**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

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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**

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# 1 [10.00 am]

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# Hearing opens with prayer and song

1. **COMMISSIONER ALOFIVAE:** Fa’afetai Reverend Thomas Kauie and to our Niuean
2. community, fa’afetai, fakaalofa lahi atu for the opening blessing and the covering for our
3. proceedings today. Manuia.
4. **CHAIR:** Good morning to everybody who has come today. We welcome you to the second day
5. of this hearing of the Royal Commission into Abuse in Care, Tulou. Thank you for coming
6. and we look forward to hearing our survivor witnesses today. I invite Ms Sharkey to
7. present her evidence, thank you.
8. **MS SHARKEY:** Good morning Commissioners, we're just awaiting the arrival of our special
9. witness, Mr Tigilau Ness, who should be coming through this door any minute now.
10. **CHAIR:** Perhaps if we play the drums it might work.
11. **MS SHARKEY:** I just hope we haven't lost him. **[Drums played]**. May I go up and see what's
12. happened?
13. **CHAIR:** Please do, yes.
14. **TIGILAU NESS**
15. **MS SHARKEY:** Morning Tigilau, take a seat. By way of introduction, Tigilau Ness is a first
16. generation New Zealand-born Niuean, a musician, political activist and member of the
17. Polynesian Panthers Party. Tigilau will speak about his involvement in the social
18. movement against the targeting of Pacific Islanders and Māori in the 1970s and 80s and
19. abuse of Pacific peoples whilst in State care. Fakaalofa lahi atu Tigilau.
20. A. Fakaalofa lahi atu.
21. **CHAIR:** Tigilau, I know you've been here all day yesterday so you're no stranger but thank you
22. for coming and being a witness today. Can I just ask you if you would take the affirmation
23. before you begin your evidence?
24. A. Yes.
25. **Q.** Thank you. Tigilau, do you solemnly, sincerely and truly declare and affirm that the
26. evidence that you will give to the Commission will be the truth, the whole truth and nothing
27. but the truth?
28. A. Yes, I do.
29. **Q.** Thank you.
30. **QUESTIONING BY MS SHARKEY:** For the benefit of those listening here and on the
31. livestream, Tigilau has provided a statement to the Inquiry which the Commissioners have
32. before them and is taken as read and a copy will be made available on the website
33. following his evidence today. Before we start, Tigilau, are there any opening comments
34. you would like to make?
35. A. Yes. Really honoured to be part of this event. It's historic. Yesterday I was witness to
36. something absolutely amazing, you know, that the Pacific came together and I'm just really
37. happy to be a witness to that, what happened yesterday, yeah.
38. **Q.** Thank you Tigilau. So let's start. You're a member of the Polynesian Panthers Party, is
39. that correct?
40. A. Yes, I am.
41. **Q.** For the benefit of those watching who may not know, can you please tell us briefly about
42. the Polynesian Panthers and why that party was created?
43. A. The Polynesian Panther Party started in 1971. It was formed by former gang members and
44. university students, Pacific Island, Māori, yeah.
45. **Q.** And in your statement you provide some background about the migration of Pacific people
46. to New Zealand. So we'll start -- your statement's just over there to the left of you, Tigilau,
47. just so you've got a copy.
48. A. Yes.
49. **Q.** We'll start with some questions about your own experience. So who in your family comes
50. to New Zealand first?
51. A. My father Koa(?) Ness came to New Zealand Aotearoa first from Niue Island. He came to
52. work and get a better life. Having come here first in the 1950s he then paid for my mum to
53. come over and with her came my two sisters. So he managed to work and work hard to
54. earn the fare to bring them all over, yes.
55. **Q.** And how did he get here, wasn't by plane?
56. A. He came on Tofua, which was a mode of travel back then.
57. **Q.** So in your statement you talk about the waves of migration from the Pacific and we heard a
58. bit about that yesterday.
59. A. Yes.
60. **Q.** But just briefly, what was happening in New Zealand at the time that saw these waves of
61. migration, these Pacific people starting to come to New Zealand?
62. A. At that time there was a shortage of labour in Aotearoa New Zealand and the Government
63. here required Pacific Island people to come over to work, fill in the spaces that were
64. available to help the economy. And our people, Pacific Island people came over in droves
65. for a better life for themselves, for their children, and economic reasons, I guess, you know,
66. because overpopulation and just seeing what -- and hearing what New Zealand Aotearoa
67. had to offer, yeah.
68. **Q.** Thank you Tigilau. When your dad gets here and then your mum and sisters, where do
69. they live when they arrive?
70. A. Dad first stayed in Parnell with some family who had come over first before him, then
71. when my mother and sisters came over, they moved to Mt Roskill and then eventually to
72. Newton.
73. **Q.** Okay. In your statement you talk about what Newton, Ponsonby, Grey Lynn was like back
74. at that time and I'm just looking at your statement, we're looking at paragraphs 7 to 10. Can
75. you tell us what it was like, Tigilau, and one of the comments you make is about Reverend
76. Alec Toleafoa describing what K Road was like back then, can you please expand on that
77. further?
78. A. Reverend Alec Toleafoa explained what Ponsonby, the inner city was like back then by
79. saying that Karangahape Road was our internet highway back then, where our people
80. would meet and see each other face-to-face, share stories, catch up with the news. That
81. was -- he explained it very well. That was our internet highway back then, yes.
82. **Q.** And you talk about the PIC church, what was the importance of that church for Pacific
83. people back then?
84. A. The PICC church was the gathering point for most of the Pacific Islanders who came to
85. Aotearoa New Zealand. It was where they found refuge, guidance from the ministers and
86. where they congregated. It was a gathering point, it was a focal point for the majority of
87. Pacific Islanders who came over, you know, being in a strange land they -- the faith, the
88. Christian faith helped them keep together until finally, you know, they dispersed, yeah.
89. **Q.** So the village life that we would have back in the Islands, is that essentially what the
90. churches became here for us?
91. A. Yes, it provided a safe haven.
92. **Q.** And we heard yesterday Fa'amoana say that he recalls back then Pacific languages being
93. spoken in Ponsonby, Grey Lynn. Is that what you recall?
94. A. Yes, it was a thriving Pacific community where the languages were spoken freely and
95. openly and loudly in the marketplaces, in the streets and it was where our people
96. congregated and met and spoke, yeah, proudly, yeah.
97. **Q.** So just moving on in your statement, we're looking at paragraph 11.
98. A. Yes.
99. **Q.** This is when you begin to talk about the attitudes towards Pacific peoples and Māori back
100. then. I just want to look at these paragraphs a bit more and we'll start with what you recall
101. when you were a child, younger.
