



NZ Police
O.I.A. Section
Private Bag 1924
Dunedin 9054

Record [283770080221] - Occurrence, 04/12/2014, 13:18, 141204/7973

Summary

Occurred Dates and Times

On/From: Thu 04/12/2014 13:18:00
Reported: Thu 04/12/2014 13:19:00
Category: Occurrence
Reporting channel: CYF - National Contact Centre
Scene station: Invercargill Central
Reporting station: CRL Call Centre
Subject: RURU SCHOOL
Release Approved: Yes
Case: 141204/7973, RURU SCHOOL, Assigned (Investigation In Progress), MWH470 -

Location:

Southland Area HQ, CIB
(At)

Narrative

Narrative:

Created by MWH470 20/04/2015 16:07

1600hrs phone [REDACTED] from CYF. No reply. Message left for [REDACTED] chasing her notes regarding the dealings with the Turnbull family.

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

Police have not started an investigation into this incident and gone to the school to take photographs of this room he refers to that children are put into. I tried to explain to My Turnbull that in consultation with CYF a decision was made due to the fact his son was safe and not attending Ruru School for the last week of the term, and that Ruru is an educational facility, that the Ministry of Education would need to be contacted in the first instance and their complaints raised with the Ministry. Mr Turnbull would not accept my reasoning and continued to claim that children are being abused at this school and it was the Police's job to investigate this abuse. Our conversation finished with My Turnbull stating that he has contacted the Ministry and that he would also be talking this matter re Police inaction further.

Created by MWH470 05/12/2014 09:43

1300hrs 04/12/14 Receive a call from [REDACTED] CYF regarding this matter. Initial consult completed and a decision is made with [REDACTED] that she make contact with the family concerned to find out further information. We agree that at this stage this is not a CPP matter.

0830hrs 05/12/14 Phone [REDACTED] regarding this matter. She advises that she met with the parents and discussed the treatment of their child and also the fact the parents have met with the Board Of Trustees earlier this week regarding this matter. I had also consulted with Det Sergeant McCloy around the circumstances of this notification. He agrees with me that this is not something that CPT would be involved at this stage and the Ministry of Education would have to be the first port of call. I advised [REDACTED] of this also.

Created by ASDL38 04/12/2014 13:23

CRL Service Request #. 918166

**** SERVICE REQUEST DETAILS ****

Reported Date/Time: 04/12/2014 at 13:19
Reporting Station: CRL Call Centre
Reporting Channel: CYF - National Contact Centre
From: [REDACTED]@cyf.govt.nz

**** EVENT DETAILS ****

Type: Child Protection Protocol (CPP)
Event Occurred: 04/12/2014 at 13:18
Narrative: Alleged Perpetrator Details

Name: Unknown (Teacher at Ruru School)
Date of Birth: Unknown
Gender: Unknown
Address: Ruru School
Relationship to child/young person: Education provider
Contact details:
Landline 2159379

CYF caregiver No [Delete one]
CYF Police employee No [Delete one]

Other information:

Alleged Incident Detail

Date occurred: 05/11/2014
Location: Ruru School
Nature of incident: Rovin is an Autistic Child who attends Donovan and Ruru Schools in Invercargill.
Rovin has been coming home from school with bruises on a regular basis. He has not been wanting to go to School and was scared of a room that he called the little room.

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 independant 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]. Speakn to Menzies 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] that once this matter is finalised, could I please be updated of the result and any further action. Christine advises she will pass my request onto [REDACTED]

Created by MWH470 03/02/2015 14:43

1430hrs Contact the Ministry of Education Invercargill office. regarding this matter. Advised that site supervisor Christine Menzies was out of the office. Message left on voice mail for [REDACTED] to contact me regarding this matter.

Created by MWH470 22/12/2014 12:01

email sent to [REDACTED] requesting her notes from the conversation with the family.

Created by MWH470 22/12/2014 11:59

8/12/14 speak to [REDACTED] at the Invercargill Police Station. I was made aware that [REDACTED] previously worked at Ruru Schhol as a teacher aid. Advised [REDACTED] about this matter involving Rovin and his parents. [REDACTED] advised me that she was well aware of Roving while she worked at that school as she spent alot of time with his. She also stated she was aware of the room in which his parents were referring to. She advised me that on occasions she minded Rovin while he was in this rorom and that the door would not be shut fully and had to be left slightly ajar. She also stated in was not unusual for Rovin to have bruises on him due to the nature of the child he was as he used to thrash his arms about which sometimes caused bruising.

Created by MWH470 05/12/2014 15:39

1530 hrs Det Sergeant McCloy contacted regarding this matter and advised of my conversation with Mr Turnbull.

