 front of the audience to the Commissioners' right.

29 **CHAIR:** Does he require an affirmation to be taken or not?

30 **MR POHIVA:** He can take that in English, ma'am.

31 **CHAIR:** Shall we start with that, or do you have something else you wish to say before we  
32 proceed?

33 **MR POHIVA:** I do have something --

34 **CHAIR:** Please do, please carry on.

1 **MR POHIVA:** The interview is background information about the interview and then we can do  
2 the affirmation if that's all right?

3 **CHAIR:** Yes.

4 **MR POHIVA:** The interview was conducted in the Tongan language, which is his language he  
5 was comfortable in sharing, and he uses- and it's important for us to receive his evidence in  
6 this language. It also has English subtitles throughout, ma'am. In terms of housekeeping,  
7 we are going to run into lunch time. The video is an hour and a half, so I have asked if it's  
8 okay with the Commissioners for us to take a break at a convenient time, which may be just  
9 after 1 o'clock, and then we can take the luncheon adjournment then, if that's- okay.

10 **CHAIR:** We're in your hands, you just tell us which is most convenient to you.

11 **MR POHIVA:** Thank you, Madam Chair.

12 In terms of exhibits referred to in his video, I just have to highlight that there are  
13 two exhibits. Because we won't be breaking, I thought I'd raise that earlier. The first one is  
14 a newspaper article from the Auckland Star which was printed, published on 2 November  
15 1976. It will be brought up on screen. However, he has prepared a statement for us today  
16 and those- two exhibits are attached to his statement as well. So there's- the - second one is  
17 his Dawn Raids article that was prepared by ACORD but published by Amnesty Aroha.  
18 -Thank you, ma'am.

19 **TESIMONI FUAVAU**

20 **CHAIR:** Thank you. Before we begin, -I won't be able to deliver it in Tongan, so I hope that  
21 English is all right with you, is that all right-?

22 A. Yes.

23 **Q.** All right. So, Tesimoni, do you solemnly, sincerely and truly declare and affirm that the  
24 evidence that you give today through the video will be the truth, the whole truth and  
25 nothing but the truth?

26 A. Yes, I do.

27 **Q.** Thank you very much.

28 **MR POHIVA:** Thank you very much. Commissioners, I now seek leave for the video evidence  
29 to be played to us.

30 **CHAIR:** Thank you, leave granted.

31 **[Video played]**

32 **MR POHIVA:** Madam Chair, I wonder if that's a convenient time to take the luncheon  
33 adjournment?

34 **CHAIR:** I think it is, and I see the food is being brought out so it's a very convenient time, yes.