102. A. Yes.
103. **Q.** You talk about the "Congo run". Can I just ask about that, Tigilau. You say back then
104. buses to Ponsonby were labelled the "Congo run". So what was the use of the word
105. "Congo" about, what was that all about?
106. A. The "Congo run" was a derogatory term to describe the bus trip from our homes, like in
107. Ponsonby, Grey Lynn, to the schools in an area Mt Albert, where I went to school,
108. Mt Albert Grammar School. We caught the buses from Ponsonby Road, which went down
109. into Wellesley Street and up Symonds Street and then along to New North Road and finally
110. to Mt Albert Grammar School. where a lot of us went to from, you know, from Grey Lynn
111. in the city. And it was called the "Congo run", because, you know, the bus was full of
112. Pacific Island boys, youth.
113. **Q.** And what does the term "Congo" mean to you? What images does it make you think of?
114. A. It's a derogatory term and it reminded me of Africa, slavery, you know, it was a put down,
115. mmm.
116. **Q.** And who was labelling the bus the "Congo run", was it society back then?
117. A. Yes, society in general, but then the school boys at Mt Albert Grammar School would call
118. that the "Congo run", mmm.
119. **Q.** Thank you Tigilau. Then you mention in your statement some rules that specifically
120. targeted certain ethnic groups and you talk about for Māori the pubs and the cinemas. Can
121. you expand on that please?
122. A. Growing up in Newton the house where we lived was like 100 yards down from the Kings
123. Arms Tavern, and my father went there regularly, and in his time Māori weren't allowed
124. into the Public Bar, and I know that he used to give out jugs of beer to his Māori friends
125. who were outside and he'd do that through the window, pass it to them through the window.
126. So when I heard that later on in life, you know, then I understood what it was like for
127. Pacific Island and Māori being separated like so.
128. **Q.** And with the cinemas, with movies?
129. A. I know that in South Auckland and Papakura there was segregation. Māori weren't allowed
130. into certain parts of the theatre, picture theatre there. In fact, my brother-in-law wasn't able
131. to get a haircut because he was brown. So he had to wait outside the barber shop in
132. Papakura, and when his father came to pick him up he still hadn't had a haircut and he was
133. asked why and he was told because he was brown and he wasn't allowed into the barber
134. shop. He's actually Pākehā, Palagi, European, but he looked brown, he's got dark skin.
135. **Q.** Thank you Tigilau. And what happens with your mum's employment after your dad passes
136. away?
137. A. When my father died, mum was made an offer by Social Welfare and she usually used to
138. remind us that she had to sacrifice her work in order to look after us. Like when we were
139. naughty or something like that she'd say "Welfare was going to take you'se away from me
140. if I continued to work." So she was threatened by Social Welfare that they would take us,
141. me and my sisters, off her if she continued to work. So, she took the offer of the widow's
142. benefit and stayed home, stopped working and looked after us for the rest of her life.
143. **Q.** Right, so after your father passes away and she becomes a solo parent –
144. A. Yes.
145. **Q.** – she's given the ultimatum, either you stop working –
146. A. Yes.
147. **Q.** – or the children will be taken off you?
148. A. That's right.
149. **Q.** She was used to working, she loved working?
150. A. She came here to work, yes.
151. **Q.** And how did that make her feel?
152. A. I think as a solo parent back then she would have felt shame, whakamā, having to raise
153. three children on a widow's benefit. I know that, because I read her diaries later on, she
154. wrote every single item that she'd buy and pay for, you know, food as well as rent. So
155. I knew that she scrimped and saved to put me and my sisters through school with the
156. uniforms and, you know, looking after us on a widow's benefit, yeah.
157. **Q.** So it was a struggle?
158. A. Yes.
159. **Q.** Okay Tigilau, thank you. So just looking at paragraphs 13 and 14, you talk about the pub
160. culture –
161. A. Yes.
162. **Q.** – in those days, and what that did to Pacific. Can you tell us more about that?
163. A. Well, the men, and the women too I would say, worked hard, and the culture back then was
164. because it was like 6 o'clock closing for pubs back then, the culture was that the men would
165. go to the taverns and pubs after work. And, you know, it was a way of them relaxing and
166. our people learned that way, in fact became addicted to alcohol because that seemed to be
167. the thing to do back then. For the menfolk the more you drank the more of a man you
168. were. And that went through the older males and to the younger ones that came over. So
169. that, you know, they became addicted, I would say, yeah.
170. **Q.** How did that affect the Pacific culture, the family home?
171. A. Out of that came a lot of violence, family disruptions, all the bad things that are associated
172. with, you know, too much alcohol. Yeah, for us children, we watched our parents and
173. uncles turn into people that weren't nice. For those that were associated with church, they
174. were strong, held the family together. But the majority, the culture back then was that the
175. more you drank, the more of a man you are. And usually our people go over the top when
176. it comes to, you know, certain things like that, yeah.
177. **Q.** You say in your statement instead of the PICC church, the hub became the pub. So did you
178. see a shift in the Pacific culture values?
179. A. Yes. Mum would hold the home together, Dad would be out with his mates, and even bring
180. his mates home. And watching them go out to the back, I would think that, you know, they
181. were doing some really important kōrero or important talking and meeting. And later on in
182. life I find out that that's what they were doing, you know, drinking and passing the time like
183. so, yeah.
184. **Q.** Thank you. Okay, so now we're just going to talk a bit about your school before we get
185. into things. And in primary and intermediate, how did you go at school?
186. A. I really excelled at primary school, in fact at Newton Central School I was dux and then at
187. Kowhai Intermediate School again I was dux. So I excelled in English, I really loved
188. school. I wasn't aware at the time the hardship that my mum was going through, you know,
189. putting me and my sisters through education. Then I got to Mt Albert Grammar School and
190. things just changed drastically.
191. **Q.** Okay. And tell us what happens at Mt Albert Grammar School.
192. A. At Mt Albert Grammar School I was put into an academic class where I was taught Latin
193. and French and the rest of my friends who came from the neighbourhood, Ponsonby,
194. Newton, they were put into commercial, agricultural classes. So I was a – we were
195. minority at Mt Albert Grammar School and there I learned first-hand about racism and
196. being treated inferiorly, even though I had excelled at school prior to that, the big waking
197. up happened at Mt Albert Grammar School, yeah.
198. **Q.** Okay, and in terms of you saying how you were treated there –
199. A. Yes.
200. **Q.** – can you give some examples about the treatment you received or Pacific Islanders
201. received there?
