

**Subject:** FW: IPCA Complaint  
**From:** "Jonathan Eaton"  
**Sent:** 10/09/2015 3:53:18 pm  
**To:** >

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**From:** Independent Police Conduct Authority  
**Sent:** Thursday, 10 September 2015 3:33 p.m.  
**To:** Jonathan Eaton  
**Subject:** IPCA Complaint

Dear Mr Eaton

I refer to the letter of complaint you wrote to the Invercargill Police on the 13th May 2015 regarding this matter and our recent telephone conversation.

There are two aspects to the complaint made about the treatment by Ruru School of Rovin.

The first concerns the outcome of the Police investigation and the investigation completed by the Ministry of Education and their conclusions. The position of Rovin and his welfare and interests must be the first consideration in this respect.

I consider that this aspect of the complaint is best dealt with under s.17(3) of the Independent Police Conduct Authority Act 1988 and I have asked Police in Invercargill to contact you and your client accordingly with a view to conciliating the issues.

The second aspect is that which I discussed with you.

Under the OPCAT protocol New Zealand has signed up to an International Treaty requiring it to provide assurances about the detention of citizens in differing circumstances. This Authority has responsibility for Police and Court cells and their lawful use and the care of people while detained. The Ombudsman has the same responsibilities in respect of the care of NZ prisoners.

The Office with responsibility for the care and detention of children is the Office of the Commissioner for Children.

If your clients and you give me permission I will bring this matter to the attention of the Commissioner for his action under the Treaty.

I mentioned to you that there is a wider and serious issue about the legality of the detention and treatment of vulnerable New Zealanders, particularly those who cannot make such decisions for themselves. In the case of your client again that responsibility rests with the Commissioner for Children.

If you obtain your client's permission for me to transmit these papers to him, I will then do so immediately.

Yours sincerely

Judge Sir David Carruthers

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