



File number: 150826/3577

22<sup>nd</sup> December 2015

Victoria and Callum Turnbull

Invercargill

Dear Victoria and Callum,

I write regarding your complaint made to the IPCA regarding the failure of Police to appropriately investigate your concerns of physical abuse against your son.

There were a number of allegations raised by you, firstly that Police failed to adequately investigate an incident on the school van, secondly the conflict of interest between the Invercargill Police and staff at Ruru School and lastly the failure to investigate the use of a timeout/seclusion room at Ruru School.

Senior Sergeant Low has completed her investigation into these matters including obtaining a statement regarding the incident on the van as well as speaking with you. She has also sought a legal opinion into the use of the seclusion room.

As a result of her investigation she found the following:

In relation to the van incident Senior Sergeant Low forms the opinion that the Police failed to investigate this matter sufficiently. A further investigation has been completed into this allegation which determined that no offence has been committed. This aspect of your complaint is **upheld**.

In respect of the perceived conflict of interest between the Invercargill Police and Ruru School, there is no evidence to suggest that the decision making was influenced by a conflict of interest. At no time was Detective Sergeant Cairns involved in this investigation. Police acknowledge that the matter was not investigated adequately however this failure was not due to any inappropriate influence. This aspect of your complaint is **not upheld**.

In relation to the failure to investigate the alleged use of the seclusion room at Ruru School, Senior Sergeant Low has consulted with the Ministry of Education and formed the view that an investigation needs to take place regarding the use of this room. This aspect of your complaint is **upheld**.

It is now intended to clear your complaint as partially upheld with a recommendation that an investigation be commenced into the use of the seclusion room.

Your complaint will serve to remind the Police that our performance is constantly assessed by the public and there is always a need to ensure members of the public are treated courteously, professionally and in accordance with established protocols.

A copy of this letter will be forwarded to the Independent Police Conduct Authority. The Authority is entirely independent of the Police. If you are dissatisfied with the outcome you can advise the Independent Police Conduct Authority the reasons for this by either of the following methods:

Write to the Independent Police Conduct Authority, IPO Box 25221, Wellington 6146, or by email to [complaint.management@ipca.govt.nz](mailto:complaint.management@ipca.govt.nz)

Yours sincerely

A handwritten signature in black ink, appearing to be 'J. Guthrie', with a long horizontal flourish extending to the right.

Jason Guthrie  
Acting District Commander  
Southern Police