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Auckland teacher acquitted of sex charges against students

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STUFF

A teacher was acquitted in Auckland District Court of charges of sexual assault against students.

An intermediate school student admitted she lied in parts of claims her teacher indecently assaulted girls, a court heard.

The admission came when the student gave evidence in court after police charged the teacher.

Despite the admission and the teacher being acquitted of all charges, he has lost his job and feels a 40-year career is in ruins.

Police said it was disappointing when untruthful accusations were made but they were obligated to act when children said made complaints.

The teacher, whose name is suppressed, was on trial for seven charges of indecent assault at his Auckland school.

The Crown case was that the teacher inappropriately touched three girls in his class, each aged 11 years.

"The defendant stroked the students' hair in an indecent manner, swiped his hand over the chest area of two of the victims and grabbed the breasts of another victim," prosecutor Jo Murdoch said.

But during cross-examination by defence lawyer Marc Corlett QC one of the girls admitted she had lied about part of what she had told police. She continued to state the teacher had touched her, but she said she had lied about seeing the teacher assault any other student.

"My friend told me that she got touched and I pretended to believe her," she said.

A boy who said he witnessed the indecencies said there had been a plan to tell another teacher about the alleged touching.

"I joined in because my friends were there and I wanted to support them and because I didn't really want to put up with any of that other stuff," he said.

All three girls continued to claim they had been indecently assaulted and the crown said there was no evidence of collusion between the students.

The teacher's lawyer at the six day trial in the Auckland District Court in March applied to have the case dismissed, but judge Robert Ronayne ruled there was still sufficient evidence for the case to go to the jury.

The jury took less than an hour to find the teacher not guilty on all charges.

The teacher admits that on March 23, 2017 he lost his temper in class after students began painting their hands and arms black.

He swore at the students, and there was a tense standoff in the classroom.

That, Corlett claims, is when the students devised a plan to get the teacher fired. Within days they had made their complaint to a fellow teacher and police began investigating. The teacher was charged in July.

Outside of court Corlett said it was clear the accusations were false.

"It was obvious from the video interview that were conducted by the police of two of the complainants and two so-called 'eye-witnesses' that their stories were hopelessly vague, inconsistent and implausible.

"They were irreconcilable with each other," Corlett said.

The teacher, speaking after he was cleared of the charges, said his dismissal and the months since had been his worst nightmare.

"After 40 years as a teacher, and 27 years at this school I was dismissed within a few days of the allegations being made - allegations which have now been shown to be false, and deliberately made to get me fired," he said.

He said it had been a "terrible ordeal" despite having support from family and friends.

"It was devastating to sit in the dock while listening to one complainant admit she had lied, while another one admitted there was a plan to make up stories to get me fired.

"Their plan worked. I now have to try put back together the pieces of my life."

Detective senior sergeant Geoff Barber said it was disappointing when members of the public became victims of untruthful accusations.

"It is important that police take allegations of indecent assault against any person seriously, especially those involving children.

"While we can't go into the specifics of this investigation, police are obligated to act on the information presented to us at the time a complaint is made and based on the information available, police took the appropriate action," Barber said.

The school's principal and board of the trustees chairman would not comment on questions put to them about the teacher or the investigation.

** This story has been updated to correct inaccuracies in the original reporting of the testimony of the two child witnesses quoted and to add additional details.*

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<https://www.stuff.co.nz/auckland/102380220/children-admit-making-up-sex-claims-against-auckland-teacher-to-get-him-fired>