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**From:** < >  
**Date:** Tuesday, 17 November 2015 9:05 a.m.  
**To:** "Shona LOW"  
**Cc:** "Jonathan Eaton"  
**Attach:** OIA concerns.docx  
**Subject:** Police OIA Concerns

Good morning Shona

The following attachment addresses the concerns we have in relation to the information we received from the Police OIA request.

Could you please confirm details for our meeting on Monday 23 November 2015 so we can make arrangements.

Thank you.

Regards Callum and Victoria

## Police OIA Concerns

C J an V A Turnbull

November 2015

It concerns us that at 1300hrs 4/12/14 – prior to meeting with us, and only after initial contact made with Blanks “we (CYF and Wyatt) agree that at this stage this is not a CPP matter.” Refer to CPP – Mass Allegation Investigation – Allegations of abuse involving an adult working in, or associated with, an education setting will be managed under Schedule One Managing Abuse Allegations, Memorandum of Understanding between CYF and MoE 2012. Our allegations of emotional and physical abuse involved more than one member of staff, in an educational setting. The allegations refer to our son and other students with disabilities. We had described regular unexplained bruising on our son. He is a child with disabilities.

It concerns us that the OIA request received from CYF included Blanks record of phone call which he states:

- Alleged physical abuse on child by possible school teacher
- Possible mass allegation
- Site to contact NCC if turned out to be mass allegation for assistance re: protocols of mass allegation

However this verbatim from assessor was excluded from the same report we received through the Police OIA.

5/12/14 – It concerns us that Wyatt told Turnbull “it’s a well-used room” and it’s “known by the Ministry” and “Police do not investigate abuse in schools.”

It concerns us that on 5/12/15 McCloy states “child has been removed from school for the rest of the year, and no complaint received re criminal offending against a child.” Rovin was removed indefinitely as we believed he was at risk due to alleged physical and emotional abuse by named and unnamed staff and management of Ruru Specialist School. He had regular unexplained bruising. We had knowledge of 3<sup>rd</sup> party allegations of abuse of other students, as well as having witnessed a barbaric seclusion room at the school that we were told our son had been put in without our knowledge. None of our complaints or allegations were investigated.

It concerns us McCloy comments “This school is run by very experience special needs teachers and has been in existence for decades.” His comments are his impression. However we have collected data and information which indicates otherwise. Regardless of longevity of the school, we see no reason to rule out offending in the environment, especially when the school is responsible for vulnerable special needs children and young people. Given McCloy’s comments we wonder if he has an association or relationship with the school and/or staff.

It concerns us that on 8/12/14 – Wyatt recorded he had talked to an ex Ruru staff member who had since joined the Police. She stated her own opinion about regular bruising on Rovin’s body. The school had never advised us he thrashed his arms about. Rovin did not thrash his arms about outside the school setting. We have concerns regarding her comments about “regular bruising due to the nature of the child he was.” We question her experience and training, and disregard her comments as an excuse for bruising. It’s important to consider that because she was involved



closely with Rovin whilst a staff member at that school, she may have been someone involved with the bruises he received, whilst in that setting.

It concerns us that Kallum Croud's review 22/12/14 was disregarded. He states – "I need to be satisfied that we have spoken to child's parents, assessed whether evidence from an individual exists and conducted an investigation, especially in light of bruises, observations. Policy around timeout room design are a matter for the Ministry of Education, but we still have a responsibility to look at this."

We note the day our lawyer sends letters to BOT, and complaint letter to CYF (3/2/15) Wyatt calls MoE regarding matter.

Referring to the phone conversation between MoE Roberts and Wyatt 16/3/15. Notes state "No individual teacher was complained about" – this is not true, Sharyn Jeffries Teacher Aide was complained about as well as school management responsible for the alleged unlawful detainment of our son and others. Ex-teacher [REDACTED] was named in 'allegation 1'. No teachers were named in allegation 2, however given the serious nature of the allegation (disabled student being put in broom cupboard) we believe it warranted enquiry. The documentation was provided to both CYF and MoE. CYF have stated they in turn, passed that documentation on to Police.

Murray Roberts provided false information to Wyatt during that call "advises that the timeout room was built when the school was first built". This is not true. The storeroom was consented and built in February 1999. The BOT reported untruths to MoE and parents in "BOT response and comments to Investigation'. Commented [BOT 69] this is a purpose built space. The room was built when Specialist Schools had to build within their current space. We did not want a cupboard..."