202. 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.
203. A. Yes.
204. **Q.** So you've left high school, how do you end up in the Polynesian Panthers?
205. A. Well, as you do at a young age I was hanging out with some friends, local friends and one
206. who had gone to Mt Albert Grammar School as well, young Samoan who already belonged
207. to the Polynesian Panthers. He told me that "We need people like you." So I went along,
208. I joined the Polynesian Panthers from then. I went along to a meeting where they were
209. recruiting, looking for young members, and I went along and I absolutely enjoyed and
210. identified with everything that was going on at that meeting, and I decided from there to
211. help my people, and so I continue to do the same, yeah.
212. **Q.** All right, and we're just about to bring up an exhibit. I just wondered, Tigilau, if you could
213. please read out paragraph 26 of your statement.
214. A. It was not uncommon to walk down Karangahape Road and see Pacific Islanders being
215. stopped randomly and questioned by the Police. It was not uncommon for Pacific Islanders
216. to get picked up for no reason by the Police and be charged with idle and disorderly
217. offences. Some of our children would be taken. They would spend days, nights or some
218. even weeks in the cells and then charges simply dropped. This treatment is abuse in care.
219. **Q.** Thank you Tigilau. So we've got this document up here which you've seen?
220. A. Yes.
221. **Q.** And it's what the Polynesian Panthers and ACORD wanted to make public. And if we can
222. zoom in we've got one case here. Fred, who was Samoan, turned 15 in July 1973. On
223. Monday November 12 he was simply standing in Queen Street, picked up by Police as part
224. of Operation Cleanup. I just wanted to ask, Tigilau, do you remember situations such as
225. this?
226. A. Yes, many times.
227. **Q.** Many times. I'm just zooming in on another section of this, just the top of this part here,
228. Tigilau, he had never been before the courts before. So I just wanted your views on the
229. Police arresting and taking our youth into the cells.
230. A. Well, in today's world that would never be acceptable. Back then it was like we were being
231. targeted to fulfil a quota and it seemed like it didn't matter to the authorities if our parents
232. or if the children's parents knew what was happening, whether the – it didn't seem to matter
233. that the young people who were arrested or picked up by Police understood what was
234. actually happening to them.
235. **Q.** Right, and this situation that we just looked at there –
236. A. Yes.
237. **Q.** – that was 1973?
238. A. Yes.
239. **Q.** So that was before the Dawn Raids started?
240. A. Yes.
241. **Q.** So these types of situations were happening before the Dawn Raid period began?
242. A. It was kind of normalised. We expected, as young people we expected to be stopped by
243. Police randomly.
244. **Q.** Just on that exhibit again, there's a comment that since that boy's arrest his parents had only
245. spoken to him once briefly in the corridor at Mt Eden Prison. And you're nodding your
246. head and I just wanted to ask, was that common as well for children?
247. A. Yes, yes. The parents had no idea what their children were being led into. In fact, they
248. would come down on the children as being disruptive and naughty and breaking the law
249. and, you know, going against what they came here for, a better life, you know, that kind of
250. understanding. So they absolutely respected the law as it was put on to them and felt that
251. their children were the ones being bad.
252. **Q.** Right, okay, and just finally in this part we look at this boy reappeared in the Children's
253. Court November 20 for sentence but was remanded again in custody until December 7th.
254. So November 12th to December 7th at 15 years old. And my question again, just to clarify,
255. is that's what was happening to our children back in those days?
256. A. Yes. Yes, it was – we expected that every time, as young people, we expected that. We
257. were afraid of course. I was one of the fortunate ones that never got, you know, put into,
258. like welfare, because the situation, you know, with my mum being a widow and stuff. But
259. I watched a lot of my friends go through the court system and they'd disappear for long
260. periods of time.
261. **Q.** Thank you Tigilau. We're just about to bring up another document. This is from the
262. Zealandia paper. So 10.30 am on this particular date a Rarotongan school boy questioned
263. by the Police and later arrested on a single charge of being idle and disorderly and this
264. young Rarotongan boy had never previously appeared before the courts. He's 14 years old
265. and remanded in custody for a week. And you mention in your statement charges of being
266. idle and disorderly and I just wanted you to please expand on that.
267. A. Idle and disorderly was a charge that meant that whoever was being charged with that was
268. out on the streets, no money in the pocket, and the intention was that that person was going
269. to rob, steal, burglar, obtain money somehow, and because they didn't – just because they
270. didn't have any money in their pocket. That's being idle and disorderly, standing around in
271. the streets, you know, or even walking in the streets, the fact that they were brown, yeah,
272. mmm.
273. **Q.** And just looking back at that again, is that in the situation again we see that no-one
274. bothered to tell the boy or his family, it wasn't until two days later that a welfare officer told
275. his parents where their son had been taken?
276. A. **[Nods]**. That was, in our time, a common occurrence. It happened regularly. In my
277. neighbourhood in Newton, I remember a Māori family, and there were a lot of the children
278. that hung out with us. One day they just disappeared. I understand later on, I found out
279. later on in life that they were actually taken away by the Police, put into the system, welfare
280. system, and I never heard from them or saw them again. I often wondered what happened
281. to them.
282. **Q.** Just finally on that exhibit. So this was a case from that year, 15 year old spent nearly four
283. weeks in Mt Eden while awaiting sentence, the first week sharing a cell with an alleged
284. rapist. So our children were in prison with much older –
285. A. Yes.
286. **Q.** – people charged with quite serious offences?
287. A. Yes.
288. **Q.** And just something you had mentioned before, Tigilau, did you know of anyone personally
289. who was young and had been remanded or held at Mt Eden Prison?
290. A. Yes.
291. **Q.** So just looking at paragraph 27.
292. A. Yes.
293. **Q.** What was the attitude of Pacific peoples towards the Police back then?
294. A. I would say at first that our people were humble and, just as this statement says, our people
295. would do whatever the Police said. They were the law, they were so-called looked on as
296. being the authority, and that Aotearoa New Zealand was a Motu Palagi, was a white
297. country, so we must obey the white people's rules and laws.
298. **Q.** And then you say there that our people would always plead guilty?
299. A. Yes. Being young then I would say they were cajoled and persuaded, to make it easier just
300. plead guilty. So a lot of them did. To get through it really quickly, you don't have to stay
301. here this long, so they were encouraged and persuaded to plead guilty, get it over and done
302. with, not knowing what the real consequences would be.
303. **Q.** Then in paragraph 28 you talk about our parents' attitude.
