

**Witness Name:** Tigilau Ness

**Statement No.:** WITN0518001

**Exhibits:** WITN0518002–WITN0518006

**Dated:** 11.06.2021

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

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**WITNESS STATEMENT OF TIGILAU NESS**

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I, Tigilau Ness, will say as follows: -

**“AS POLYNESIAN LIBERATION FIGHTERS WE WORK FOR THE END TO  
RACISM, EXPLOITATION, INJUSTICE AND OPPRESSION THAT OUR PEOPLE  
SUFFER IN THIS SOCIETY...”**

*Polynesian Panther Party – Platform and Programme, January 1974*

**INTRODUCTION**

1. Kia ora and Fakaalofa lahi atu. My full name is Tigilau Ness. I am a first generation, New Zealand born Niue Pacific Islander. I was born in 1955.
2. I am a member of the Polynesian Panther Party, a social justice movement established on 16 June 1971 to target racial inequalities carried out against Pacific Islanders and indigenous Māori.
3. I am making this statement to provide context around Pacific Island people living in Aotearoa New Zealand from the 1950s. As part of this, I will talk about the Polynesian Panthers and my role in it. I will also talk about the dawn raids, the

abuse of our people in State care and the impact of this on Pacific Island people living in Aotearoa New Zealand.

## **MIGRATION TO NEW ZEALAND**

4. The first big wave of migrants from the Pacific Islands began in the 1950s. New Zealand turned to the Pacific for workers and our people were enticed and encouraged to come over and take up jobs that could not be filled or that no one wanted. As a result, our people came over in increasing numbers to work.
5. Migrants from Niue, Tokelau and Cook Islands arrived as New Zealand Citizens but other Pacific Islanders from countries such as Tonga, Samoa and Fiji required immigration visas. The Government granted short tourist visitor visas knowing full well that our people were not coming here to visit but that they were coming here to work.
6. My mother and father came to New Zealand from Niue in 1950 to meet the labour shortage. They came here for a better life.
7. Many of our Pacific people first settled in and around central Auckland suburbs, including Ponsonby, Grey Lynn, Kingsland, and Parnell. They mostly took up jobs in the factories or other labour-intensive work.
8. I grew up in Ponsonby and Grey Lynn. Dad died in my arms when I was 6 years old. He died of what Pacific Islanders called the 'sugar sickness'. Not much was known about diabetes back then or how to treat it. So Mum became a widow raising myself and my two sisters. Mum was a staunch Christian who taught us to read and write from the Niue bible.
9. The Pacific Islanders' Congregational Church ("PICC") in Newton, Auckland, became a focal point, where all the different Pacific Island ethnicities gathered. The Church was where information was passed out, disseminated, help was given and families got together. That became the village.
10. Karangahape Road, as Reverend Alec Toleafoa described one day, was our internet highway back in those days, where people would go up and down the streets, meet each other, swap stories and catch-up face to face.

11. Ponsonby back then was very vibrant and multicultural – about 70% Pacific Island and Māori, 30% European. Now, 50 years later, the stats are so very different. Back then, buses to Ponsonby were labelled the 'Congo run'.
12. It was difficult for Pacific Islanders once they arrived in New Zealand. There was nothing set up to culturally integrate our people. It was the new society that dominated and we were expected to assimilate and just fit in.
13. In those days, after work all the men went to the pub. The more you drank, the more manly you were. Over time, our men would congregate at the pubs too. They learnt those ways. This was the time of 6 o'clock closing for the pubs. So, you would go in, drink real hard and fast before the pub closed. The culture was that this was how to relax. You felt compelled to go and fit in. It became a male way for us to get together and catch up. Instead of the PICC, the hub became the pub. The culture was to drink and be a man.
14. So many of our people had never experienced this kind of drinking culture before. Some of our people got sucked in, trapped into alcoholism or couldn't handle their liquor. That brought out heaps of other things: family violence, relationship break-ups, and other abuse.
15. My Dad would speak of handing jugs of beer out the window at the pub because Māori weren't allowed at some public bars. In some places Māori weren't allowed to sit next to Pākehā at cinemas. I was only young but even back then I knew that was wrong.