Created by MWH470 05/12/2014 15:38

1515hrs Phone My Turnbull (parent) regarding this matter. He is very irrate that

J O B S H E E T

Due
File

OFFENCE:

COPY

DATE and
TIME

First plan your inquiry then set out the action taken, inquiries made, oral statements of persons seen and information gained, etc.

ONLY

21/04/15
1130 hrs

Working day shift Metro Two.

Follow up phone call to Victoria TURNBULL on her home line 2158936.

This matter is in relation to a complaint regarding the Ruru School from late November 2014.

Speak to Victoria TURNBULL in relation to a conversation we had had yesterday, on the 20th of April.

TURNBULL'S initial enquiry with me was whether in fact there was a Police file created following the complaint made to Police and Child Youth and Family in November 2014.

I advised TURNBULL that yes there was a Police file created and this file was coded as a child protection matter in relation to their son Rovin, aged 13 years.

Victoria TURNBULL requested access to the documents on the Police file.

I advised TURNBULL that she would have to apply under the Official Information Act for the contents of the Police investigation matter.

We both spoke about how to apply under the Official Information Act.

I speak to Victoria TURNBULL in relation to the initial complaint made to Child Youth and Family and Police.

Victoria TURNBULL advises me that there were two initial allegations outlined to the Board of Trustees Chairperson in a letter dated the 25th of November 2014.

The first allegation was regarding a teacher squirting children in the face with a cold water bottle, especially Down Syndrome children.

TURNBULL outlines to me the informant for this matter is [REDACTED] whom has been in regular contact with Victoria TURNBULL and her husband.

The second allegation related to [REDACTED] being told by students that other students are regularly put in a broom cupboard at the school.

Name: MWYATT
Rank: DETECTIVE

QID MWH470

Checked by:
Rank:

QID

J O B S H E E T

Due
File

OFFENCE:

DATE and
TIME

First plan your inquiry then set out the action taken, inquiries made, oral statements of persons seen and information gained, etc.

Victoria TURNBULL also outlined to me the matter involving Rovin in relation to being physically handled when being put into a bus, occurred around the start of November.

She advised me the teacher witnessed as being involved with Rovin was [REDACTED] and that they had outlined their concerns to the Principal and Deputy Principal being [REDACTED] and [REDACTED]

Victoria TURNBULL then went on to talk about the Ministry of Education investigation and the report concluding the result of this investigation.

She advised me that both her and her husband are disputing the contents of the report along with the Ruru School who are also disputing the contents.

TURNBULL outlines to me their solicitor has spoken to an independent person who has witnessed children being put into the safe room at the school and has taken a statement from this person, which has been forwarded to the Ministry of Education approximately two weeks ago.

She advises that their lawyer is currently out of the country and they have tried to follow this up with the Ministry via emails.

1200 hrs

Finish phone call with TURNBULL.

COPY
ONLYName: M WYATT
Rank: DETECTIVE

QID MWH470

Checked by:
Rank:

QID

Review Date:
Review User Id:
Review Comments:

16/06/2015
KC7838 - CROUDIS, KALLUM DUNCAN
Matter is well documented and the decision making of previous supervisors is sound. I asked for this to be looked at in more detail as these matters can sometimes play out in other forums such as the media. The matters contained herein do not give rise to criminal offending and both police, school and Cyfs concur on this matter filed

Review Date:
Review User Id:
Review Comments:

12/06/2015
MB8859 - BOWMAN, MICHAEL ALAN
There were a number of issues raised by the parents of the child concerned. Each was assessed on an individual basis. This assessment was in conjunction with CYFS and on each occasion the matter did not meet the CPP threshold it clearly sat with issues with the parents/School and ministry to resolve. However in regards to the time out room the investigator has continued to make further inquiries as did the ministry. It is clear the room is designed as a safety barrier for both the student/teachers and other students. It is also clear that the child concerned has a history of causing bruising to himself due to his behaviour (Thrashing about). In the end I agree that there is no criminality identified in this matter and that it should be filed.

Review Date:
Review User Id:
Review Comments:

29/05/2015
JK7911 - KEAN, JOHN ANDREW
Review file and read Ministry of Education Report, this report is into the handling of the complaint by Ruru School and not into the allegations itself. Matt Wyatt is doing scoping interviews with key people at Ruru School today. Once this is done then that may give some direction to this enquiry. As it stands there is no clear evidence of either criminal offending or anything that suggests or justifies a Police Investigation. We don't want to be in a position where we are conducting 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.

COPY
ONLY

Review Date:
Review User Id:
Review Comments:

20/04/2015
JK7911 - KEAN, JOHN ANDREW
Victoria Turnbull contacts Detective Wyatt and is unhappy about the outcome of the initial complaint, Police waiting for report from Ministry of Education who conducted enquiry into the Turnbull complaint. This may help to ascertain if there is any criminal offending which at this point is not clear or evident.