304. A. Yes.
305. **Q.** And them almost feeling, well, definitely feeling very grateful to this country.
306. A. Yes.
307. **Q.** Could you expand on that please, Tigilau?
308. A. I think one of the biggest feelings our parents felt was that they didn't want their children to
309. bring shame to their name, or to their family, or for the reasons why they came here in the
310. first place, you know, to do well. And by coming up against the authority for simple things
311. like idle and disorderly, you know, our parents wouldn't understand those laws and let
312. alone stand up for their children. They had the feeling that the white law was right and they
313. had to be subservient to that, putting aside all that they know and their heritage and their
314. proud history, all of that, their culture, and, you know, be subservient to the law of this
315. country.
316. **Q.** Thank you Tigilau. So then we talk about this group of young teenagers who decided it
317. was time to start fighting back.
318. A. Yes.
319. **Q.** So we'll move now to the Polynesian Panthers. So when you first joined the Polynesian
320. Panthers, it was – was it still quite new, the party, had it just recently been established?

17 A. Yes. 1971.

1. **Q.** And when you joined, what were the Polynesian Panthers looking at that time, what were
2. they talking about, what was the movement, what did it look like at that time?
3. A. The Polynesian Panther Party was talking about revolution, changing the Society, the rules,
4. the laws in this country, because it was affecting us in a negative way. We felt that we
5. were being oppressed by unjust laws and a society that didn't really care about us. Having
6. brought our parents over to fulfil a task, do work, we felt that we weren't being accepted
7. and being treated unfairly.
8. **Q.** And at paragraph 33 you say, "When we started we were more or less like a lost generation
9. wandering in the city. That's why I call myself a 'traffic islander'."
10. A. Yes.
11. **Q.** What do you mean by that?
12. A. Well, I was born in central Auckland city, St Helen's Hospital in Pitt Street, so you know,
13. the main – one of the main things that stand out in the city is traffic Islands. Being born in
14. CBD I started calling myself a traffic islander, you know, yeah.
15. **Q.** And so in the next paragraph you talk about the Polynesian Panthers forming strong
16. allyships with other anti-racism groups. Who were they?
17. 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.
18. **Q.** And just a reminder, how old were you back then?
19. A. We were all 16, 17, 18. The oldest I think would have been 19.
20. **Q.** And then on the next paragraph, Tigilau, paragraph 39 you talk about the PIG Patrol.
21. A. Yes.
22. **Q.** Just generally, why was it created?
23. A. The Police Investigation Group was formed to follow the Police around who were doing
24. such things as picking up Pacific Island and Māori, targeting our people, and putting them
25. through what we felt was an oppressive regime targeting Pacific Island youth. So we knew
26. that if we followed them around, they'd be less inclined to arrest and charge if they had
27. witnesses watching what they were doing. So we were more or less patrolling the Police.
28. **Q.** And did it have that impact that you were hoping it would?
29. A. Oh, yes. We had people from Civil Liberties and some lawyers in fact, people from
30. ACORD, middle class Palagi people who had the cars, of course, and provided the vehicles
31. because we were too young to have any licenses or cars. They provided the transport and
32. we'd follow the Police around to stop them harassing our people.
33. **Q.** And you talk about the Legal Aid booklet.
34. A. Yes.
35. **Q.** What was the Police response to that?
36. A. They weren't very happy at all. When our people started telling them that they knew their
37. rights and that they can't be arrested because the Police weren't in full uniform, like having
38. their helmet on, like having their numbers displayed. They said "Where did you get that
39. information from? You know, you're misleading the people." And we'd printed out about
40. 600 Legal Aid booklets at the time. And that was to inform our people about their rights,
41. you know. And we said to the Police when they questioned where we got our information
42. from, "Go and talk to our lawyer, lawyers," who – one was David Lange and of course they
43. balked at that. And it helped slow down what they were doing to our people at the time,
44. yes.
45. **Q.** Then at paragraphs 42 to 45 you speak about the Polynesian Panthers' support for Māori.
46. Can you just describe what that support looked like and how the party turned out in support
47. for Māori?
48. A. Well, in the Polynesian Panthers most of us knew how to speak our language and we found
49. that Māori were discouraged, in fact beaten for speaking the Reo. And being young people
50. of course we were very incensed by that because we know our culture and yet our brothers
51. and sisters in our group were being forced to not speak, discouraged to practise culture. So
52. naturally we sided and supported every single struggle that Māori people ever had.
53. **Q.** You talk about the Bastion protest?
54. A. Yes.
55. **Q.** You were arrested?
56. A. Yes, one of 222 people that were arrested for occupying Māori land protest, yeah.
57. **Q.** And then for the Springboks tour which is a bit later, you were arrested and imprisoned for
58. nine months?
59. A. Yes.
60. **Q.** Now coming to the Dawn Raids, Tigilau, what happens in New Zealand in the early 1970s,
61. what's happening at that time?
62. A. There was an economic downturn. New Zealand was cut off from trading with England.
63. England went to the EEC, New Zealand was left very much on its own. Unemployment
64. was rife. That unemployment was blamed on Pacific Islanders taking jobs from New
65. Zealanders from Kiwis. The end result was that the Government at the time chose to target
66. people who were considered overstayers. And the people that they targeted the most were
67. Pacific Island overstayers. Yet we knew that the majority of overstayers in this country at
68. the time were white, were European.
69. **Q.** And just when you were talking about them targeting Pacific Islanders –
70. A. Yes.
71. **Q.** – there was a difference between some of the Pacific nations in terms of their residence
72. status.
73. A. Yes.
74. **Q.** And so I just wanted to know if you could please expand on that a bit. Niue, Tokelau,
75. Cook Islanders.
76. A. Niue, Tokelau, Cook Islands were part of the Realm Countries where New Zealand had an
77. association, which meant that we didn't need passport or visas to travel.
78. **Q.** And other countries did, and what were the – at that time what were the countries that did,
79. main countries that needed these immigration visas?
80. A. The countries that were required to provide visas were Tonga, Samoa, Fiji.
81. **Q.** So just looking at paragraph 54, you talk about a politician making a reference about how
82. he can tell the difference?
83. A. Yes.
84. **Q.** Could you just explain that please, Tigilau?
85. 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?
86. A. The overstayers register was like an amnesty.
87. **Q.** Right.
88. A. And whoever signed it were promised that an amnesty would be given them.
89. **Q.** Right. And then you talk about in paragraph 58, you talk about the change in Government
90. with Muldoon and the National Party. What happens to the intensity of the Dawn Raids?