#### **EARLY SCHOOLING LIFE**

16. I attended Newton Central School, where I was dux. I went to Kōwhai Intermediate School, where I was dux. I got to Mount Albert Grammar School, where I was expelled in 1971. The reason for my expulsion was because I wouldn't get a haircut.
17. Mount Albert Grammar School at the time was majority Palagi, white, European. Out of a roll of say 1500-2000 students, approximately 40 of us were Pacific Island and Māori. We all came from Ponsonby, Grey Lynn and Kingsland.

18. At that time, afros were common amongst us Pacific Islanders, especially those with frizzy hair which was most of us. It was a form of identity and what we saw of those who looked like us in the community. Having naturally frizzy hair, I grew an afro.
19. It was the hippie era then so many of the white boys had long hair too.
20. One day the principal called me into his office and told me to get a haircut. I was two months into sixth form.
21. I tried to explain to the principal that in the Niuean culture, the eldest son doesn't cut his hair until he becomes a teenager and a traditional haircutting ceremony – *Hifi Ulu* – takes place when the family decide it is time. He didn't know anything about it and wasn't concerned. He was only concerned that I get a haircut.
22. I kept trying and told him that the ceremony is a rite of passage to symbolise the coming of age into manhood and I couldn't cut my hair yet. He kept telling me to get a haircut. I said what about these white boys who grew their hair below their collar? Still, he kept telling me to cut my hair.
23. I stormed out of the office with tears in my eyes, never to go back again. As I was leaving, on the steps going out of the school were a bunch of university students with placards chanting "racist school, racist school!". Somehow one of the students heard what was happening to me and had organised a group of university students to go out there.
24. Straight after being expelled from Mount Albert Grammar School, I joined the Polynesian Panthers.

#### **INCREASING TENSION TOWARDS PACIFIC ISLANDERS**

25. The Police targeted where Pacific Islanders and Māori congregated.
26. It was not uncommon to walk down Karangahape Rd and see Pacific Islanders being stopped randomly and questioned by the Police. It was not uncommon for Pacific Islanders to get picked up for no reason by the Police and be charged with idle and disorderly offences. Some of our children would be taken. They

would spend days, nights or some even weeks in the cells and then charges simply dropped. This treatment is abuse in care. **[WITN0518002; WITN0518003]**

27. Our people would do whatever the Police said. One of the things about our people is we always pleaded guilty because we were scared of authority and didn't know our rights. We had no legal representation and therefore no voice.
28. We knew that our parents couldn't stand up and fight for what was right. They came to this country as guests. Their attitude was a Christian based attitude – be humble and you don't go trashing the house of the people that invited you. They were most grateful to come here to work because a lot of the finances went back to the Islands to help look after their families, which we still do today. They were also grateful that their children were able to get a better education. They worked long hours. And they didn't have a voice, and not just because English was their second language. Our parents were humble people, they towed the line because they were guests in this country.
29. So a group of young teenagers decided it was time to start fighting back and standing up for our rights.

#### **THE POLYNESIAN PANTHER PARTY**

30. The Polynesian Panthers was set up by a group of 16 to 18 year old young Pacific Islanders. It was a revolutionary social justice movement formed to target racial inequalities against Pacific Island and Māori people in Aotearoa New Zealand.
31. The Black Panthers Ten-Point programme of freedom, equality and social justice was adopted so as to teach Pacific families how to 'survive in the system'. The Polynesian Panthers has never been a gang. Our main aim was to help our people. We existed to fight the racism that we were experiencing.
32. One of my neighbourhood friends was already in the Polynesian Panthers, it had not long been set up and he told me they needed people like me to join the group. He told me it was a community, politically-motivated group – we're talking revolution. He said we need you to come and help our people. I was 16 years

old and had just been expelled from Mount Albert Grammar School for something I truly believed was not right. So I said yes, and I'm still doing it today.

