

NZ POLICE

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

REPORT FORM

COPY  
ONLY

SUBJECT:	<b>Ruru School</b>
ADDRESS:	<b>Invercargill</b>
TEXT:	<b>Use of Seclusion Room Investigation</b>

Detective Sergeant Greg Baird  
Gore CIU  
Southland

File relates to information gained during an IPCA complaint made by Callum and Victoria Turnbull regarding the treatment of their child Rovin Turnbull during his time at Ruru Special Education School in Invercargill.

Ruru School is made of one main school with one or two Satellite schools where children are transported to on a daily basis depending on their needs.

Rovin Turnbull no longer attends Ruru School and is being home schooled by his mother.

**Introduction**

Police first became involved when the Turnbull's made a complaint regarding an alleged assault on Rovin by a teacher during a transportation in the school van. This matter was initially dealt with by Detective Wyatt.

The IPCA complaint was upheld in this respect of this, in that the Police failed to investigate this matter fully.

During the IPCA investigation this complaint was further investigated and it was found that this matter did not meet the standards of any criminal offence. A copy of the van driver's witness statement is attached as well as information from the teachers involved.

The van driver was spoken to by Senior Sergeant Fairley and there are some concerns about his interest in this matter. He was the person who raised this matter with the parents initially, however his statement contradicts the version of events relayed to the parents originally.

As a result of the complaint made by the Turnbull's to Police and the Ministry of Education, a report was commissioned by Catalyst for Change which looked into all aspect of the running of Ruru School. (copy attached)

**IPCA and Catalyst for Change Report**

2-6  
COPY  
ONLY

During this investigation, Callum and Victoria Turnbull raised the issue of the use of the Seclusion room at the school, they allege that the use of this room amounts to unlawful detention/assault on the children.

As a result of this report a number of recommendations were made, one of which was for the school to cease the use of the room due to it's general condition and appearance. This recommendation was taken up by the school and as a result the room is no longer being used. (this is disputed by the Turnbull's)

A legal opinion was <sup>SOUGHT</sup> ~~sent~~ regarding the use of the seclusion room, as a result there could be an offence of ill treatment or neglect of a child when being placed in the room or assault by the physical way in which they are taken to the room.

The Catalyst for Change report outlines the documentation used by the school to record the number of times the room is used over the previous 3 or 4 years. This is disputed strongly by the Turnbull's who believe it was used much more frequently however no records have been kept.

#### **Ministry of Education**

I have spoken with the Ministry of Education staff that are involved with the school, there has been a number of visits to the school since the report was completed to ensure the recommendations have been followed. They are satisfied that the school is adhering to the recommendation around the use of the seclusion room.

As a result of this and other complaints into the use of seclusion rooms at Ruru School and others around the country, new Guidelines are being finalised for all special education school around treatment of children at all Special Education school overseen by the Ministry of Education.

Of note the new guidelines will recommend that any use of seclusion/timeout rooms are used as a last resort in extreme situations where safety of the child, other children or staff is at risk.

#### **Recommendation**

As a result of the IPCA investigation, I formed the opinion that the matter of the seclusion room needed further investigation to establish if any criminal offences were committed when the children were placed in this room.

There are no statements from any of the children at the school and this alleged offending is made by the parents of Rovin Turnbull. It is very unlikely that he or other children will be able to supply information in respect of this due to their special needs.

Jesse Raukawa, an Invercargill Authorised Officer was employed by the Ruru School as a Teacher's Aide prior to being employed by the Police. She worked at the school for approximately six months and according to the original investigation file had some dealings with Rovin Turnbull.

I would recommend that she would be a good start to the investigation into the seclusion room as I understand part of her duties was to supervise children that had been placed in the room.

Obviously other staff at the school would need to be spoken to.

A witness (XY) has allegedly completed a statement regarding the behaviour of teachers at the school and is alleged to contain details of other assaults by staff on children at the school. It is stated by the Turnbull's that XY's statement contains details about the use of the seclusion room.

This statement is being held by the Turnbull's lawyer and efforts by myself and Inspector Steele to obtain a copy of this have been unsuccessful. This statement would clearly be of assistance to Police.

I believe this person is an ex female staff member.

Note - Conflict of Interest

The Turnbull's believe that there is a conflict of interest in Invercargill Police investigating this matter as the Principal of the school is the mother of Det Sgt Sean Cairns.

I did not agree with them on this matter and do not believe that any conflict existed during the initial investigation. (the Turnbull's did not agree with this finding).

File

I have attached a number of documents which were supplied by the Turnbull's including the report by Catalyst for Change.


A number of documents were supplied by the Turnbull's, these are attached however these are mainly documents relating to their correspondence with their lawyer and the Ministry of Education.

[Redacted]

[Redacted]

[Redacted]

For your information and action please. (my apologies for the delay in getting this information to you)

  
Shona Low  
Senior Sergeant  
Southern Police

NZ Police  
O.I.A. Section  
Private Bag 1924  
Dunedin 8054

COPY  
ONLY