91. A. Yes. In 1975 Robert Muldoon and the National Party renewed the campaign against
92. overstayers. During the general elections the National Party played a racist electoral
93. advisement that stoked negative racial sentiments towards Pacific Island people. It
94. portrayed Pacific Islanders as being violent alcoholics and taking all the jobs.
95. **Q.** Just following that a couple of paragraphs down, Tigilau, you talk about the Police
96. launching Operation Pot Black.
97. A. Yes. In 1976 Auckland Police launched Operation Pot Black. This involved intensified
98. raids throughout the day and night and Police checks on the streets.
99. **Q.** And at the time, what was Robert Muldoon's response about the Dawn Raids?
100. A. Robert Muldoon's response was a denial of any such thing happening.
101. **Q.** Okay. I'm just going to bring up Police doc. Tigilau, if I could please get you to start
102. reading from the fourth line down. We'll highlight it for you.
103. **CHAIR:** It would be helpful if you, just for the public, explain what this document was.
104. **QUESTIONING BY MS SHARKEY CONTINUED:** Yes, my apologies. It's a document that
105. records a meeting with officers, police officers regarding the arrests of immigrant
106. overstayers, and it is dated 22 October 1976. So just starting from the word "The
107. Commissioner", Tigilau, if you could please read that out.
108. A. "The Commissioner for some time has been having discussions with Government on the
109. subject of illegal immigrants and overstayers. Although he has told them that it is not the
110. Police's job, that it is something for the Labour Department, it has finally come back from
111. the Prime Minister that he is dissatisfied with the Labour Department and wants this done
112. and he is giving it to the Police for three months."
113. **Q.** Thank you Tigilau. We'll just bring up the next. If you could please read that section out.
114. A. "The whole situation has come down to the fact that for three months now the Police are
115. going to round up as many illegal immigrants and overstayers as they can possibly get. Our
116. function will be to arrest them and leave it to the Labour Department to prosecute."
117. **Q.** Thank you Tigilau. We'll just bring the document down a bit further.
118. A. "The circular that had previously been put out about overstayers is cancelled. There will be
119. a new one issued. There is complete discretion as to time of arrest. They are only
120. concerned with results as Mr Muldoon said, he has never heard anything so ridiculous as
121. not being able to arrest an overstayer before 6 am. The Police will do all the work. We
122. took this over and we are doing it."
123. **Q.** Thank you Tigilau. Just finally one last part.
124. A. "All other Police, and this is where the CIB come in, in particular, are to question all likely
125. overstayers. Any contact that the Police have with a prospective illegal immigrant they are
126. to invoke the Immigration Act powers we have to ensure he is not an illegal immigrant or
127. overstayer before we let him go."
128. **Q.** Thank you Tigilau. And given what -- the document we've just read, I just wanted to know
129. what your thoughts were on hearing that the Police were going to arrest anyone that they
130. thought might be an overstayer and not let them go unless it was confirmed otherwise?
131. A. That's pretty scary. It's like they're given the authority to arrest people and that the people
132. are guilty until proven innocent. And they're not innocent until proven guilty.
133. **Q.** Thank you Tigilau. So we're just going to bring up another exhibit, and this is from a
134. newspaper article. Do you remember this article, Tigilau?
135. A. Yes. Yes.
136. **Q.** So this article confirms that after one night patrols stopped hundreds of Polynesians in the
137. streets. Is that an accurate reflection of what you recall it being like at that time?
138. A. Yes. It was very scary. We were incensed that this isn't South Africa because we believe
139. and know that that's what happened in apartheid South Africa and we believe this is not
140. South Africa.
141. **Q.** Just in that article, so it says here that it happened in Wellington and Christchurch too. Is
142. that from your knowledge, you're aware that the Dawn Raids weren't just isolated to
143. Auckland?
144. A. Yes, very much aware of it in Wellington because one of our good friends in Wellington
145. organised a Dawn Raid on politicians there as well.
146. **Q.** And here we have there the Police stopped Polynesians on suspicion that they might be
147. overstayers or illegal immigrants and that reflects the document that you just read out.
148. A. Yes.
149. **Q.** And on the next part that we're going to bring up, "The Star was told today". My question
150. here, Tigilau, is about people being arrested who actually did have valid permits.
151. A. Yes.
152. **Q.** Were you aware of situations like that?
153. 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?
154. A. Yes.
155. **Q.** Where Pacific peoples had valid visas or had signed the overstayers' register and were held,
156. some for hours, some for days, and even weeks, that was abuse in State care, is that what
157. you're saying?
158. A. Absolutely.
159. **Q.** And at paragraph 63 you talk about not having passports and being shipped out the same
160. day. Can you expand on that, Tigilau?
161. A. I think they were acting, the Police and Immigration were acting as swiftly as possible,
162. either to fulfil a quota system or to prove their superiority, or whatever it was. But they
163. targeted people and straight away without any hesitation, any representation, anything at
164. all, stepped them straight out.
165. **Q.** And at paragraph 64 you talk about your experience of church services being interrupted
166. and your knowledge about that. Could you expand on what you say in that paragraph
167. further?
168. A. I lived in Crummer Road in Grey Lynn and just down the road from me, about 11, 12
169. houses down from where I was, was a Free Church of Tonga. And during that time, during
170. that period of the Dawn Raids, at least 60 churchgoers were railroaded into Police central
171. headquarters, processed to see whether they were overstayers. The minister of that church
172. was also processed. That only happens in South Africa, under the apartheid regime, masses
173. of people in church, peaceful, singing psalms and hymns, you know, being raided by
174. Police, surrounded by dogs, taken into central and processed.
175. **Q.** Thank you Tigilau. Could I please ask you to read paragraph 66.
176. A. The Dawn Raids were not isolated to Auckland. I later learned of a family in Invercargill
177. who were Dawn Raided and an uncle deported back to the Islands. Social services then
178. came and put a brother and sister into State care. It is reported that they never recovered
179. from their experiences. This story was shared at the Educate to Liberate exhibition in
180. Southland Museum and Art Gallery which was curated by an honorary member of the
181. Polynesian Panthers, Pauline Vaeluaga Smith.
182. **Q.** Thank you Tigilau. And you talk a couple of paragraphs down about the military wing. I
183. don't want you to get into any classified information as we've talked about before.
184. A. Yes.
185. **Q.** But what was the military wing?
186. A. The military wing was the name given to Polynesian Panther members who were prepared
187. to go to prison or step outside the normal protests, for example marching out on the streets
188. with placards, that was the norm. This was a group who were prepared to come up with
189. strategies to deal with whatever situation we were confronted with, racism, oppression, you
190. know, like the TAB.
