## ABUSE IN CARE ROYAL COMMISSION OF INQUIRY TULOU – 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'imuamua 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	
TRANSCRIPT OF PROCEEDINGS		

## **INDEX**

TIGILAU NESS	
Questioning by Ms Sharkey	60
Questioning by Commissioners	84
TESIMONI FUAVAO	
Via video recording	88
Comments by Commissioners	92
MR CE	
Questioning by Mr Pohiva	93
Comments by Commissioners	114
NGATOKORIMA ALLAN MAUAURI	
Via video recording	116
Comments by Commissioners	124

Dingwall Trust, and also his time in Weymouth Boys' Home.

He has provided a full statement that will be available for everyone, just for the benefit of everyone that is here. His evidence today is a video that --has a particular point of difference because there are transition titles and then it goes to him explaining or responding to that particular topic, and you'll see that through the video.

Following his evidence today, Commissioners, he does not have a preference as to whether or not questions are given to him. He has been advised that if there are no questions, then there will be certainly remarks from yourselves. So if there are no further questions, he is able to take the affirmation before --

**CHAIR:** Yes, I was just going to ask, is the affirmation on the video or shall I give it to him now?

**MR POHIVA:** It's not on the video.

## NGATOKORIMA ALLAN MAUAURI

**CHAIR:** Okay. Ngatokorima, could you just listen and answer the question. Do you solemnly, sincerely, truly declare and affirm that the evidence you give today will be the truth, the whole truth and nothing but the truth?

16 A. I do.

**Q.** Thank you, now we'll watch your video.

**MR POHIVA:** Thank you, ma'am.

19 [Video played]

A. "Identity." One of a kind. I'm one of a kind. I'm a little bit of the world, everything. My grandfather was American, my grandmother was half Pākehā, half Māori, my mum, --that's my dad's parents. My mother's parents, full Cook Islanders, one is from a royalty line from one island, and one's from the savage island. We love to drink homebrew, fight and have a good time. Now on dad's side, I was raised fluent in the knowledge of Tikanga Māori. On my other side, exactly the same thing.

"Early life, mum." She was 14. She had me at the age of 14. She just started high school and my grandfather believed she deserved to have a life because that was his only daughter, and he believed that because that was his only daughter, she had his bloodline flowing through her veins, and when I was born, he took me, he named me right on the spot, drunk on some homebrew, and my mum was left to live her life free, free of obligations of being a mother, a young teenage mother.

"Cook Islands grandparents." So my mum's parents, my Cook Island grandparents of mine, they raised me, but they only raised me during the school period. On school holidays, Christmas holidays, every holiday, my dad's parents would pick me up and take

me down to the country, and I was raised that way. I didn't have no boundaries, they spoilt me, I could do what I want, go where I want to, come back when I want to, and it was cool, because my nana was a hardworking lady that was fully engaged in the local PIC church, and my grandfather was a hardworking pisshead and just worked hard, drank hard, but had a good time doing it.

"Biological dad." He was a really good man, so I was told, but he is the, he's- the reason why I'm such an awesome dad, because as much as what people tell me he's a coward, he was never there for me, ever. Even to this day, he doesn't want to know me, and that's fine, he -can, he- can make his choices and he's free to do it. But growing up, every birthday, when I go to the country, I'm waiting to see him. After about seven or eight years, I just gave up. I realised he doesn't love me, he doesn't want me, he doesn't want to know me and it kind of branched off when I had my son. I really wanted them to meet. Me being dad's firstborn boy and only boy, I carried his lineage, his line, and my son carried it too, same thing. I thought he might have wanted to do a-, --I was hoping. Skip me, but name his grandson. Nah, he's just a bitch. He can't face his past, that's his choice, so I teach my son to learn from that. That's what I've had to deal with, son, that's why I'm here.

"Māori grandma." I was,-- I never watched TV growing up, never had a TV. I read a lot of books. My dad's mum, very, very, very, smart lady, very wise lady, very educated, very like, well, professor type stuff, and every time I saw her, it was always a rundown of things. So,- 6, I remember 6 years old. 7, when I was 7, I was doing high school mathematics. She would always get me doing crypto crosswords. She taught me to play chess. So, she taught me to read, to think, to look outside the square that I lived in, so because- she gave me tools to help myself with in the world, she kept challenging me every time I saw her. For example, "Okay, what's 22 plus 5 take away half of that? Now I want you to tell me the third letter to the answer you have", gave me 5 seconds, 1, 2, 3, 4, 5, "You got it right." She was that lady, she'll do it out of the blue. If I get it correct, she'd reward me. So,- organics, back then, I found them. A lot of encyclopedias, unfinished, and that's what I got into. Just reading, sit there and read.