Review Date:
Review User Id:
Review Comments:

05/02/2015
MMG117 - MCCLOY, MARK LARSON
Hand over from Acting O/C Cpt /Asa Det Wyatt. File to remain with member. Tasks assigned by District o/c cpt.

Review Date:
Review User Id:
Review Comments:

03/02/2015
MWH470 - WYATT, MATTHEW JAMES
Inquiry made with Ministry Of education. Message left with Supervisor Christine Menzies to contact me.

Review Date:
Review User Id:
Review Comments:

22/12/2014
KC7838 - CROUDIS, KALLUM DUNCAN
This matter is likely to be debated in other forums if Turnbolls action thus far are an indication. I need to be satisfied that we have spoken to childs parents, assessed whether evidence from an individual exists and conducted an investigation, especially in light of bruises observations. Policy around time out and room design are a matter for the Min of Education but we still have a responsibility to look at this, k

Review Date:
Review User Id:
Review Comments:

05/12/2014
MWH470 - WYATT, MATTHEW JAMES
Consult carries out with Lynda Hereaka CYF. She has spoken to the family yesterday regarding this matter. Lynda advised that this would have to be dealt with by the Ministry of Education in the first instance.

Review Date: 05/12/2014

Review User Id: MMG117 - MCCLOY, MARK LARSON

Review Comments: Discuss matter with Det Wyatt, advised father not happy with police action re investigation. Child has been removed from the school for the rest of the year and no complaint received re criminal offending against child, more the room used by Ruru school as time out. This school is run by very experienced special needs teachers and has been in existence for decades. Agree that any issues need to be addressed to Ministry of Education.

11/12/2014
11/12/2014
11/12/2014
11/12/2014



NZ Police

NZ Police 1-363
O.I.A. Section
Private Bag 1924
Dunedin 9054
POL 25

REPORT FORM

SUBJECT: ROVIN TURNBULL

ADDRESS:

TEXT: CHILD PROTECTION REPORT - RURU SCHOOL
INVESTIGATION

*OIC CIB
Invercargill*

*RTM
CIB
Private Bag 1924
Dunedin 9054*

*Report from Detective Wyatt outlines situation,
No evidence of Criminal offending*

For Filing Please

**COPY
ONLY**

John Kean

John Kean
Detective Sergeant 7911
Invercargill CIB

12 June 2015

*D/S/S Cross
Dunedin*

*File for your
ATTENTION*

M. A. Bowman
Detective Senior Sergeant
Invercargill

12.6.15



NZ Police

PO, 258 11:12

REPORT FORM

NZ Police
O.I.A. Section
Private Bag 1924
Dunedin 9054

SUBJECT ROVIN TURNBULL

ADDRESS

TEXT CHILD PROTECTION REPORT - RURU SCHOOL
INVESTIGATION

Report Date: 09/06/2015

DETECTIVE SERGEANT JOHN KEAN
METRO TWO
INVERCARGILL

As you are aware this file relates to a complaint received by Police from Callum TURNBULL in relation to their son Rovin TURNBULL, aged 13 years, who attends Ruru School in Invercargill.

CIRCUMSTANCES

On the 4th of December 2014, Child Youth and Family received a referral via CRL relating to Callum TURNBULL outlining concerns around his child Rovin who is autistic and attends the Donovan and Ruru Schools in Invercargill.

The referral was submitted by Senior Constable Dave BLANKS who is known to TURNBULL.

There were three matters initially that were alluded to in this CYFS referral. The first matter involved their son Rovin and an incident where he did not get the seat he wanted on the school bus which is run by Go Bus and allegations are that he was handled by a teacher and moved to another seat on the bus.

The second allegation relates to an allegation that an ex-teacher had squirted water from a bottle at Down Syndrome children at Ruru School.

The third matter referred to in the initial referral was their son Rovin being put into a time out room within Ruru School and coming home from school with bruising on a regular basis.

[REDACTED] from Child, Youth and Family was the relieving supervisor who dealt with the notification. She met with Callum and Victoria TURNBULL on the evening of the 4th of December 2015 and was outlined their concerns and also was given documentation that the TURNBULL'S had in relation to their dealings with the Board of Trustees around their son Rovin.

Following consultation between [REDACTED] and myself we both agreed that this matter did not meet the CPP threshold that warranted a CPT Police investigation and

The TURNBULL'S were advised that their concerns would need to be taken up with the Ministry of Education as a first point of contact. This decision was based around the documentation given to [REDACTED] and her conversations with the parents which seemed to be a general outline of their disapproval around the education of their child Rovin and the fact that he was not going to be attending the Verdon College satellite school run by Ruru School in which the parents were pushing towards.