191. **Q.** Right, and just a reminder again, Tigilau, how old were you all at this time?
192. A. We were still in our 17, 16, 17, 18 year olds.
193. **Q.** Okay, and then you talk about on the next page the Dawn Raids coming to an end.
194. A. Yes.
195. **Q.** Why did you think that was, what leads to the ending of the Dawn Raid period?
196. A. I think there was a groundswell in Aotearoa New Zealand, pushed and encouraged and the
197. majority of Aotearoa New Zealand being made aware of what was happening to
198. Pacific Island and Māori. We had supporters like Ngā Tamatoa, Whakaahau from South
199. Auckland here and other Palagi organisations who knew that what was happening wasn't
200. right. We collaborated together to protest and shine a light on what was happening to our
201. people at this time. And it worked because by about 1978 there were no more such Dawn
202. Raids. But I know and we understand that these things still go on. We only have to look at
203. Tūhoe, we only have to look at Ihumātao to know that these institutionalised racist attitudes
204. still exist. We only have to look at this Royal Commission of Inquiry.
205. **Q.** And so you say in your statement that although the Dawn Raid ended and your comment
206. just then that the practice of -- the practice of Police still targeting Pacific Islanders and
207. Māori was still happening, that hasn't stopped or didn't stop?
208. A. It continues.
209. **Q.** I just want to bring up one document. This is the Race Relations Report. It was an
210. investigation into allegations of discrimination in the application of immigration laws. It's
211. a bit of a mouthful, but that's what the document is. I just want you to please read out those
212. conclusions, Tigilau, briefly.
213. A. "As at 26 March 1986 Pacific Islanders comprised a minority, 33.54% or 40.5%, depending
214. on the statistics used of all overstayers in New Zealand. The remainder, 66.46 or 59.5%
215. came from the American, British and others categories.
216. Despite the fact that Pacific Islanders were a minority of total overstayers, they
217. comprised an overwhelming proportion, 86.26% of prosecutions. American, British and
218. other overstayers were only a small minority, 13.74% of the total prosecutions brought by
219. the Department.
220. These statistics confirm David McLoughlin's claim that Pacific Islanders comprise
221. a minority of overstayers in New Zealand but are a majority of those prosecuted for this
222. offence."
223. **Q.** And Tigilau, this was in 1986, how many years after the Dawn Raids was that?
224. A. Over a good 10 years.
225. **Q.** And just on the issue looking back at some of the evidence that you've given today, and we
226. had talked about interpreters and what the Polynesian Panthers had done in interpreting for
227. people.
228. A. Yes.
229. **Q.** When our -- when Pacific peoples were arrested and appeared in courts, were there
230. interpreters available back then?
231. A. There weren't many. I don't think the justice system was aware even that people needed
232. interpreters.
233. **Q.** And so do you go along with ACORD and make an appearance somewhere about the issue
234. of interpreters being available?
235. A. Yes, yes, I did.
236. **Q.** Can you expand on that?
237. A. I was asked as part of the Polynesian Panthers to speak to the need of interpreters. And
238. I got up and spoke in front of the Justice and the Government and all the people involved at
239. the time. I got up and spoke in Niuean, and I smiled and I used my language and abused
240. them all in Niuean, and I was smiling. And I said to them after that, "So how do you think
241. you can understand what I'm saying and how can you expect to fix me if you don't know
242. what I've been saying, if you don't understand my language" you know. I just use that as an
243. example of how they didn't understand and how we would be misinterpreted, just by
244. smiling and saying something, you know, they had no idea at all.
245. **Q.** And what was their reaction to that?
246. A. I think the judge told me to sit down and told my co-worker "Tell your representative to sit
247. down and be quiet."
248. **MS SHARKEY:** Madam Chair, I'm just mindful that a break is coming up.
249. **CHAIR:** Yes, we're about to move on to something different?
250. **MS SHARKEY:** Yes, we are about to move on to something different.
251. **CHAIR:** Tigilau, I think we'll give you a break and give everyone else a break. We'll take
252. 15 minutes for a cup of tea and we'll come back.
253. **MS SHARKEY:** Thank you.

# Adjournment from 11.29 am to 11.55 am

1. **CHAIR:** Thank you everybody, we'll resume with the evidence of Tigilau Ness.
2. **QUESTIONING BY MS SHARKEY CONTINUED:** All right, Tigilau, so we had just finished
3. talking about the Dawn Raids.
4. A. Yes.
5. **Q.** Now I'm just looking at paragraph 77 of your statement, just that section there, and we're
6. talking about the impacts of the Dawn Raids. Could you please just take us through what
7. were the impacts of the Dawn Raids on Pacific peoples?
8. A. The Dawn Raids was a really dark time for us. Our parents came here to do good, to do
9. well, to survive, but because of that era and because of certain beliefs that people had about
10. us Pacific Islanders, we were treated in an inhuman way.
11. **Q.** What did it do to the relationship between Pacific people and the Police, for example?
12. A. I think there was a deep mistrust between Pacific Island and Māori with the arm of the
13. Government that's called the Police, yeah.
14. **Q.** What did it do -- you talk about a racist attitude that was divisive, turned Pacific and Māori
15. against each other. Could you expand on that?
16. A. Because of the overstayer issue, there was a stereotyping that was placed on both Māori and
17. Pacific Island. One, that Pacific Islanders were brought here and came over here to do the
18. jobs that Māori people were not prepared to do. When you look at the history of it, then
19. you can understand why. And also that Pacific Islanders were here to take jobs away from
20. Māori. In fact, to be part of the colonial arm to kind of keep Māori, you know, separated or
21. down or --
22. **Q.** Right.
23. A. Yeah.
24. **Q.** Then you talk about the Dawn Raids causing a division between Pacific people.
25. A. Yes.
26. **Q.** How did that happen?
27. A. As is typical, I think the divide and rule tactic started to work well, you know, and that it
28. turned a lot of the Pacific Island people against one another, for whatever reason.
29. Pacific Island people started dobbing each other off, telling, exposing relatives even to the
30. authorities, claiming that some of their relatives were overstayers when they weren't even,
31. it would have been just a difference of family matters and things like that, but it turned
32. certain Pacific Island people against each other, some of the older ones, you know, because
33. of the authority and the shame and all that the overstaying issue dragged out turned the
34. people against each other.
35. **Q.** You talk about the shame and the stigma in your statement.