"7-10 years old,- stepdad." He was hard but he was kind. He was the man that came through. Prior to him, mum bounced around from club to club and I met people, but I never bothered, you know, my dad kind of thing, you know, "Got any money?" I kind of played it like, "What have you got for me then, if you're in my home?" But when he came along, he was the first one to engage with me. Threw me a footy ball. "Do you play?"

"Violence." It's part of the culture. You've got to keep people in line and his role in the club, nobody messed with him. What he said went. And my mum being a strong vocal, if she's right, she going to make sure she's heard. It kind of wasn't justified, expected. It became expected because my mum would always speak her mind. She's always told me, "If you've got something to say, say it. Don't keep it in", and she would, without fear and prejudice or consequence, as long as she got her truth across. So, yeah, many a times, many. Too many to even yeah---.

**Q.** Is this the beatings?

9 A. That's putting it nicely.

"Abuse at home." Yeah, like I said, party house, they will come and go. Back then, I had long hair. I was a Cook Island boy about to have a haircutting and, yeah, this guy must have mistaken me for a girl. And when that happened, I didn't know what the fuck was going on. I just wanted to whack him with a tyre, that's what I felt, but I was powerless too. I didn't know what was going on.

- **Q.** How old were you?
- 16 A. I can't remember. I've blanked that out.

"Gang pad." Cut the scenes into Once Were Warriors, those scenes. It was scary for some, but I loved it. Drunk people talking shit, good times, and then you see the violence afterwards, and it's like, "Whoa, okay." I learned a lot as a kid. I learned how to watch people talk shit, you know, and then people's body languages and their tone of voices kind of made me realise, "Oh, that's that person's trigger. Now that person is going to get a hiding", and I always made everything a challenge or a game. That was the best way I could deal with it because I should have been at school.

"Gang rape." I've seen them get raped. Not physically watch it, but I seen them before and after. And I always used to just feel sorry for the ones that didn't realise they got too deep into it, they thought it was just a game. It wasn't a game. So I would always comfort them when I'm cleaning up, because why? If I'm going to be sitting there I'm going to make some money, because I love the arcades. That's how I looked at it. You choose to be here, you better know why you're here, but I'll make sure I'll help you afterwards, just don't tell.

"Helping grandparents." I noticed there was, I had been away, piling up, so I went through them and -realised my grandparents were going to lose their house. I grew up in that home, there was no other place on the planet that I would call home but that place, until this day. So I knew my grandfather was not well, there was no money coming from that

end and my grandmother was just making ends meet. She gave as much as she got to the church, which that's fine, that's her choice. She works for her money, she spend- it on what she wants. I tried to reach out to family members, but they were living their own lives, everybody was struggling.

So I just did what I knew I could do. I knew that there was,- I had to come up with money, I had to come up with it fast. I knew I could rob somebody and get away with it. There were no surveillance cameras like there are today, there were no beepers at the doors, none of that kind of cautious security wasn't available then, there wasn't an EFTPOS really, it was all cash in hand. So I knew I could walk in there, with a rifle, stick it to their faces and they're going to drop- and I would be very polite about it. I wasn't threatening, but I did go in there nicely and just ask for the money. I don't want to hurt anybody, I don't want no trouble, call your insurance, bye.

And that's pretty much the-motive to doing it was I couldn't lose my home, then I'd have nowhere to call home. I'd be homeless, my grandparents would be homeless. It was good to see my grandmother take the money and bank it and give her hope. It was fuel and it was motivation. Every night I heard her cry. She won't lose her home she worked so hard for and she's still working to pay it off. So that relationship, that seed got implanted in me. For every bad deed I did from that point onwards, I always went home and made sure my nan and my grandpa had something, because I knew they would struggle. Cabin bread and a cup of tea, tuna fish and rice, and a loaf of Sunday bread, that was the meal they were living on. Maybe noodles, they were lucky-, --we're lucky if we're having fish and chips once a week. My grandparents deserved better than that. Still isn't right, but I'll always do wrong for the right reasons, and that's what I believed then. But now it's different. The consequences get too severe now. Yeah. It was a thrill, it was a challenge having to make the money, get the money from out of there, I rose to the challenge and got there in the end. But the means were wrong. So I'm not proud of it, but I'm proud that I could do that for my grandparents, because the house is still there to this day, and I still pay the land rates to this day.

"Going into care." "Defending mum." I think there was a birthday party and she got the bash from another club member and if I'm right, that's when I stabbed a man. But him, he was just,- he wasn't even on that level in the club, he just thought he could get into my mum and my mum just-...-one thing led to another- and it was just my instincts to do the best thing for my mum because dad wasn't there. I was afraid for her, afraid for me. I did the best thing I could do, was take him out the best way I was told to, hard and fast.

"Time in care." Yeah, I think that's when I got taken, that's when I experienced the first time I got, that's- when I-,- I was in panic mode. I did something wrong against the club, a club member, and the Police were involved and I did something wrong by the law. And all I was doing was what was right. So- I was freaking out. My mum was in a bad way, so I didn't know what to expect. I knew I was going to get a hell of a hiding for days to come from the club members, but I was afraid of my dad picking the club over my mum.

"Transitional home Te Atatu." I was told I wouldn't be there for long, but the way it started, the routine I started seeing, we weren't going nowhere. I thought it was just me not having contact with my family, but everybody, we were all in the same boat, uncertain, being told the same thing, "Your mum and dad's been told. It won't be long,- they'll be here to get you."

"Racism." Well, they forbid it at first, right, but it was nose in the air like their shit didn't stink. That was,- I could tell that was racist, they had a perception in their head of Pacific Islanders. Now the term "fob", you know, they associated all the Pacific Islanders with that terminology, that's the best way I could describe it in a nice way. And dumb boonga, yeah. To me, it was like they had a,- -- they were smarter than Māori and Pacific Islanders, they were better people.

"Te Kura o Waipapa." That was an alternative education school. It was just wrong, that whole setup was wrong. But I take the blessing out of the place, I got to hook up with like-minded people. The smartest ones, smartest in their classes, too smart for their own good. And took my network of one and made it half a dozen. But the schooling, it wasn't a school, it was like a military camp.

"Abuse at Te Kura o Waipapa." If you speak your mind and it's nothing relevant to what they're talking about or if it overrides them, they used (inaudible) a lot, and I don't give a fuck about them, they were just words. Words don't hurt me, I don't care. I was built with iron. You can bounce all the words off the planet, I'm still not going to let it get to me. It's what you do with your actions that will determine it. So what I get is what I give right back, and boy did I starve there. They sure made a good example of me, and I didn't care because everybody liked it that somebody could speak up, because they were all gutless.

"Foster home Hunua." They were like helter skelter, the best way I could describe it. Some hippie as type people. Like the way they spoke, I think they were like Ukrainian, Yugoslavian, Scandinavian, they had a weird accent but, yeah, I love representing my cultures wherever I go, and I had a Cook Island pareu. It was of my granddad's island and I

was missing them. And I wanted to put it on my wall, they wouldn't they-- said, "No, take it off, only the crosses go up there", pictures of Jesus Christ.

Man, I know what it's like, my grandmother always went to church and I didn't like the way that they, -so I would karakia- in Māori to myself, you know, instead of saying "God", I replaced the word with atua. All of that had to be gone. I couldn't even whaikorero in Māori, I couldn't even whaikorero, I couldn't speak in my own language, I wasn't allowed to sing those songs. They were anti anything that wasn't relative to their beliefs.

"Abuse." You know what they used to do to us to discipline us? I was tied to a bloody pole in the shed and the rotary blades of the tractors for the hay, they would turn that thing on. They would put me right close to it like how close this camera is and turn it on to scare me. This isn't the parents, of adults, this is the farmhand. Tie me to the back of a farm, a motor work truck, just a 4wheel drive, no plates, they used to drive around in the farm, in the paddocks with-, -they'd tie me to it and drive- and I'd have to run with it.

"Weymouth Boys' Home." Weymouth Boys' Home, the only youth prison type environment for people like myself. It was the closest thing to prison. I mean Mokoia Island, Great Barrier Island, like isolation type- environments, but I'm here in Weymouth, that's still South Auckland. So close to home, yet so far away. That was the worst place. When you take someone like myself to Great Barrier Island, that's a camp mentality, going out on an adventure, it's a new environment. But living in Weymouth, you're seeing your neighbourhood, you're driving through for certain things or you're reading the (inaudible). I hated that place so much because it was so full of shit. The principles on what it was built upon, the core values of the place, all fake, all those lies. I couldn't believe people thought that that was rehabilitating us.