33. When we started, we were more or less like a lost generation wandering in the City. That's why I called myself a 'traffic islander'. It felt like having one foot in the garage and one foot in the taro patch.
34. We formed strong allyship with other anti-racism groups and set up Pacific community survival programmes. Like other political parties we each had Ministerial portfolios. The sisters were the backbone of the Polynesian Panthers but the brothers were the ones in all the photos.
35. The Polynesian Panthers established an office in Ponsonby. We were given that office by Mayor Dove-Myer Robinson whom we approached one day. We said we're not a gang, we're trying to form community help for our people. Today, that office is ASB Bank. With the help of the Auckland Arts Festival, a plaque was recently placed outside the bank which states that the Polynesian Panthers were established there in 1971.
36. With the Polynesian Panthers, we did all sorts of community development. We started the "Tenants Aid Brigade" ("TAB") which was to help tenants confront racist landlords who charged exorbitant rent for run-down, dilapidated, rat-infested houses with water that wasn't running properly and where electricity would go on and off. They'd come to our offices and we'd go and occupy their houses. What we first started as a group of 16 to 18 year olds led to the formation of the Tenancy Tribunal.
37. We would interpret all sorts of documents into different Pacific languages. We didn't get funding or anything like that. If you spoke the Pacific language, you volunteered to translate the document to help our people.
38. We organised prison visits for families, programmes, sports and debating teams for inmates, provided a half-way house for young men released from prison, ran homework centres, offered interest free 'people's loans', organised foodbanks which at one point catered for 600 families.

39. Another way in which we helped people was we formed the Police Investigation Group, known as "PIG Patrol". The purpose of PIG Patrol was to follow the Police around to ensure that they didn't harass and illegally and unlawfully arrest our people. There was a Police task force formed to harass and target Pacific Island and Māori people in our communities. We questioned why they didn't go to Remuera, Ellerslie or Howick where they were majority white middle class people and harass them for the very same reasons.
40. Back then we had a saying: "If you're brown, stand down. If you're black, stand back. If you're white, you're alright".
41. We put out a legal aid booklet that informed people of their rights. One of the main pointers that we said to everybody is, "Don't be smart or cheeky". People started saying to the Police, "You can't arrest me, I know my rights, what am I being arrested for?". Police told the Polynesian Panthers that they were misinforming the people. We said you'd better talk to the author, David Lange. From what started as a legal aid booklet led to the provision of legal aid in courts.
42. Another thing we did was we strongly stood up for tangata whenua. Back then we knew our language and culture, but the original people here, the tangata whenua, were beaten, weren't allowed to speak their language, and their land was being taken away. Us being young and semi-educated, we realised these things happening to Māori weren't right. That's another reason why the Polynesian Panthers existed.
43. We started to fight hard for the land struggle, as it was called. Our attitude was give it back and pay the rent too! There was a land march in 1975 and that was the start of 'Not One More Acre' led by Whina Cooper. Then in 1978, out of that land march, rose a lot of the land issues and struggles to retain Māori land.
44. In 1978 we supported Ngāti Whātua Ōrakei with the Bastion Point protest and I was arrested. I protested against the Springboks Tour in 1981 and I was arrested and imprisoned for 9 months.
45. We also petitioned, together with Ngā Tamatoa for the use of Te Reo, in order for the language to survive. In the 70s, we saw it as cultural genocide how Māori

people were beaten for speaking and teaching their language, discouraged from building on their marae. We ended up getting over 30,000 signatures that went down to Parliament with Hana Jackson to show that people were concerned about Te Reo. Still, we were only 16 to 18 years old.

46. It wasn't only us fighting the good fight. There were also Palagi groups like ACORD (Auckland Committee on Racism and Discrimination) with Dr Oliver Sutherland and his people, CARE (Citizens' Association for Racial Equality) with Tom Newnham, and Civil Liberties with Cecil Fowler. We couldn't have done it without these people. Some of them came out with us on the PIG patrols.