36. A. Yes.
37. **Q.** To this day, are you still hearing stories, new stories of people who were impacted by the
38. Dawn Raids?
39. A. Yes, because it has come to the attention of us all. A lot of the older people now are
40. coming out with their stories of how they were intimidated and how they were afraid and
41. how they were targeted, but they keep it to themselves. Like my two sisters, I was never
42. aware that they were afraid of going to work, of being picked up. My sister – one of my
43. sisters worked nightshift for the Auckland post office, she was afraid that she would be
44. picked up at night, going to work. She never said that ever before. So when she saw the
45. programme on TV about the overstayers and what I was involved in, she came out and said
46. that she was afraid back then too.
47. **Q.** Part of the discussion now about educating our children, our youth about the Dawn Raids,
48. what are the Polynesian Panthers doing to educate our children?
49. A. We want our history, our true history, the facts about the Dawn Raids, just like the statistics
50. here read out, we want our children to be taught about those things, to learn about those
51. things, to be able to hold their head up high and that the overstayer stigma that will carry on
52. for a little while yet, we want that removed, you know? We want our children to learn that
53. certain ones of us stood up against that kind of oppressive attitude and things that happened
54. to us.
55. **Q.** Right, and that it's important for them to learn about the years before the Dawn Raids as
56. well as that Dawn Raid period?
57. A. Exactly, our true history.
58. **Q.** Our true history?
59. A. Yes.
60. **Q.** So the Polynesian Panthers go out into schools?
61. A. Yes, we've been speaking to at least 21 schools now for the last 11 years, telling them our
62. story about what we did for the community and that we weren't a gang, another stigma that
63. was placed on us, you know, and we encourage the children to be inquisitive, be proud of
64. who they are. Our platform now is to eliminate all forms of racism, to celebrate mana
65. Pasifika and to Educate to Liberate. As one of our learned members – and she's here today,
66. and I honour her for that, we go out to the schools and she tells the students that that is our
67. platform and programme today.
68. **Q.** Right.
69. A. Yes.
70. **Q.** And you want to acknowledge her and who is that?
71. A. She is Associate Professor Dr Melani Anae.
72. **Q.** Thank you, Tigilau, we do acknowledge her presence here today. I just want to move
73. towards – we're coming to the end of the session, Tigilau, and we're looking at the apology
74. that's coming.
75. A. Yes.
76. **Q.** I just wanted to ask you, what will an apology from the Government about the Dawn Raids
77. do for Pacific peoples, that apology?
78. A. For a start, it will heal, it will be an admission that they were wrong and that what they did
79. to our people was not right and should never happen again, and we want our children to
80. learn about that and know that they have every right to stand up when they see things that
81. aren't right, like the Dawn Raids, and like these other things that will happen in the future,
82. we want them to have an identity that they can be proud of and if we're part of that, then
83. our work is, you know, to me, successful.
84. **Q.** In your statement, you say you want a full acknowledgment of what was done to Pacific
85. Islanders during that period. What do you mean by that?
86. A. That the truth come out about how our people were treated, about the racist attitude of this
87. country and its Government, about the institutionalised racism that our – all our people
88. have suffered from the very first time when the colonials came to this land, to the Pacific.
89. You know, the true history of the Pacific be taught in our schools, so that our children are
90. informed and they can make right decisions, and to be proud of who they are.
91. **Q.** Right. And your view is that that apology that's coming should be supported by all political
92. parties?
93. A. Yes.
94. **Q.** You say it's not about retribution and you're not fussed with restitution. What do you mean
95. by that?
96. A. We're not talking about reparation, money, even amnesty, we're talking about education for
97. the future of our children so they know the true events that brought these things about.
98. Also about the attitude of the people who are in power, about institutionalised racism,
99. giving them the choice and the information of how to cope and how to dismantle the
100. institutionalised racism that still continues today.
101. **Q.** In your statement, you talk about with our young ones now, there's an opportunity to set
102. things right. I just wanted to ask before we close, Tigilau, your message to our Pacific
103. 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, fakaaue 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
104. recently?
105. A. That has to stop. The authorities, the Police, the Government representatives, again, it has
106. to be based on aroha. To be randomly stopped like so, that's the old way of doing things.
107. That's no longer acceptable in our world today. The young ones will look at us and judge
108. us for what we didn't do. Mmm.
109. **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
110. that, given your efforts to help my whānau at Takaparawhā up at Bastion Point.
111. A. Yes.
112. **Q.** So, yeah, whakamihi, whakamihi, whakamihi ki a koe, tēnā koe.
113. A. Kia ora, tulou.
114. **COMMISSIONER ALOFIVAE:** Tigilau, fakaue lahi ke he hau a loto fakamalolo moe
115. manamanatuaga. Moe matutakianga e hau a Iloilo. Fakailoa atu he mai tuai sigahau e
116. fakatuloa-aga e Niu Sila. Ha koe hau a fakamooli a loto toa tagata tuga koe, koe tautolu osi
117. ke onoono ke ke aho nei. Kia fakamonuina mai e Atua ia koe. Fakaue lahi. Tigilau, the way
118. you have outlined for us the strong synergy between Māori and Pasifika communities very,
119. very early in the piece, as referred to by my fellow colleague here, Dr Erueti, and the
120. relationship, the very special relationship that Pasifika have always had from Māori, not
121. always respected, not always honoured, but the richness of your kōrero, your talanoa this
122. morning adds so much to all of the other stories that we've heard and the local stuff that our
123. own communities here in Mangere were doing to actually help shield and harbour our
124. young people, and I just want to honour, because I see that there's a representative here in
125. the room from one of our local Māori communities, just from our college here, Southern
126. Cross campus, the Stirling whānau, who their daughter is here this afternoon in the form of
127. Judge Ophir Cassidy, and what they did.
128. So even though they didn't understand what the raids were always all about, but
129. they knew that lots of Pasifika kids were running away from homes to be hidden so they
130. used their local marae to do that. And so all of the work that you guys were doing in
131. Auckland and all around the motu all adds to our protective layers of who we are. And
132. there are many other stories about how Māori actually taught our people to speak te Reo so
133. that people would get confused about who was Pasifika and who was Māori so, you know,
134. sometimes we've got to be ingenious to be able to stay alive.
135. A. Yes.
136. **Q.** Yeah. But I just wanted to add my gratitude and my thanks to my colleagues who have just
137. spoken as well. Thank you for the beauty and the wisdom of your talanoa this morning.
138. Fa'afetai lava.
139. **CHAIR:** On behalf of the Commissioners and on behalf of everybody listening, whether they are
140. in this room or watching online, I want to give a formal vote of thanks to you. You,
141. Tigilau, are a repository of knowledge and you are the holder and the bearer of what you
142. have referred to and which we accept is the true history. That is a very powerful statement.
