

**Witness Name:** Tesimoni Fuavao

**Statement No.:** WITN0670001

**Exhibits:** WITN0670002-WITN0670003

**Dated:** 07.07.2021

**ROYAL COMMISSION OF INQUIRY INTO ABUSE IN CARE**

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**WITNESS STATEMENT OF TESIMONI FUAVAO**

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I, Tesimoni Fuavao, will say as follows: -

**INTRODUCTION**

1. My name is Tesimoni Fuavao. I am Tongan and I was born in 1955.
2. I am married, and I have three sons who all grew up in New Zealand.
3. I am coming forward to share my experiences as a Pacific Islander in the dawn raid era. This included a time where I was stopped by Police and was required to give my personal information, and when my family was dawn raided in October 1976.
4. I want to share my experiences so that my extended family, our Pacific communities, and the public can understand how the abusive treatment and neglect by the State impacted me and my family over the years.

## OUR MIGRATION STORY

### *Early life in Tonga*

5. My family and I come from Tonga. Tonga consists of islands that are grouped into three: Vava'u in the North, Ha'apai in the middle and Tongatapu down South. Tongatapu is the largest group, and the capital Nuku'alofa is located there.
6. My dad Sione Fuavao comes from Holonga in Vava'u. My mum Setaita Tupou comes from Koulo, Ha'apai. Both my parents have passed away, and they are buried in Auckland.
7. I was born in Holonga, Vava'u, the second eldest child of six. The youngest sibling was my brother Masiu. We all grew up in Vava'u but we moved to the main island Tongatapu for educational purposes. My family all spoke fluent Tongan and we were not really exposed to the English language until we left Tonga. My siblings all now live in New Zealand.

### *Travel to New Zealand*

8. In early 1975, Dad travelled to New Zealand with a church group under the Government's work scheme during the labour shortage. He worked in New Zealand for three months. While Dad was working in New Zealand, he spoke to people about the health issues I had. I had spent more than 10 years, on and off, in Vaiola hospital in Tonga for health issues. Someone in the medical profession advised medical staff in Tonga that they could arrange for me to get the medical treatment I needed in Auckland. My dad returned to Tonga after a few months. By the time he returned, I got approval to come to New Zealand to get my medical treatment.
9. Dad and I came to New Zealand first, in May 1975 on medical visas, so that I could undergo the medical treatment. My mum and Masiu came soon after on the same medical grounds. Masiu was too young to stay in Tonga without our parents, so that's why he came. My other siblings stayed back in Tonga with my grandparents.

10. I was 19 years old when I came to New Zealand. Even though I was an “adult”, I depended on my parents to help me with my day to day care because my medical condition prevented me from doing things on my own. I was not a healthy young man back then. I had the operation and was in hospital for two weeks. I continued to receive outpatient care. Because of this ongoing treatment, my understanding is that our medical visas kept getting extended by the lawyer on the advice of a doctor. My parents took care of everything for me, which was normal. I depended on them for many things.
11. We lived in a five-bedroom house in Grey Lynn with three families from the Tongan community who were New Zealand residents. There were about 10 people living in the house.
12. My parents and Masiu shared a room. I shared a room with my friend. The three other Tongan families occupied the other rooms.
13. My parents eventually found jobs at factories in order to support us. Dad worked at the butter factory in Newmarket and Mum worked at a plate-making factory in New Lynn. They continued to speak mainly in Tongan because we spent most of the time with our Tongan community, so they didn't understand English very well.

## **ABUSE BY THE STATE**

### *Targeted Police checks*

14. During this period, the Police were carrying out targeted checks on Pacific Islanders. The workers union got involved and were trying to stop the Police from doing these checks on people at their places of employment.
15. In mid-October 1976, my friend and I went for a walk to Newton, which wasn't too far from our house. We ended up playing pool at a hotel there.
16. While we were playing pool, two Palagi officers came into the hotel and asked me how old I was. I told them I was 20 years old. The officers didn't believe me. They then asked for my passport. I told them that I didn't have it.