### **THE DAWN RAIDS**

47. In the early 1970s, there was a financial crash. England, who was the major trading country with Aotearoa New Zealand, turned out to join the EEC (European Economic Community). As a result, New Zealand employment bottomed out.
48. Having come over steadily from the 1950s to help this country, when the financial crash happened, Pacific Islanders were no longer wanted. Our people were blamed for taking all the jobs.
49. Because the Government had granted tourist visas as opposed to working visas, that was used against us – saying that our people were working in breach of the visa conditions when they knew all along that we were coming here to work and encouraged us to.
50. The dawn raids started 47 years ago by the Labour Party, Norman Kirk, about the overstayers issue. When Robert Muldoon and the National Party came in, he re-instigated the dawn raids but with more intensity.
51. The Police would bust into homes of brown people in the early hours of the morning and arrest anyone who didn't have ID or a passport. Anyone arrested was shipped out the same day. They would pull the bedding off you and shine the spotlight in your eyes. They would scream, yell and swear at our people,



calling names, telling them to get up and get out, dragging our people out of their homes in whatever they were wearing.

52. We knew the dawn raids was a racist attack purely because of the colour of our skin, nothing else. The majority of overstayers at the time were Europeans. The Government used immigration policies, law and order, scare tactics, all of that, as a ploy to stay in power.
53. The overstaying issue was in relation to the Tongan and Samoan people who needed immigration visas. For them, it was particularly scary. The Police force at the time had no inkling of who was Tongan and who was not, only if people were brown. There were many instances of Māori being targeted, pulled over and asked for ID or their passports.
54. I recall one of the National politicians at the time said that him being a farmer, he knew the difference between a Friesian and a Jersey cow. He used this reference to explain how he could tell the difference between a Tongan, Samoan, Cook Islander and Niuean. Here was a politician publicly comparing Pacific Islanders to animals.
55. We knew when people were being raided. We'd get a phone call and often we'd send one of our oldest members, Agnes Tuisamoa, to see the people who were arrested. She was a Samoan community worker and an advocate for Pacific Island people. Our people listened to her because she was the oldest member of the Panthers and one of her children was also a Panther.
56. One time Agnes was called to go down to central Auckland Police station early one morning about 4 or 5 o'clock. There was a mother who had been taken in, thrown in the cells and was still in her nightie. She had her two month old baby with her. The mother was told to feed her baby with the milk that was on the table which was used for their coffee. They were both deported by 7 o'clock that same morning with only the clothes on their backs.
57. Fraser Coleman was the Minister of Immigration at that time in 1974. Following some backlash and concerns from employers that they would be losing vital workforce labour, the Labour Party introduced the 'Overstayers Register'.

Tongans and Samoans were encouraged to come forward and sign the Register. By signing the Register, they were declaring that they would leave New Zealand by a certain date or sort out their papers.

58. In 1975 Robert Muldoon and the National Party renewed the campaign against overstayers. During the general elections the National Party played a racist electoral advertisement that stoked negative racial sentiments towards Pacific Island people. It portrayed Pacific Islanders as being violent alcoholics and taking all the jobs.
59. The National Party became the elected Government and the Register was used to track down some of our people. This created more distrust of the Government, Police and authority figures among Pacific Islanders. The dawn raids increased in frequency. Police dogs were used to hound overstayers.
60. In 1976, Auckland Police launched Operation Pot Black. This involved intensified raids throughout the day and night and Police checks on the streets.  
**[WITN0518004]**
61. Pacific Islanders who had married non-Pacific Islanders were separated from their spouses. Parents were separated from their children. Children that were left behind stayed with whoever was at the house or on their own.
62. So many of the arrests were unlawful as many people had valid visas – that wrongful detention is abuse in State care. The treatment of our Pacific people by Police and Immigration officials when they were dragged and taken away, held in the cells without proper necessities, yelled and sworn at – that is abuse in State care. **[WITN0518005]**
63. Police and Immigration weren't concerned about separating spouses or parents from their children, or what happened to their children when they were taken away. They were only concerned about adults who didn't have passports or ID. If they didn't have passports, they were shipped out the same day.
64. Police would raid factories. Church services were interrupted. Around that time, I was living in Grey Lynn and just down the road was the Free Church of Tonga.

One time at least 60 churchgoers were railroaded by Police into central Auckland and processed to see whether they were overstayers. This included the Minister of the Church.

65. There were only a handful of overstayers in that group, but the whole 60 or so were just taken.
66. The dawn raids were not isolated to Auckland. I later learned of a family in Invercargill who were dawn raided and an uncle deported back to the Islands. Social services then came and put a brother and sister into State care. It is reported that they never recovered from their experiences. This story was shared at the Educate to Liberate exhibition in the Southland Museum and Art Gallery which was co-curated by an honorary member of the Polynesian Panthers, Pauline Vaeluaga Smith.
67. There are so many more stories of the abuse suffered by Pacific Islanders during this dark period of New Zealand's history.
68. Our saying was this isn't South Africa. We know how apartheid works and here, the Government was enforcing racist attacks purely on Pacific and Māori, anyone that was brown, even though the majority of overstayers were white. We were being targeted and used as a scapegoat.

#### *The Resistance*

69. The Polynesian Panthers resisted the dawn raids. There was a group within the Polynesian Panthers called the 'Military Wing' and I was in that group.
70. The Military Wing consisted of members who were prepared to go to prison or step outside of the normal protests, for example, marching out on the streets with placards. It was up to the Military Wing to come up with strategies to 'educate to liberate'.
71. One of those strategies was to bring together a group of volunteers, including volunteers from other groups such as Peoples' Union, Civil Liberties and Palagi people who had cars – because at the time we were poor Pacific Island teenagers and young people and we didn't have cars.

72. One time at 3 o'clock in the morning, a group of no more than seven, including me, went out to a place in Howick. It was the home of Bill Birch, a National Party cabinet minister. At that time, Howick was predominantly middle class and white.
73. We rocked up in our cars up to the fence and shone the spotlights on the windows and doors of the house. We used loud hailers and demanded that he come out with his passport immediately. We repeated it a few times. The lights came on and the front door opened. We waited for a few seconds and then jumped in the cars and left. We repeated it again the following weekend. This was to give them just a taste of what it felt like to be dawn raided.
74. I think the dawn raids came to an end as a result of the concerted effort by young people in the Polynesian Panthers, Ngā Tamatoa, Whakaahau, and the Palagi people and organisations who knew that it wasn't right. We collaborated together to protest and to shine a light on what was happening to our people at that time. It worked, because by about 1978, there were no more dawn raids.
75. Although the dawn raids ended, the practice by Police of targeting Pacific Islanders for deportation, stopping and questioning them without reason, unlawfully holding them in cells, still continued.
76. Following an investigation by the Race Relations Conciliator in 1986, a report was released into allegations of discrimination in the application of the immigration laws. The report concluded that Pacific Islanders comprised a minority of all overstayers in New Zealand and that despite the fact that Pacific Islanders were a minority of total overstayers, they comprised an overwhelming proportion of prosecutions. **[WITN0518006]**

#### *Impacts of the Dawn Raids*

77. The dawn raids became a period of time that was hidden. The term 'overstayer' became synonymous with Pacific Islanders only.
78. The dawn raids produced a sense of shame, fear, uncertainty and stigma.
79. What happened to Pacific Islanders during this time has been repressed in many of our people. To this day it is not often spoken about by those who experienced

- it. Every now and then the impacts will show themselves in different forms such as violence and depression.
80. A deep mistrust of the Police and Immigration was formed, and it has never gone away. Stories shared and passed on to younger generations means they too are wary.
  81. The children that grew up in that time would be in their 50s now. They haven't had the ability or the opportunity to address it; it's still embedded in there. A lot of them will be in denial or try and shut out what happened. But it comes through in some way. That kind of trauma has a way of working itself out and triggers will set these things off.
  82. The dawn raids caused a racist attitude that was divisive and turned Pacific Island people and Māori against each other. Topping each other off, narking, all that sort of stuff. Racism, like apartheid, separates people. Our Pacific Island people were told negative things about Māori that were not true and vice versa. Our people were not told that their language had been taken from them and their land was stolen.
  83. The dawn raids also turned Pacific Island people against each other. Dobbing in overstayers, looking down on those who didn't have legal status and stuff like that. Although a lot of our elders then knew it wasn't right, they in turn started targeting overstayers.
  84. There were Pacific Islanders who didn't fight back. It was usually the elders. They were humble. They respected the law of the land, regardless of whether it was racist or not. They thought it was un-Polynesian and un-Christian of us to speak up and challenge authority.
  85. That divisive action by racist attitudes divided a lot of our Pacific people. I know today, a lot of them regret it. The Polynesian Panthers know today that we stayed on the right side of history. I think a lot of the authorities back then have a guilty conscience. So too do the politicians. They know now.

