

C J and V A Turnbull

25 July 2023

Iona Holsted


Secretary for Education

Ministry of Education

Dear Madam

**Please accept this letter as a complaint against Murray Roberts, when he was Ministry of Education South Island Manager, Special Education.**

Murray Roberts, provided police false information (refer attachment 1)

1. Individual staff members were complained about.
  - Sharyn Jefferies
  - 
  - Potential mass allegation
  
2. The timeout room was not built when the school was first built. The room was built in 1999, 1 year after the MoE issued guidelines that stated, "Timeout rooms should not be used."

Murray Roberts withheld from police whistle blower/secret witness/xy Interview Notes from lawyer  
(refer attachment 2)

When Murray Roberts received Interview Notes from our (then) lawyer J Eaton QC he did not pass this information onto police. At a meeting with MoE officials in April 2015 we asked, "*knowing that the MoE now have an allegation of punching and stabbing and unlawful detainment in a room, do they have any intention of contacting the police knowing this information that...that you've had for 4 weeks?*"

Murray Roberts told us, "*We have made a copy of the Report (Terri Johnstone Report) available to police.*"

We asked again if he gave police the Interview Notes. He replied, "*No we haven't.*"

He said, "*It's a statement by an unknown person. We have considered it. We have looked at it but it contradicts some of the information that was collected by Terri.*" (Terri Johnstone MoE Investigator)

Murray Roberts discredited the character of the bus driver when talking to police

*He states the driver was prone to telling stories and was not a credible person. (refer attachment 3)*

The bus driver, Allan Duston was a whistle blower. He told us he witnessed our son being assaulted by a Ruru staff member. Ruru students confided in him. He listened to Ruru staff talk about student abuse. He spoke up because he cared.

When the IPCA investigator talked to police, seeking a response as to why police did not investigate or interview this witness, one of the excuses used by police was because of what Murray Roberts had stated.

Murray Roberts authorised Terri Johnstone's Investigation Report

The MoE Investigator reported she could not locate MoE guidelines. Prior to the release of the Johnstone Report, Murray Roberts, MoE and legal representatives reviewed the Report and accepted the Report, even though Murray Roberts would have known MoE guidelines existed – MoE guidelines that stated, "Timeout rooms should not be used. They are not necessary and can result in teachers and schools being accused of using inhuman and cruel punishments."

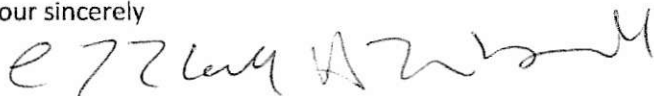
*As a result of the investigator, not being able to locate MoE guidelines, an MoE Advisory Group was formed off the Report recommendation – the rationale behind the recommendation, to create guidelines, because there were none.*

Murray Roberts was a member of the working party that spent 17 months creating new Seclusion Guidelines, that allowed for the use of timeout rooms and seclusion in New Zealand schools. The Seclusion Guidelines were never issued due to the media attention gained by another seclusion complaint, this time at Miramar Central School. The draft Seclusion Guidelines were however used by Terri Johnstone who was again selected to investigate the Miramar complaint and the draft was also provided to police, who were now investigating Ruru 2016-2017, after an IPCA complaint.

Murray Roberts, South Island Manager Special Education aided the cover-up of years of abuse at Ruru Specialist School

Student safety and wellbeing did not come first.

Your sincerely



Callum and Victoria Turnbull

1.

CONFIDENTIAL

Created by MWH470 20/04/2015 14:24

After returning from two weeks leave, today receive a phone call from Victoria Turnbull (mother of Rovin). Turnbull questions me around the initial consultation I had with [REDACTED] from CYF in December 2014 which led to our decision that this was a matter from the Ministry of Education to investigate. I outlined the circumstances to Turnbull of the initial consult and the fact that I had also spoken with [REDACTED] from the Ministry of Education regarding this matter in March and that they had completed their investigation. I outlined that I was still waiting on [REDACTED] to confirm to me whether the Ministry would release the report to Police. Turnbull advised me that they have a copy of this report and that further action is ongoing in respect of their findings. She did not go into any detail of the findings. Turnbull wanted to know whether Ruru School was advised of any complaint at the time of the notification. I advised Turnbull that I did not know whether CYFS had advised the school and that I myself had not spoken to anyone at that time from Ruru School.

Following the phone call, I discuss this matter with Det Sergeant Kean and appraise him of the circumstances to date.

Created by MWH470 16/03/2015 15:12

1450hrs Receive a phone call from [REDACTED] who is the Ministry of Education regional manager for special education [REDACTED]. We discuss the matter involving Ruru School and in particular the investigation which [REDACTED] advises has been completed. He advises that Mr Turnbull contacted the Ministry in December to make a complaint. An independent investigation has been completed. No individual teacher was complained against and it was more to do with how the board of trustees had handled his concerns around the treatment of his child and the use of the time out room within the school.

[REDACTED] advises that the time out room was built when the school was first built and one recommendation that has come from the investigation is that the school discontinue using the time out room.

[REDACTED] is going to check with his legal team to confirm if a copy of this report can be release to Police. I advised [REDACTED] that right from the outset I did not believe that this was a matter for the Police to investigate and that it was more suitable for Mr Turnbull to raise his concerns with the Ministry. [REDACTED] agreed with me. He will get back to me this week regarding the release of the report.

