



## Early Childhood Education Directorate Convictions and Significant Enforcement Actions

Entity	Chinese Students Association
Service Name	Joys Child Care
Type of Service	Family day care service
Action Taken	Prosecution action against the Chinese Students Association for: <ul style="list-style-type: none"><li>• one offence of providing an education and care service without a service approval - section 103(1)(a) and (b) of the <i>Children (Education and Care Services) National Law (NSW)</i>; and</li><li>• one offence of advertising education and care services for a service that was not an approved service - section 104 of the <i>Children (Education and Care Services) National Law (NSW)</i>;</li></ul>
Date of conviction	24 June 2019
Sentence	Convicted at Parramatta Local Court and fined a total of \$47,500

### Proven offence:

Joys Child Care Limited was an approved provider, which operated an approved family day care service known as Joys Child Care. The Chinese Students Association (“CSA”) was the holding entity of Joys Child Care, although CSA never held a provider approval in its own right.

On 23 December 2016, the Department suspended the provider approval of Joys Child Care Limited. The suspension of the provider approval took effect immediately and also operated to suspend the service approval. The service continued to operate despite the suspension.

On 29 March 2017, the Department cancelled the provider approval. Upon the cancellation of the provider approval taking effect, the provider and service were no longer approved under the National Law.

Despite the suspension of the provider approval and its subsequent cancellation, the service continued to operate, and to advertise, from 24 December 2016 to 30 August 2017. The service operated under the auspices of:

- Joys Child Care Limited between 24 December 2016 and 5 February 2017;
- The Chinese Students Association between 6 February 2017 and 2 June 2017;  
and
- Joys Child Care Limited between 5 June 2017 and 30 August 2017.

On 17 August 2017, the Department executed a search warrant at the service premises and obtained evidence establishing the continued operation of the service.

Between 6 February 2017 and 2 June 2017, the Chinese Students Association:

- provided an education and care service without service approval; and
- advertised education and care services for a service that was not an approved education and care service.