We are concerned with Wyatt's comment "right from the onset 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 MoE. Murray agreed with me." Wyatt had never once talked with us and relied on the information gathered from CYF (who had conflict of interest). It seems Wyatt's own beliefs did not allow him to be open and inquiring, which has left children at risk. 28/4/15 Murray Roberts was recorded by us "The ministry doesn't do...we are not involved in a criminal investigation. Our job was to undertake an educational investigation around processes of the school." "We need to have further discussion but we don't do criminal investigations."

With reference to the schedule/timeline we provided (16/10/15) we do now recall there was 2 calls with Wyatt on or about 20-21/4/15. Wyatt told Victoria that he had a copy of the MoE report. Victoria informed Wyatt that both parties (Turnbells and school) were disputing details. On 9/4/15 we had been sent Ruru School response and comments to the Johnstone report (that was sent to Murray Roberts) for "our information." This report details 93 rejections/comments made by the BOT. When we/our lawyer sent the MoE our review of the report on 1/4/15 he also provided notes from interviews with 2 witnesses. Victoria asked Wyatt if the MoE had also sent him the witness notes with the Report.

It concerns us that no reference has been made to our attempts to engage Police to provide information. On 28/4/15 we were advised by MoE management, the concerns we raised were a matter for Police. Correspondence was sent to Wyatt by our lawyer JHM Eaton QC 13/5/15, 5/6/15, and 27/7/15. We refer to Kean review 29/5/15 comments "as it stands there is no clear evidence of either criminal offending or anything that suggests or justifies a Police Investigation." It concerns us that our lawyer correspondence was ignored and Police have never been interested in interviewing or questioning us at any stage.



29/5/15 Kean reports 'Wyatt is doing scoping interviews with key people at Ruru School today.' It concerns us that he talked with 2 people we believe to be responsible for abuse. Wyatt did not take any statements from school management during his scoping interviews. No questions were asked or answered.

Kean comments "enquiry after enquiry on the basis that the complainant's are unsatisfied, it has to be balanced on what information exists to justify further investigation and at this point it does not appear to exist." To our knowledge there had not been a Police enquiry and Police where not responding to our attempts to provide information.

28/5/15 (meeting date inconsistent with Kean) It concerns us that there is no mention of 'Allegation 2', or the allegation which was central to the complaint, being our son and other students being detained in an unlawful seclusion room. With reference to their comments relating to the informant, the school took the approach that the allegations couldn't be explored because they were based on hearsay and were from a third party. Risk is risk, as stated in the Johnstone report.

It concerns us that Wyatt reported that he discussed with them both "circumstances known by me and the conversations that I have had with both Mr and Mrs Turnbull in relation to their son Rovin." Wyatt has had little to no conversation with us in relation to our son.

We refer to Report Form 9/6/15 Wyatt comments decision was based around "their disapproval around the education of their child Rovin and that he was not going to be attending Verdon college satellite school run by Ruru School in which the parents were pushing towards." Again, this was Wyatt's assumption. The fact was, that Rovin had been attending Verdon College. He was transitioning and the Principal had confirmed that he would be attending fulltime 2015. Verdon College is where the bus incident took place. Our decision to contact Police was because we believed our son and other students were being physically and emotionally abused by staff and management at Ruru Specialist School. That is the reason we had already removed our son from school.

Wyatt reports in 'conclusion' that Police have been given a report by the school completed in 2011 by Behaviour Support Specialist in Dunedin. We provided that report to the school. The specialist was working closely with us and our son (independently from MoE/school) due to his behaviour. Rovin's behaviour had become so extreme he had displayed suicidal tendencies, which we realise now would likely to have been due to the treatment of restraint and seclusion being applied by staff and management at Ruru Specialist School without our knowledge. We have recently made contact with this specialist and consider this to be a perfect example of the schools deception by non-disclosure. School management did not disclose that Rovin was being managed by restraint in a seclusion room (storeroom) to independent professional Southern Behaviour Support Services, who visited the school at parent's request, specifically to observe and assist with Rovin's behaviour issues. The school was given every opportunity to make this disclosure as she visited the main Ruru School site and met with Principal and Deputy, as well as spending time in the classroom setting with teacher and aides. This specialist was absolutely shocked when we informed her of the seclusion room, and agreed that this treatment would have certainly have impacted on Rovin's behaviour.

We are raising these concerns with you as the Investigating Officer assigned to our complaint with the IPCA.