

IN THE WAITANGI TRIBUNAL WAI 2500
WAI 1344

IN THE MATTER OF The Treaty of Waitangi Act 1975

AND

IN THE MATTER OF The Military Veterans Kaupapa
Inquiry

AND

IN THE MATTER OF A claim by Turi Stone, Tamati
Pohatu, Most Reverend
Archbishop Brown Turei and
Nolan Raihania.

BRIEF OF EVIDENCE OF BROUGHTON TOMLINS

DATED 14 AUGUST 2015

Te Mata a Maui Law

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MAY IT PLEASE THE TRIBUNAL

Why I enlisted

- [1] I fought for my father. I fought to take my Dad's place.
- [2] When I was growing up I heard comments directed towards my father along the lines of 'you didn't fight'. Those comments hurt me and I saw it as my responsibility as the eldest male to uphold my father's mana. So I enlisted. Dad, Thomas Tomlins, went to enlist but he was declined because he had young children and was a butcher which was a necessary skill to have, as the people still needed to be fed and that's why he couldn't get into the army.
- [3] I served in Korea and Malaya and I signed on for 18 months. I was in Korea with Mehaka Kaipou Pohatu, David Pohatu Stone's brother as well as with Bill Whaitiri from Manutuke both of whom are giving evidence in this Inquiry. I was also there with my brother, Pakaru Tomlins.

The Paki Paki Commitment to the War effort

- [4] Paki Paki is only a small place but we gave our best men not only to World War II but to all the wars. There are two sides to my whakapapa: the side of my mother – the Mohi side and my father's side, the Tomlins. On my Mohi side three of my Uncles joined the army. Two were Maori battalion, Uncle Whareupoko (Billo) Mohi and Uncle Charlie Tohara Mohi. The last to join was Uncle Tiopira (Joey) who was initially kept back because his two elder brothers had already enlisted and he was kept back in case his brothers didn't come back. He was eventually allowed to enlist and went over to join his brothers and became part of J Force. On my Tomlins side I had another three uncles who joined the army, namely Guy Tomlins (World War II

in the Air Force), Piri Tomlins (Maori Battalion) and Mack Tomlins (Malaya and Vietnam). Uncle Piri stood on a land mine in Cassino and had his leg blown off.

Paki Paki during the war

- [5] My sister Lily and I were brought up in the war era. When the first Maori Battalion went overseas I went to Wellington with my mother and my sister Lily Stone to see them off. In those days all the news was about the war and every Sunday we would listen to our men on the radio. In those days we all lived in each other's homes, some of which had dirt floors.
- [6] We had school drills to get under the desks and the home guard would practice in Paki Paki. We would play soldiers alongside the home guard and of course having six uncles in the army made me want to be just like them. On the news there were updates about the war. There was a clip that would start the news off and the clip showed scenes from Paki Paki by my sister Waa's house and there were locals in it and the men were marching practicing for the home guard.
- [7] Everyone knew who the originals in the Maori Battalion were, the 39'ers. They were almost idolised. Uncle Billo was a 39'er and they got it rough and it wasn't their fault: it was the officers and the hierarchy that made the mistakes. The British were making mistakes and after Greece and Crete we wanted a kiwi looking after our men.
- [8] Two from Paki Paki died in Crete and I remember it well. I was born in Tangiora's old homestead and we were living there when early in the morning I heard this crying, this loud wailing all around the pa and I didn't know what was going on. I looked out the window and these kuia were on the road. Johnson Whare and Jimmy

Roach Russell had been killed in Crete. Nanny Peti was in the kitchen and she was crying for them and she was saying the names of her sons, my Uncles. Everyone was going to Jimmy Roaches house. Everyone soon heard the wailing and it quickly went right round the pa.

[9] Uncle Billo came back on furlough and at that stage Tangiora's house had burnt down and Uncle Charlie had left for the war. When Uncle Billo came back it was a party every night. Uncle Billo was a 39'er along with Jimmy Roach Russell and Johnson Whare. I saw all these Uncles as heroes and I respected all of them. They were all handsome men and they all played a part in my decision to enlist, but the main reason was to uphold the mana of the father.

[10] When the war ended Paki Paki welcomed the official party for the soldiers in Kahungunu. The train stopped at Paki Paki and the troops got off the train. People from all round Hawke's Bay had come to see the soldiers: Omahu, Waipatu, Bridge Pa – they were all there. My brothers and I marched alongside the soldiers as they made their way to Houngarea marae where the official welcome back ceremony was held.

Enlisting for Korea

[11] I didn't tell Mum and Dad that I had enlisted for Korea. I had put my age up to get in. John Russell who married my cousin Kera went to Korea as well and he told my parents. Pricey Carrol from Paki Paki also enlisted. We had a hui and my mother said no, but my Uncles from the Maori Battalion were there and they said to let me go. The proper age was 21 but you could get in if you were 20 with your parents' permission. I was 19.

- [12] My basic training was at Waiuru and my core training was at Papakura. During my basic training two of the trainers were ex-Maori Battalion and they had found out that I was under age but they knew my Uncles and because of that they turned a blind eye. They found out my age just before I was meant to go but they let people know my age after I had gone because by then it would have been too late.
- [13] At basic training there was a guy doing the dishes and then when I got to Korea he was there again. I thought he was a private, but he was Tini Crap and was a Sergeant Major with the Maori Battalion. That made me feel very humble for a man like that to humble myself to do the dishes and that was a very important lesson for me. I was put under his command and he had a gift: he didn't have to order you to do something; you wanted to do it for him. He treated you as an equal. Tini knew my Uncles – all the Maori Battalion who went to Korea knew my Uncles.
- [14] There was a very clear and distinct cultural difference in the army between the British and the Kiwis. In Korea the British were always saluting but the Kiwis very rarely saluted.
- [15] I was made sergeant before turning 21, which was unusual and some didn't like it. But I had to deal with it. The Platoon was nearly all Pakeha with 2 of the 30 being Maori. One or two Pakeha didn't like to take orders from Maori but after a while I was fully accepted.
- [16] I enlisted for Malaya. The night before we left Ngati Poneke put on a show. I had a girlfriend and I was in love and at 0300 I tried to sneak back into the barracks but those on patrol caught me and said, 'you must be Tomlins'. When I asked how they

knew that they said, 'because of the 800 men here you're the only one unaccounted for'.

[17] In Malaya I was a private. I could have been given 'stripes' but I didn't want the stripe. Eventually I was given it. Whenever we went into the bush there were no stripes: we all had to rely on each other for survival and to get out.

[18] I think different types of fighting plays on you differently and has different impacts on you. For example I found Malaya to be worse than Korea in terms of the stress. In Korea there was distance. In Malaya you were in the jungle and you could be right next to the enemy and not know it. The feeling of not knowing when the enemy could jump out at you was with you all the time. You would take that stress with you everywhere even when you were back at camp. You tried your best to try to distress but you could never really do it. When we were back at camp we would drink and it was common. It was not only the stress of what might happen to you but also the stress of looking after the men and worrying about keeping them safe. In a war situation you live only for today. There is no tomorrow and there is no release from the stress.

[19] My brother Pakaru was in the platoon that got the highest amount of captured prisoners. With my brother Pakaru I feel that there is a special bond because we were brothers in arms.

[20] In Korea the last person to die was my fault. It was an accident. Terry Whaiapu was in hospital and I wanted to see him before they shipped him out. I was meant to be on a truck with my men but instead I went to see Terry. The truck crashed and someone on it died. I feel responsible because I was meant to be on that truck and if

I was perhaps the accident may not have happened. The person who died, Lester Humm, he was wrapped in a blanket and he had to pay for that blanket.

[21] My brother and I were sent back two months early because my mother had cancer. This was in 1959.

Access to services

[22] I was at the RSA when someone asked me, 'what pension are you on?' I asked, 'what's that?' I had no idea. This was in 1997 when I was 63 years old. I missed out for 41 years of getting a pension because I didn't know. I think Maori like me just wanted to come home and get on with life. I always had physical problems with my body after the war. Hearing problems, sore knees, sore back etc. I didn't know that there was help available for those things.

[23] When I came back from Korea and Malaya I never thought about what I could get from the Government. It never occurred to me that I might be entitled to things. All that time I never knew that I was entitled to things. I honestly thought that soldiers simply had to grin and bear it because as soldiers that's our lot in life. All those years of going without when I actually didn't have to.

[24] I think the Crown should have gone out of its way to ensure that we were OK. The responsibility wasn't on the army: it was the Crown that had the responsibility because the army answers to the Crown and goes and does what the Crown tells it to do. The Crown is in charge of the army. The army looks after you when you're in the army. When you're out then it's the Crown's job to look after you but I don't think it did its job very well at all.

[25] My last comment is that while I was in the army and when I got out, I was very lucky to be surrounded by really good men, both Maori and Pakeha.

Broughton Tomlins