



## Early Childhood Education Directorate Convictions and Significant Enforcement Actions

Nominated Supervisor	Ms Joni Dunn
Service Name	Stanmore OSHC
Type of Service	Centre based education and care service
Action Taken	Prosecution action against Ms Joni Dunn for: <ul style="list-style-type: none"><li>• one offence of failing to ensure adequate supervision of children - section 165(2) of the <i>Children (Education and Care Services) National Law (NSW)</i>; and</li><li>• one offence of failing to take every reasonable precaution to protect children from harm and from any hazard likely to cause injury - section 167(2) of the <i>Children (Education and Care Services) National Law (NSW)</i>.</li></ul>
Date of action	20 August 2020
Sentence	Sentenced at Newtown Local Court. Following a plea of guilt, the court made Conditional Release Orders for both offences under section 10(1)(b) of the <i>Crimes (Sentencing Procedures) Act 1999 (NSW)</i> . The Orders were to be served concurrently. No conviction was recorded.

### Proven offence:

The service provides before and after school care to a maximum of 140 school aged children. Ms Joni Dunn was the nominated supervisor of the service.

The service premises is situated within the grounds of Stanmore Public School. There are three gates that can be used as an entry or exit point to the premises, although only one of these gates (on Cavendish Street) is considered to be the designated entry and exit to the service premises.

On 26 June 2018, at around 3:01pm, a ten-year-old child was signed in to care at the service. Between 3:01pm and 3:30pm, the child left the service premises, unbeknownst to staff, and walked approximately 1 kilometre to Newington Road.

At around 3:30pm, the child's mother collected the child after having received a call from her neighbour, who stated she had seen the child walking alone on Newington Road.

No head count or roll call was conducted between the 3:00pm roll call and the 6:00pm check of child attendance records.

Ms Joni Dunn, in her capacity as nominated supervisor:

- failed to ensure children being educated and cared for were supervised at all times, in that she:
  - failed to ensure the child was monitored by staff at the service at all times;
  - failed to implement an adequate supervision plan for the entry and exits to the service in circumstances where the gates on the premises were left open; and
  - failed to have in place and enforce a system to ensure that staff knew where each child was at all times.
- failed to ensure that every reasonable precaution was taken to protect children from harm and from any hazard likely to cause injury, in that the child was exposed to a risk of harm and hazard likely to cause injury when walking alone and unsupervised along a busy road with moving vehicles. Ms Dunn failed to take the precautions as outlined above.