17. The officers asked me why I wasn't in school. I told them that I was in New Zealand on a medical visa because I was receiving treatment at Auckland Hospital. They didn't seem to care. All they wanted to know was if I was an overstayer.
18. The officers kept asking me where I lived so I told them. Then they dropped me home.
19. Ana, our Tongan neighbour, saw the Police officers drop me home. When I was standing on the footpath with the officers, Ana walked across the road to us and asked what was happening. Ana told the officers that I wasn't at school because I was in New Zealand for medical reasons. The officers appeared to accept what Ana said and drove off.

*The dawn raid on my family*

20. Approximately two weeks later at about 4.30am, there was banging on our front door. It was still dark outside. I understand that the reports said this happened on a Sunday, but my recollection is different.
21. I quickly got up and looked through the window. I saw heaps of Police officers standing around our house. I was scared. I went and opened the door and there were four officers there.
22. They asked me where my passport was. I said I would go find it. Two officers then pushed me aside and barged into the house. I never invited them in. At the time, I didn't know that I could tell them to leave or to wait outside.
23. I grabbed some medical paperwork and showed it to the officers. I went to my parents' bedroom and told Dad what the officers wanted. The officers followed me to their bedroom. My dad pointed at me while he spoke to the officers. He was pointing because he was trying to tell them that we were in New Zealand because of me. He was also pointing at me to go and get Latai, who lived in the house with us.
24. Dad's English wasn't good. He kept trying to tell the officers that we were all in New Zealand legitimately for medical reasons, because I was getting treatment

at the hospital. My dad struggled to say this in English, so he raised his voice louder and louder to try and get the officers to understand what he was saying.

25. My dad then called out to Latai who was in the next bedroom to come and explain to the Police officers that we were in New Zealand legally. Latai came out of her room and told the Police officers this.
26. Everything happened so quickly. One Police officer walked towards my mum to try and handcuff her. The officer pulled Masiu away from her arms when he handcuffed her. My mum and Masiu were crying. I asked the officer who pulled Masiu away, "Why are you doing that?". The officer said that they deserved it because they had overstayed. The officer then took my parents to their car, and they left.
27. We didn't get to say goodbye to my parents. My little brother Masiu and I were left at the house with the other Tongan families living there. Masiu was only 6 years old.
28. The officers didn't care about what would happen to Masiu and I. They just took our parents and left. We were very confused about everything and didn't know what to do. We just wanted to be with our parents. Masiu was crying. I was angry, and I didn't know how to care for him because I was still sick myself.
29. I think that what the officers did to my family was very wrong. Why would the Police do that to a family in the early hours of the morning? It should never have happened.
30. My brother and I didn't get to speak to my parents during the time they were in custody. We were both very sad and no one explained to us what was happening. Masiu and I ended up being cared for by other people living at the house during this time. We didn't have any money. The neighbours fed us.
31. I remember that my parents were held by Police for about a week. Sometime after the raid, a few newspapers reported what happened to my family.

**[WITN0670002]**

32. There was also an article by the Auckland Committee on Racism and Discrimination (ACORD) called *Dawn Raids, The Ugly Reality* which was about what happened to my family. **[WITN0670003]**
33. I didn't have much to do with our immigration matters. My English wasn't good, and I depended on my parents for everything at the time.
34. My parents got a lawyer and a Tongan translator to help them with their case. The case was dismissed by the court. We were never told why their case was dismissed but for me it confirmed that the Police should never have raided our home in the early hours of the morning, arrested my mum and dad and left us dependent children without our parents. It hurts me when I think about how my parents were treated by the Police at the cells.