"Alcohol." And then there were those staff members that loved to just play games with kids, and unfortunately for me I got the-- first time I ever got drunk was in that bloody place, without my knowledge even. How does that happen? How do you get drunk without even knowing that you're getting drunk? It's called homebrew, a fruit punch homebrew.

"Abuse" Yeah, that was the worst place, I was abused in that place. I got drunk, I got befriended by a guy who was the cool employee, he had the cool car, you know, it was the guy that had the coolest shoes and appealed to all of us that liked the shoe culture, things like that. Gift of the gab, sweettalking guy, smooth operator, that's the best way I could put him. After I looked into their chiller, just because I was thirsty for a drink, I didn't know, I just thought it was a fruit juice that he made. Until I woke up and realised-

what happened. And I just wanted to chop his head off. But it would never have happened, that's how I felt. And that's the worst abuse I've ever had, because I was unaware of it. I was drunk for the first time and fell asleep, woke up to that.

1 2

"Impact." I wanted to go back there and blow the place up for years to come. I know the day, it's burnt into my head. I'll take a million bashes by a million gang members all day over that. But to be abused in that way where you're unconscious or unable to defend yourself is the most vulnerable thing I've ever had to endure. But what doesn't break us makes us, and I used that to make me. That's why I'm here. It's the hardest thing to admit to.

"Others." I wasn't the only one, it happened to somebody else first and I saw the I- saw the tactic that was played. He'd always worm his way in there with something. Yeah, it's always the guy that's got something that everybody's appealed-,- I mean appeals to everybody. And then when I saw the attitude change and the-,- but he'd get really reclusive-.

"The impact of the abuse." I don't wish ill feelings on anybody. Just own it if you've broken it, and I was broken for most of my life after that.

"Speaking out." I have to share it, because you can't bottle up these type of feelings, it will make you go mad, it will make you do things that you normally wouldn't do and it's made me do things that I shouldn't have ever did afterward. But I look at the blessing from that ugly moment, now I know why I'm the cool uncle, the cool dad at school, no wonder all the kids want to come and chill at our house. And it's not because of anything of that nature, it's just I understand. I didn't, --I didn't have a childhood, I live my childhood through my son, every day.

"Perpetrator." But never mind, he ain't got no power over me. He's a bitch because I seen him after that and I confronted him when I was a teenager. I was in my late teens, I just had my 18th birthday and I just got out of Mt Eden Prison, the (inaudible). And yeah, nothing violent, though I wanted to murder him. I had to be smart, just confront him and never,- like a little girl would, he just turned around and ran, fearful for his life. But in a way, I just wanted him to apologise-, man up and say he was sorry. Oh, well, cowards play stupid games like that.

"Apology." Just lucky I'm not a violent person. I would have chopped his head off when I saw him. I'd rather take a sorry,-- a sincere and genuine apology. Because "sorry" is just five letters, one word, it doesn't mean shit to me, unless I feel it. That's the one place that stuck in my head, why I still have the date, one of the most traumatic things.

If I feel it, you'll sense it, everybody has that instinct, you'll know when something's real or you'll know when something's fake, that's the best way to describe it. You'll feel the words, not just hearing them.

"What should happen to Weymouth". Yeah, Weymouth. They should burn that place down and build something new over it, a hope centre to give us kids, our kids a place to hope for better, to work towards, not a residential centre. The stigma that's attached to that place is stink, the wairua is tapu.

"Later life." "Cultural identity." First is knowing who I am. I acknowledge who I am, both sides, all sides of my family. Now I acknowledge my tuawhenua roots, my tangata whenua whānau. I know who I am and I stand strong and proud there and I know my role in that family. Likewise with my Cook Island family, I hold that flag just as high as my Māori one. But also my thug family, my 275 South Auckland family. I love my hood family because they were my family when I had nothing. We grew up together, we all raised one another and we all created something of our own in Aotearoa.

"Being grateful for his life and music." I'm thankful for the life I've had and all the doubters and haters and all the critics and cynics and all those who plotted and schemed and still do to this day, I thank them, but it's the music, my music. Not just my music, it's the strength of music. I remember growing up, listening to songs of my drunken grandparents, the Cook Island family with their spoons and ukuleles singing pissed as in a key and a note that I just, to this day, don't know how they reached. To my Māori family, the marae, the guitars, singing along.

