

C J and V A Turnbull

21 August 2019

Julie Burford

Acting Deputy Chief Executive Corporate Services

Education Review Office

National Office

Julie.Burford@ero.govt.nz

Dear Julie

RE: INFORMATION PROVIDED UNDER THE OFFICIAL INFORMATION ACT – RURU SPECIALIST SCHOOL

Thank you for your letter dated 26 February 2019, advising ***ERO was not notified of the police investigation by Ruru Special School Board of Trustees or Ministry of Education.*** In your letter, you go on to say Detective Sergeant Brian Cameron informed ERO that ***no investigation was underway at the time of the April 2016 ERO review.*** Please be advised the information DS Cameron provided is incorrect.

We have a copy of the letter ERO Solicitor wrote to DS Cameron on the 21 September 2016 and the email response from DS Cameron, dated 22 September 2016. His response states when ***he*** was assigned the reinvestigation. However, his reply fails to inform ERO that Police first assigned Detective Sergeant Greg Baird to investigate in early 2016.

The investigation was re-assigned to DS Cameron after conflict of interest concerns were raised, regarding DS Baird personally having been involved with the school, the principal and staff working at the school. Police records show DS Baird also had concerns about investigating a file that had already been reviewed by a number of his supervisors.

The following timeline may assist in clarifying when Ruru Specialist School and Ministry of Education were informed of the Police Investigation.

December 2015 – Turnbills are formally advised of Police Investigation of Ruru by Police.

23 January 2016 - Front page The Southland Times – A police spokesperson confirmed they were investigating Ruru Specialist School.

DS Greg Baird is assigned to investigate.

22 March 2016 – DS Greg Baird contacts Ruru Specialist School Principal Erin Cairns and advises her of the Police Investigation. Refer - Police OIA response attached.

23 March 2016 – Turnbolls send email to Ministry of Education Regional Manager Murray Roberts, (cc Ministry of Education Management) advising Police had formally confirmed Police Investigation.

4-5 April 2016 – ERO Review Ruru. Ruru does not disclose to ERO that Police have commenced an investigation.

12 April 2016 – DS Baird contact Turnbolls to arrange a date to take a Police Statement. Turnbolls raise concern about a potential conflict of interest.

6 May 2016 – Ruru Specialist School investigation re-assigned to DS Cameron.

9 May 2016 – Ruru sent 2016 Unconfirmed ERO Report to respond to.

25 May 2016 – DS Cameron notified Ministry of Education he was conducting the “re-investigation”.

26 May 2016 – DS Cameron communicates with Ministry of Education Manager Christine Menzies and provides secret witness information and arranges an interagency meeting to be held at the office of the Ministry of Education.

30 May 2016 – Ruru Board was given until this date to respond to ERO about the Unconfirmed ERO Report.

31 May 2016 – Ruru School Allegations of Physical and Emotional Abuse Interagency Meeting – Police, CYF, Education Council, Ministry of Education.

30 June 2016 – DS Cameron first contacts Ruru Principal Erin Cairns.

8 August 2016 – ERO releases ERO Review Report. The glowing ERO Review makes no mention of the Police Investigation into allegations of physical and emotional abuse at Ruru, which was still ongoing at that time.

Early in 2019, we met with Ministry of Education management. During this meeting we discussed the 2016 ERO review. Ministry of Education Director of Education Otago-Southland Julie Anderson stated, “ERO certainly did know there was an investigation going on.” This disclosure prompted our OIA request to your office. It is very concerning that your response is inconsistent with the Ministry of Education view.

The 2016 review was Ruru’s “second chance” review, because during the 2015 ERO review they failed to provide ERO with important information relating to student safety and wellbeing.

During the 2016 “second chance” review Ruru again withheld important information directly relating to child safety, welfare and wellbeing when they failed to inform ERO that the school was under Police investigation.

Similarly, the Ministry of Education did not notify ERO in advance of, or during the ERO 2016 review process, that they were aware of and involved in a police led investigation.

When media questioned Iona Holsted (then) ERO CEO about the 2016 ERO review of Ruru in 2016, the reporter asked, “Will you review your own ERO Review Report to include the information that there has been a complaint to Police, that there has been a Ministry report, there was a room that was dark and grimy and unpleasant the autistic children were being put in?”

Iona Holsted replied, "No. We will not be reviewing Ruru School in that way. We have reported what we found."

This statement by the ERO CEO at the time may have been true but is only true because ERO gave Ruru a second chance. ERO allowed for time to go by, so in 2016, the years of seclusion at Ruru could be called "historic". ERO allowed Ruru time to dismantle and refurbish the small, dark and grimy storeroom that they used to seclude disabled children in, so that when they were back on-site in 2016, *it wasn't there*.

The 'system failure' in 2015, was again repeated in 2016 when neither Ruru, or the Ministry notified ERO of the Police Investigation which meant ERO could not consider the serious nature of the allegations and Police Complaint. This time however, ERO went on to publish the glowing Ruru ERO Report on 08/08/2016.

From experience, we do not consider the omissions of important information a 'system failure' but view the omissions from Ruru and Ministry as a deliberate attempt to hide and cover-up wrongdoing and intolerable acts against disabled children.

Finally, we refer to ERO **Findings and Conclusion in the 2016 ERO Report**: *The school's vision and values are highly evident.*

We refer to **Ruru Specialist School Values**: - *integrity through honesty, reliability, responsibility, accountability, and fairness.*

On the basis ERO Findings and Conclusion in the 2016 ERO Review Report of Ruru Specialist School are inaccurate, we request the ERO Report be withdrawn.

Yours sincerely



Callum and Victoria Turnbull





4th January 2019

Ms Victoria Turnbull

Per Email:

Dear Ms Turnbull,

Information Request

I acknowledge receipt of your information request received by New Zealand Police on the 1st February 2019. I refer to your request;

- *"Pursuant to the Official Information Act please advise when Erin Cairns/Ruru School were first notified/formally or informally advised by DS Greg Baird that a Police investigation was going to be conducted/was pending".*

Detective Sergeant Baird first contacted Erin Cairns on the 22nd March 2016 and advised her of the inquiry.

If you are not satisfied with this response you have the right to complain to the Ombudsman under section 28 (3) of the Official Information Act 1982. You can contact the Ombudsman by writing to P O Box 10152 Wellington 6143, calling 0800 802 602 or emailing info@ombudsman.parliament.nz.

If you have any queries regarding this response please contact the writer.

Yours faithfully

Michael Woods

Inspector

Professional Conduct Manager

Southern Police DHQ – Dunedin