143. It is not history that's written in books, but it is kept in the minds, the souls, the hearts and
144. the experience of people like yourself, and the gift you've given us is the willingness to
145. share it. I know that you have shared it often and you've spoken about the schools, I've
146. seen you on television and the like, but today you are sharing it in front of a Royal
147. Commission. You are sharing it in a place that will be recorded, documented, mused upon
148. and handed to the Government with recommendations.
149. So your sharing today has another layer, as my colleague likes to talk about,
150. another layer of significance and importance and we're grateful for that. Not only are you
151. contributing to the volume of knowledge that we are gathering about Pasifika abuse in care,
152. you are also educating, and that, I know, is one of your great aims in life, is to educate.
153. You are a voice of hope for a non-racist future that we all crave, we strive for, but without
154. the courage of people like yourself, we won't have it. So you are a true example. I liked
155. your phrase, "Get up and do it", that is a rallying call if ever there was one.
156. And before I finish and before – I know you wish to bless us with your song,
157. I want to acknowledge the presence of two significant groups in this room. I know there
158. are many more than two, but for the purposes today, may I acknowledge the Niuean
159. community, who has come in full support and in full voice to support their own. Thank
160. you for coming, thank you for your support. And the other group who I know are scattered
161. through I think over on that side are the members of the Polynesian Panthers who have all
162. come. I'm not going to name you all because I will leave one of you out and then you'll be
163. offended and you might stand up and get up and do it and I wouldn't like that.
164. But thank you, thank you for your legacy of education, activism and courage in the
165. strife, and thank you for coming and supporting your brother here today. We really
166. appreciate it. And now the stage is yours.
167. A. Thank you. Thank you. Yesterday, I was privileged to – we were all privileged to hear
168. some music from Brother John. So because I'm a musician, I would like to contribute a
169. song I was inspired from a time when I went to Capetown in South Africa and I attended
170. the 13th World Congress For Infant Mental Health when it was said that infant mental
171. health wasn't considered, it was all about adult mental health. Well, I was inspired by one
172. of the keynote speakers there who spoke about children being the future. So, yeah, I'd like
173. to sing you all a song. Thank you, maestro.
174. **[Song]**. Can't get more Pacific than that. "Grow little children, no no sorrow, for
175. we’re in here to keep safe you, grow little children for tomorrow, you will keep safe
176. children too. Grow little children, grow. Grow little children, grow. Grow little children,
177. love your mothers, they're the ones who carried you. Love them like you love no other,
178. you will carry children too. Grow little children, grow. Grow little children, grow. Grow
179. little children, love your fathers, they're the ones who cared for you. Love them like you
180. love no other, you will father children too. Grow little children, grow. Grow little children,
181. grow. So grow little children you're the future, this whole world depends on you. What
182. you love and what you value, lives for future children too. Grow little children, grow.
183. Grow little children, grow." Thank you Fete, love you, my brother.

# [Applause and standing ovation]

1. **[Song in response]**
2. **MS SHARKEY:** Commissioners, we just ask for a brief adjournment before the next witness.
3. **CHAIR:** Yes certainly.
4. **MS SHARKEY:** Thank you.
5. **CHAIR:** We won't go far, we'll be back as soon as we're allowed.

# Adjournment from 12.23 pm to 12.31 pm

1. **CHAIR:** Good afternoon, Mr Pohiva.
2. **MR POHIVA:** Good afternoon, Commissioners. Our second witness for today is Mr Tesimoni
3. Fuavao. He is a Tongan man, a survivor of Police Dawn Raid in 1976. He'll be talking
4. about being approached by Police prior to being raided, him and his family being raided,
5. and how this has impacted on him and also his family members. His mode of evidence,
6. ma'am, is by way of prerecorded interview and that was a recent change due to personal
7. reasons, but he is here today to be with us and he is supported by his niece who is seated
8. next to him. Can I also acknowledge and a big fakamalo to his family who are seated at the
9. front of the audience to the Commissioners’ right.
10. **CHAIR:** Does he require an affirmation to be taken or not?
11. **MR POHIVA:** He can take that in English, ma'am.
12. **CHAIR:** Shall we start with that, or do you have something else you wish to say before we
13. proceed?
14. **MR POHIVA:** I do have something --
15. **CHAIR:** Please do, please carry on.
16. **MR POHIVA:** The interview is background information about the interview and then we can do
17. the affirmation if that's all right?
18. **CHAIR:** Yes.
19. **MR POHIVA:** The interview was conducted in the Tongan language, which is his language he
20. was comfortable in sharing, and he uses- and it's important for us to receive his evidence in
21. this language. It also has English subtitles throughout, ma'am. In terms of housekeeping,
22. we are going to run into lunch time. The video is an hour and a half, so I have asked if it's
23. okay with the Commissioners for us to take a break at a convenient time, which may be just
24. after 1 o'clock, and then we can take the luncheon adjournment then, if that's- okay.
25. **CHAIR:** We're in your hands, you just tell us which is most convenient to you.
26. **MR POHIVA:** Thank you, Madam Chair.
27. In terms of exhibits referred to in his video, I just have to highlight that there are
28. two exhibits. Because we won't be breaking, I thought I'd raise that earlier. The first one is
29. a newspaper article from the Auckland Star which was printed, published on 2 November
30. 1976. It will be brought up on screen. However, he has prepared a statement for us today
31. and those- two exhibits are attached to his statement as well. So there's- the - second one is
32. his Dawn Raids article that was prepared by ACORD but published by Amnesty Aroha.
33. -Thank you, ma'am.
34. **TESIMONI FUAVAU**
35. **CHAIR:** Thank you. Before we begin, -I won't be able to deliver it in Tongan, so I hope that
36. English is all right with you, is that all right-?
37. A. Yes.
38. **Q.** All right. So, Tesimoni, do you solemnly, sincerely and truly declare and affirm that the
39. evidence that you give today through the video will be the truth, the whole truth and
40. nothing but the truth?
41. A. Yes, I do.
42. **Q.** Thank you very much.
43. **MR POHIVA:** Thank you very much. Commissioners, I now seek leave for the video evidence
44. to be played to us.
45. **CHAIR:** Thank you, leave granted.

# [Video played]

1. **MR POHIVA:** Madam Chair, I wonder if that's a convenient time to take the luncheon
2. adjournment?
3. **CHAIR:** I think it is, and I see the food is being brought out so it's a very convenient time, yes.