



## Early Childhood Education Directorate Convictions and Significant Enforcement Actions

Person with management or control	Mr Justin Ellul
Service Name	St Andrews Children’s Neighbourhood Centre; St Andrews Before and After School Care
Type of Service	Centre based education and care service
Action Taken	<p>Prosecution action against Mr Justin Ellul for:</p> <ul style="list-style-type: none"> <li>• one offence of failing to ensure that no child is subjected to corporal punishment - section 166(1)(a) of the <i>Children (Education and Care Services) National Law (NSW)</i></li> <li>• one offence of failing to ensure that no child is subjected to any discipline that is unreasonable in the circumstances - section 166(1)(b) of the <i>Children (Education and Care Services) National Law (NSW)</i>;</li> <li>• three offences of failing to ensure that every reasonable precaution is taken to protect children from harm and from any hazard likely to cause injury – section 167(1) of the <i>Children (Education and Care Services) National Law (NSW)</i>;</li> <li>• one offence of failing to ensure that each educator educating and caring for children meets the qualification requirements relevant to the role (early childhood teacher) – section 169(2) of the <i>Children (Education and Care Services) National Law (NSW)</i>;</li> <li>• one offence of failing to ensure adequate supervision of children - section 165(1) of the <i>Children (Education and Care Services) National Law (NSW)</i>; and</li> <li>• three offences of failing to notify the Regulatory Authority of a complaint alleging that a serious incident had occurred – section 174(2)(b)(i) of the <i>Children (Education and Care Services) National Law (NSW)</i>.</li> </ul>
Date of conviction	1 June 2018

Sentence	Convicted at Campbelltown Local Court and fined a total of \$6,450
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**Proven offence:**

Mr Justin Ellul, in his capacity as a person with management or control of St Andrews Children Neighbourhood Centre Inc. failed to exercise due diligence to prevent the approved provider from:

- failing to ensure that that no child was subjected to corporal punishment or discipline that was inappropriate in the circumstances;
- failing to take reasonable precautions to protect children from harm or any hazard likely to cause injury;
- failing to ensure that staff held the qualifications appropriate to their role;
- failing to ensure that adequate supervision was provided; and
- failing to report complaints.