Created by MWH470 05/03/2015 13:58

Phoned [REDACTED] on her cell phone. She advises me that she is expecting the report regarding the investigation undertaken by the Ministry Of Education to be with her over the next few days if not early next week. She cannot give any indication of the substance of the report as the investigation was undertaken by an independent person. She is happy to speak to me when she has this report and I arrange to make contact with her next week to finalise this matter

Created by MWH470 13/02/2015 14:15

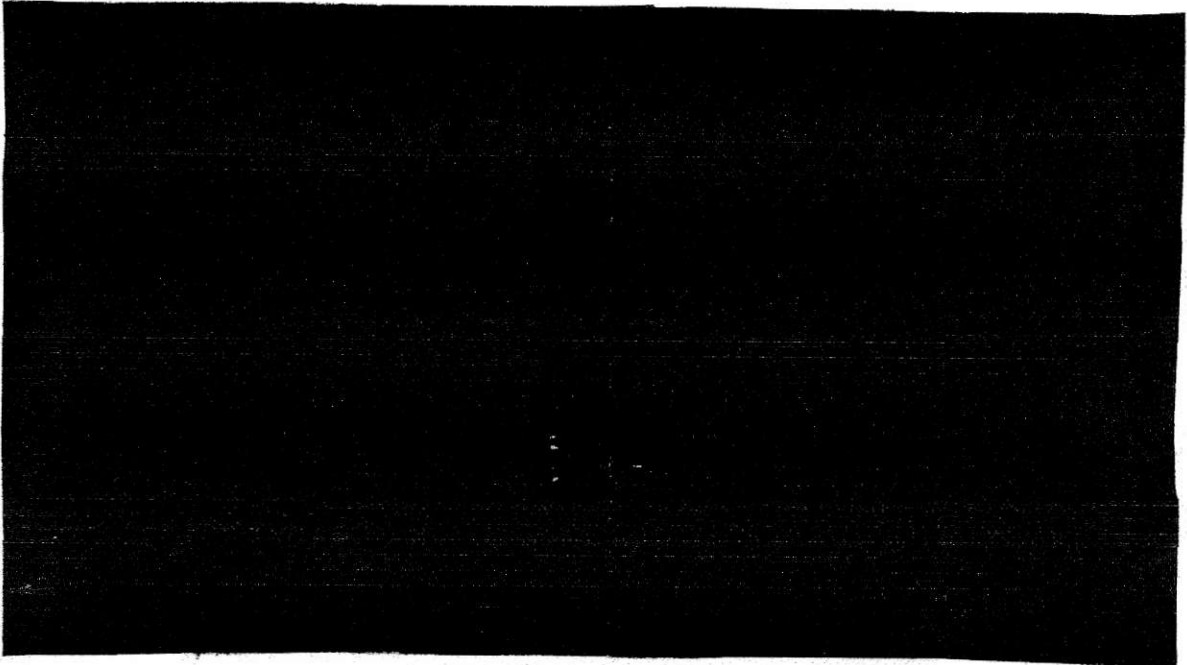
Phone [REDACTED] of the Ministry of Education on her cell [REDACTED]. Speak to [REDACTED] regarding the complaint to Police in December from My Turnbull regarding the Ruru School. Christine advises me she is aware of this matter and that they are currently following the complaint process through. She advises that an outcome should be reached within the fortnight. I ask [REDACTED] who is handling this complaint and she advises her regional manager [REDACTED] from Christchurch is handling it. I also ask [REDACTED] at once this matter is finalised, could I please be updated of the result and any further action [REDACTED] advises she will pass my request onto [REDACTED]

Created by MWH470 03/02/2015 14:43

2.

NOTES OF INTERVIEW BETWEEN JHME AND XY  
DATED 1 APRIL 2015

XY has a prior association with the Ruru Specialist School. XY is willing to talk to me and to any Ministry representative but does not want name known to Ruru School. XY is concerned of being targeted in the small Invercargill community if XY's name was known.



These notes have been referred and approved by XY.

Signed  
JHM Eaton QC

3.

2-20

NZ Police  
O.I.A Section  
Private Bag 1024  
Dunedin 9054

NZ POLICE

JOB SHEET

COPY  
ONLY

OFFENCE: IPCA Cat 4 -

DATE/TIME

29/10/15

Contact Matt Wyatt regarding another matter however discuss this complaint with him.  
He states he made a number of NIA entries explaining the course the investigation took.

States that the decision not to investigate was made with his previous supervisor. It was decided the matter was not a CPP matter as it focused around the use of the room at the school.

In explanation for not interviewing the van driver, he states that he had been spoken to by the person who conducted the report through the MOE. He states the driver was prone to telling stories and was not a credible person.

Detective Wyatt states that if they had interviewed the van driver, we would have had to interview the teachers. They had already supplied some information and that there was no problem with their actions on the van.

I explained that although the decision was not solely his regarding the alleged assault that in my opinion the decision not to investigate was incorrect and that I was likely to recommend that a further investigation is carried out.

4/11/15  
0930 hrs

Receive a phone call from Victoria Turnbull, she is very agitated and upset that I have not been in contact and wants to know where the complaint is at.

She states that I have had the matter for 4 weeks and that nothing appears to have been completed.

I explained that this was not my only work that I had and that at present I was away from Dunedin and would make contact with her on Friday.

6/11/15  
1340 hrs

Speak with Cyn Fairley who will speak with the van driver, Allan Duston (Dusty) to ascertain if there is a requirement for further investigation.

1350 hrs

Attempt to contact Turnbull's but not reply to phone and no answer machine.  
Send email explaining that I will make contact in the morning.

Name: Shona LOW  
Rank: Detective Sergeant  
Reg No: D625  
Date:

Checked By:  
Rank:  
Date: