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| Title | Samoa slaves in Hawke's Bay orchards | Case No. | 18-A |
| Type | Human Trafficking and Contract Slavery? | Location | Hawke's Bay orchards |
| First Known | December 2018 | Duration | 13 victims from 1994 to 2018 |

Who it happened to

13 victims, spread across Samoa and New Zealand.

Who the perpetrators were

Viliamu Samu, AKA Joe Matamata, Age 65 (as of Dec 2019), a Samoan national, and labour contractor in the Hawke's Bay horticulture industry (pictured).



1. Viliamu Samu

How victims were obtained

"Foster said it was an "easy choice" for the police to get involved in the case after INZ talked to the first victim.

He said Samu had allegedly recruited people in Samoa, promising them "well-paid" jobs.

"Information collected during the joint investigation suggests that the accused, who was seen as a respected member of his community in Samoa, targeted vulnerable people, who had limited education and literacy." [Ref 1]

"Devoy said the man had allegedly imported migrant workers from Samoa since 1994 to work in stonefruit picking gangs." [Ref 3]

What happened to them

"Samu was arrested following a lengthy investigation by Immigration NZ and Police.

Allegations made by the victims include not being paid for work completed, having their passports taken, and being subjected to physical assaults and threats.

It is claimed the alleged offending had been ongoing since the 1990s, across Hawke's Bay.

The victims also claim that their movements were closely monitored and controlled by Samu, and there were restrictions on both where they went and who they had contact with." [Ref 1]

How they were made to stay

“Allegations made by the victims include not being paid for work completed, having their passports taken, and being subjected to physical assaults and threats.

The victims also claim that their movements were closely monitored and controlled by Samu, and there were restrictions on both where they went and who they had contact with.” [Ref 1]

“Devoy said the situation was "significant" but because the matter was before the court, he could not go into any detail of the case, including any instances of threats.

Devoy said some victims have been "under his control" for some years.

He said INZ became aware of this through talking to one of the victims about two years ago.

"This is a new low for New Zealand," Devoy said. "This is about a labour contractor."

He added that the people running the orchards probably didn't know about the alleged offending.

He said this was the fourth time INZ had charged someone with people trafficking, but it is the first time the police became involved.

Devoy said he believes "the combination of slavery and the treatment of these people sets [this case] apart." " [Ref 1]

How it ended

Detected by an Immigration New Zealand investigation with involvement from the New Zealand Police.

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“Immigration NZ assistant general manager Peter Devoy said the arrest was the result of around two years of detailed investigative work by INZ and NZ Police.

"We are absolutely committed to eliminating people trafficking in New Zealand," Devoy said.

"Today's arrest follows an extensive investigation by INZ and NZ Police, which has lasted more than two years."

Lees-Galloway said this action demonstrates why this Government has made cracking down on migrant exploitation one of our top priorities in Immigration.

"This reflects how seriously both of our agencies take these types of allegations, and our commitment to combating Transnational Organised Crimes, including people trafficking.

"There is no place for exploitative practices in New Zealand. Migrant workers have the same employment rights as all other workers." " [Ref 1]

“INZ has been working with the Samoan police and there would be more working between the two.

"It will be incumbent on us as New Zealand, for us to be more aware what's going on in the labour force," Devoy said.

INZ is working to limit this happening again, he said.” [Ref 1]

Judicial outcome

Ongoing

“He appeared in Napier District Court today where his lawyer Roger Philip said there would be a large number of witnesses which meant the trial could take three to four weeks.

Judge Peter Churchman, who presided over today's hearing via AVL link, approved media applications to film and photograph Samu at his pending trial.

He said Samu's right to a fair trial needed to be balanced against the principles of open justice.

The 64-year-old faces a total of 18 charges, including seven of arranging entry of a person into New Zealand by deception and 10 counts of using a person as a slave.

He has intimated he will defend the charges, yet no formal pleas have yet been entered.” [Ref 2]

“The first man to face combined charges of slavery and human trafficking has signalled he intended to plead not guilty.

Viliamu Samu, also known as Joseph Matamata, 64, appeared in the High Court at Napier on Monday morning.

The first offence carries a maximum tariff of 20 years and the latter one of 14 years.” [Ref 3]

Update from Mar 2020 articles

“Joseph Matamata spent a second day on the stand on Monday, the start of the fifth week of his trial at the High Court in Napier.

The 65-year-old matai, or chief, faces 11 charges of trafficking people and 13 charges of dealing in slaves.

The alleged offending occurred in Hastings between late 1994 and April last year and involved 13 victims.” {Traffick JAM Note: April 2019 is after the date he was arrested. Presumably that should have said April 2018.}

“Matamata said he couldn't believe the allegations he had heard made against him in court. He said he never assaulted anyone as described by the complainants, and if he had struck a man with a hammer as claimed "he'd be dead by now".” [Ref 4]

“The Crown alleges Matamata brought Samoan citizens into New Zealand, mostly illegally, with the expectation from them that they would earn big money by Samoan standards

But once here, they were exploited by Matamata for his financial gain. He would take workers to orchards or work sites and receive "bags of cash" as payment for their work but would never pass it on to them.

The trial before Justice Helen Cull, has seen evidence from numerous victims.

These include:

* A woman, who was 15 at the time, described being beaten by Matamata and thrown into a car and driven from Auckland to Hastings with her hands and feet tied.

* A 54-year-old Samoan man who worked for Matamata for 17 months without being paid. He worked long days six to seven days a week in the horticultural industry. The man spent nearly the full 17 months at work or behind a padlocked perimeter fence at Matata's Hastings address. He was not allowed out without permission and was not allowed to talk to others. When not working he had to do chores for Matamata.

* A teenager who described working until 11pm with head torches and being beaten with a stick by Matamata if he worked too slowly. His 12-year-old cousin was once hit so hard with a pair of secateurs they got lodged in his upper arm, he told the court.

* A woman who said Matamata threatened to kill her teenaged nephew after he escaped Matamata's house in 1996.

Each slavery charge carries a maximum penalty of 14 years in prison while the human trafficking charges carry a maximum penalty of 20 years in prison or a \$500,000 fine.” [Ref 4]

Fate of the victims

To be confirmed

“They had ten alleged victims willing to testify about how they were treated.” [Ref 3]

References

1. https://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=12178378
2. https://www.nzherald.co.nz/hawkes-bay-today/news/article.cfm?c_id=1503462&objectid=12197306
3. <https://www.stuff.co.nz/national/crime/110202433/suspected-slave-boss-denies-charges>
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