This documentation also outlined that the school had investigated the matter in relation to the bus incident and the staff involved had been spoken to and it appeared there was no basis for any assault on their son Rovin, thus warranting Police investigation.

The issue involving the use of the time out room I believed was not a matter for Police investigation.

At the time of my consultation with [REDACTED] I also contacted Acting Detective Senior Sergeant McCLOY around this notification received and he agreed with our decision to refer the TURNBULL'S to the Ministry of Education.

On the 5th of December 2014, when Callum TURNBULL was contacted by both myself and [REDACTED] of Child, Youth and Family and advised of our decision, he was clearly upset that Police and Child, Youth and Family were not investigating this matter and would not accept our reasoning for this decision.

On the 8th of December 2014, I spoke with [REDACTED] at the Invercargill Police Station. I was made aware that she had previously worked at Ruru School and may have had knowledge of Rovin TURNBULL.

[REDACTED] advised me that she was a Teacher Aid at Ruru School and that she was well aware of Rovin and had worked with him while employed at the school. She stated that she was aware of the time out room of which the TURNBULL'S were referring to and that on occasions she had minded Rovin while he was in this time out room due to behavioural issues. She also advised me that it was not unusual for Rovin to have bruises on his arms due to the nature of his behaviour as he used to thrash his arms about causing bruising.

MINISTRY OF EDUCATION REPORT

In February 2015, I made contact with the Ministry of Education in relation to following up on the TURNBULL'S complaint. I initially spoke with [REDACTED] from the Invercargill office who referred me to [REDACTED] who was overseeing the investigation into the complainants from the TURNBULL'S.

On the 16th of March 2015, I spoke to [REDACTED] by phone who advised me that an independent investigation had been completed. He also advised me that no individual teacher was complained about and it was more to do about how the Board of Trustees had handled the TURNBULL'S concerns around the treatment of their child and the use of the time out room.

On the 20th of April 2015, [REDACTED] emailed me a copy of the Ministry of Education report completed in February 2015. This report is attached to the back of this file.

Throughout the report the Ministry have outlined a time line regarding Victoria and Callum TURNBULL dealing with the Principal and Deputy Principal at Ruru School and also the Board of Trustees around their initial complaints regarding the bus incident and the squirting of children with a water bottle.

The report also goes into detail around the use of the time out room at Ruru School. This time out room comes under the Ruru School Safe Crisis Management which is documented from page 13 of the report.

On the 21st of May 2015, I met with [REDACTED] and [REDACTED] from Child, Youth and Family along with [REDACTED] and [REDACTED] and [REDACTED] wanted to discuss with [REDACTED] and I, the basis around our decision making initially and our dealings with Callum TURNBULL as complaints had been made to Child, Youth and Family by the TURNBULL'S.

On the 28th of May 2015, I met with [REDACTED] who is the Principal and [REDACTED] the Deputy Principal of Ruru School and discussed with them their dealings with the TURNBULL'S and their complaints pre-December 2014 regarding their son Rovin.

Documentation was given to me from [REDACTED] around the correspondence between the school and the TURNBULL'S regarding the incident involving the bus. It was clear from this documentation also that I do not believe there was any criminal offence that would warrant Police investigation.

I was advised by both [REDACTED] and [REDACTED] that the school had requested for the informant of the second incident involving squirting water onto Down Syndrome children to come forward to the school so this could be investigated. To date no informant has come forward to the school to assist. The teacher involved in this matter [REDACTED] no longer works at Ruru School and left in 2014 before this matter came to the schools attention.

CONCLUSION

As discussed with you I do not believe that there is any criminal matter that would warrant further investigation in relation to any possible assault on Rovin TURNBULL.

[REDACTED]

Rovin TURNBULL was a student at Donovan School and only attended Ruru School on Friday's to utilise the swimming pool and other activities.

He was removed from school in December 2014, following this being reported and is currently being home schooled.

A behavioural assessment report was given to me by [REDACTED] outlining behavioural issues for Rovin TURNBULL. This report outlines that Rovin has a number of issues with self harm and he has no awareness of causing harm to himself and these behaviours can occur around four to five times a day. The report outlines that Rovin screams, bites, kicks, punches and pulls hair.

This report was completed in 2011 by a Behaviour Support Specialist in Dunedin.

I understand the Ministry of Education is still dealing with the TURNBULL'S and Ruru School as both parties are not happy of the contents of the Ministry of Education report.

I do not believe that further investigation is required by Police.

Victoria TURNBULL is aware that Police were not investigating this matter further.

I submit this file for review and recommend that it is filed.

File for your information.



M J WYATT
Detective H470
Metro Two