#### **IMPACT OF THE ABUSE ON MY FAMILY AND I**

35. To this day, I still hold feelings of guilt about giving the Police our address, even though I felt I had no choice.
36. A few days after my parents' case was dismissed by the court, people from TV 1 news came to our house during the day and interviewed my mum and dad. This aired on the 6pm news and I saw someone from the Police or government apologising for what happened to my family. This made me angry because no one ever came to see me or my family personally to apologise for what they did. I still feel sad and hurt and hate the Police for what they did to me and my family.
37. My mum cried about the raid all the time and constantly lived in fear. She was scared of the Police because of their status and power. I think she held Police officers in really high regard like how they do back in Tonga. For example, my family respected Police in Tonga, and the community had faith that they wouldn't abuse their position of power. So, it was a big thing for my mum to get into trouble with the New Zealand Police, to be physically touched by them, and to be arrested.
38. My parents and Masiu returned to Tonga about eight months after the raid.

39. There was a lot of news about what happened to us at the time. The news got to Tonga fast and it was everywhere. The media attention really affected my family because everyone in our community was talking about it and our families from Tonga would ring us about it.
40. I felt really ashamed by the raid and about how many people knew because in Tonga, being arrested was very very bad. I carried the shame of what happened and people knowing throughout my life. I also blamed myself for what happened to my parents. My parents also felt this shame. They never wanted to talk about the dawn raid much.
41. I was eventually granted permanent residency in New Zealand in April 1981.
42. About ten years after the raid, I applied for my parents to get permanent residency under New Zealand's family reunification scheme. My older siblings had moved away from Tonga. It made sense for my parents to be in New Zealand. Mum didn't really want to return because she was still afraid of the Police.
43. My dad passed away in 2009 but up until his death, he kept talking about the Palagi Police officer that came and arrested him during the raid. My dad still remembered the badge number of this Police officer. He remembered the badge number for many years because he kept saying, "One day maybe the Police will come and say sorry or just talk to me". I don't remember the badge number, but I regret not writing it down because I know how important it was to my dad.
44. My health problems got better but I had two strokes in 2001. I don't think the anger I held onto helped. Throughout my life, I became angry especially when people were racist towards me. I started confronting people and calling out their racism because I wanted to stick up for my rights. If a situation like this happened when my own family were around, they would always walk away because they were embarrassed about how I responded.
45. My family helped me to try and deal with my anger. They told me to try and put those feelings aside, but I was still really, really angry about how the Police treated us. I had formed a deep mistrust of the Police.

46. Sometimes I didn't respond when people were racist, I just cried. Like when I was at work and Palagi people would ask me why I was black. I was a hardworking person and always worked in the factories so I couldn't understand why people would treat me like that.
47. The raid also affected decisions involving my children. My son was invited to join the Police force because he met the criteria, and they were looking for more Pacific Island Police officers. I told my son that if he goes with the Police, he was not my son. My son asked me why, what happened, so I told him about the dawn raid and what the Police did to us. I told him that I didn't like the Police because of that. After this, my son changed his course to Health Science, and he is now completing his PHD in Public Health.
48. I spoke to my brothers about the raid, but they struggle to understand how much it really affected me. I still remember what happened and can even remember the clothes I wore on the day.
49. Four years ago, I did counselling with a nun in Otara. I talked about the dawn raid and my anger about it. I think speaking about it brought everything back and reminded me of what happened. This really affected me at the time, and I was just angry all time again.

#### **REFLECTIONS ON THE PAST, PRESENT AND FUTURE**

50. I did not seek compensation or make a complaint about the Police conduct at the time. I now know I could've gone to a lawyer to do something about it, but I never knew that at the time.
51. I didn't know that in 1977 and 1978, ACORD and Amnesty Aroha made complaints about the raid and the Police conduct. I am grateful to the people who helped the Pacific Islanders during this time.
52. In terms of the Government's dawn raid apology, a personal apology to my parents should have been done before they passed away. I would have liked my mum to hear the apology because she was deeply affected by the dawn raid.

53. The raid has affected me for 45 years. The Government knows my story because it was very public. I think that those families that were directly impacted by the dawn raids should be prioritised and be able to attend the Government's apology in person.

**Statement of Truth**

This statement is true to the best of my knowledge and belief and was made by me knowing that it may be used as evidence by the Royal Commission of Inquiry into Abuse in Care.

Signed:

GRO-C

Dated:

07/07/2021