"Music." What music did for me was - growing- up, at school, one of my worst enemies I ever had was a Māori guy from a different club, his family represented a different club. We hated one another, we tried to kill one another. We're enemies. Through the strength of our music, I became his best man, the-- groomsman at his wedding. We became brothers and that's what music did for me. It took my worst enemy for years, we wanted to kill one another in the streets, to stand next to him at his wedding, perform with him on stage, sit there and write songs with him, with our kids, you know, share, and to share the memories of travelling, meeting stars. We went to release parties.

"Tūpuna." We followed our tūpuna's stories, we taught our story through music. Everybody has an idea on music and what it is today, but people don't understand how strong it is in telling your story, our story. We all have something to share, and everybody that's relatable, whether you're white, brown, black, whatever, from whatever side, rich or poor, someone's always going to relate. It will either inspire them to follow or give them

their creative like, "I can do that", and that's what it's about, just planting a seed of positive, giving someone something to think about. It's not about money for us, it's about turning your passion into something that can be your profession, and it's done that for me.

"Mentoring." I take the worst kids in the neighbourhoods that I know and I give it back to them. "If there's something to say don't rebel it, put that energy into this track. Here's the beat, I'll come back and see you next week. What are you so upset about?" "Oh, man, these guys at school." "Fix that school, here you go, here's your subject matter. I'll see you next week." And then it gives them the channel to positively let it go and listen to it. And the greatest feeling about it is watching somebody hear themselves for the first time in a structured song. Their eyes light up, the smile on their face, and then they just start rhyming and they're feeling it, and that's what music's about.

So to answer your question, a sincere apology, you've got to feel it to know if it's real, just like music. You'll feel it if you know it's your soul."

MR POHIVA: Ngatokorima, I'll hand it over to the Commissioners soon but I wanted to thank you for your evidence and also being here today on our behalf, so thank you very much. Commissioners, I will now hand it over to you if you have any questions or any remarks that you have.

**CHAIR:** Thank you.

**MR POHIVA:** Just before you do so, I had forgotten to pass on a message from him, my apologies Ngatokorima. He did want to express that he is still currently impacted by all of this and if you have not noticed, he is currently going through a lot of personal circumstances, but we're really grateful that he actually made it today.

**CHAIR:** And that's why we're not going to ask you any questions and I'm just going to leave it to my colleague who you already know just to thank you.

COMMISSIONER ALOFIVAE: You are a wonderful, wonderful, brave young man. Thank you for the courage for coming through for us this afternoon. We understood that there were many challenges, but there's something very deep within you that has risen to the occasion. So, for your boldness and for your honouring of the kaupapa, you've spoken very beautifully and richly about the inheritance of your culture from your forebears, from your mother's line, from your father's line, and how blessed were you to be raised by both sets of your grandparents. And, you know, not many kids these days have the privilege of being raised by the old Gs and you were, and you described your life in such a way that we really understood and we felt your pain, we felt your grief. We hear you, Ngatokorima, we hear you.

1	Thank	x you for your gift of your talanoa, for putting that on the fale this afternoon for us. There's
2		many things I want to say, Ngatokorima, but when we look at you and we see your
3		vulnerability, the courage that the Cook Island side or the Māori side or it's the mix of both
4		and they're both vying for the energy levels to get higher into the heavens. Yeah. On
5		behalf of our chair and my fellow Commissioners, Ngatokorima, we really want to extend
6		to you our heart and gratitude, fa'afetai, fa'afetai, fa'afetai lava, kia orana.
7	A.	Thank you'se.
8	Q.	Thank you. I think this brings us to the end of our proceedings for today and I understand
9		that our closing prayer will be from Mele from our Niuean community. Mele, may we
10		invite you forward now at this point.
MELE: Fakaalofa lahi atu. It is only appropriate that we close our day by reading a scripture		
12		from the Old Testament. It describes how it comforts the soul. It also talks about that there
13		is hope, there is hope in everything, relying on our Father in heaven. So I will read that
14		scripture in Vagahau Niue. [Niuean Prayer].
15	CHA	IR: We will start again at 10 o'clock in the morning.
16		Hearing adjourned at 5.36 pm to Wednesday, 21 July 2021 at 10 am
17		
18		
19		
20		
21		