86. Even my mum would ask me why I was fighting for those Māori people and why I was fighting the Police. I had to explain to her that if I didn't do it, we'd all suffer. Our older people didn't understand it. They would sometimes believe the Police over their own kids because they respected authority and thought that the Palagi knows best.
87. It was the young ones who were educated enough to see through that, to look around and see what was happening. We understood that it was not right. We took a lot of our inspiration from the Black Panthers in America and the black civil rights movement there. It influenced us in Aotearoa New Zealand. We were educated but born here – that was the difference between the older and younger ones.
88. We rebelled against a lot of the so-called mainstream ways of thinking back then, and against our parents – that was the price we had to pay. A lot of us today regret not having the courage to inform or educate our parents about it, because we totally respected them, and yet we had to rebel against their way of thinking. We know that somewhere along the lines, someone had to make a stand.
89. I still hear stories from our people about how their parents or grandparents don't want to talk about the dawn raids, the shame and stigma is too great. But it is not our cross to bear.
90. My sister, who is now in her 70s, recently told me that when she was younger, she was afraid that she'd be picked up too on her way to work. She admitted that to me only recently when I told her that we were going to schools talking about the dawn raids. I had never heard that before, we never spoke about it. That reaches to the heart of us.

## **REDRESS AND LOOKING FORWARD**

91. The Polynesian Panthers want a formal apology from the Government over the dawn raids. They've apologised for the killing of protestors over in Samoa during the Mau Movement and the carrying of the Influenza epidemic to Samoa.

92. We seek a full acknowledgment of what was done to Pacific Islanders during that terrible period. We want a genuine meaningful apology for how our people were treated in the 1970s including the dawn raids.
93. In my view, I think the apology should be supported by all political parties, in particular the Labour Party and National Party who implemented the dawn raids during that time.
94. I think an apology would show Pacific Islanders, especially those who went through the dawn raids that it wasn't their fault. It will be very hard to rebuild that trust because it is gone.
95. This is not about retribution and we are not fussed with restitution. But we do want our children to be taught about what happened, so they know the truth, and they learn what's wrong and right. This is so that they can make informed decisions so that in the future something like the dawn raids doesn't happen again.
96. The Polynesian Panthers know that 50 years later, these racist attitudes in New Zealand towards Pacific Islanders and Māori are still going on.
97. Earlier this year, the Polynesian Panthers spoke at James Cook High School in Manurewa. I told my story about being expelled from Mount Albert Grammar School for not getting my hair cut. After I spoke, two Niuean mothers who were also teachers came up to me saying their sons were treated the same way at GRO-C School. They were suspended for not cutting their hair. About four or five years ago, the same thing happened to a relative of mine.
98. These things wouldn't come to light if the mums of these boys hadn't complained and been prepared to take it all the way, which the schools didn't expect. There will be many more instances of institutional racism in the education system.
99. With the young ones now, there is an opportunity to set things right, and then we can move forward from there. All of those things need to be looked at thoroughly and cleaned out, in order for us to move forward.

100. Until then, all that negative stuff will come to the fore again. There's no guarantee that something like the dawn raids won't happen again. But if the truth is told, then we can learn from that and move on from there. Our numbers are increasing, our Pacific youth are the fastest growing population in New Zealand, there's no turning back from here.
101. Although the dawn raids was a period of time that was hidden, it has started to be educated in schools. The Polynesian Panthers have been doing it for the past 11 years – Educate to Liberate – without funding and still on a voluntary basis. History has to be taught honestly and truthfully in our schools, which is about to happen in 2022.
102. When we were in school, what was on the walls were European histories. Nothing about the Pacific or Māori. Today, we see these schools as a much more true representation of this country but there is so much more to do.
103. When we hear Te Reo being spoken, we know that our fight from back then was justified. The richness of the culture in this country is the diversity of it. Instead of a monocultural attitude back then, today it's multicultural and there's no denying it. The good thing is it's being embraced too. We have come a long way since then.
104. A copy of my written consent to use my statement is **annexed** to this statement.

### **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:

11 June 2021