



## Early Childhood Education Directorate Convictions and Significant Enforcement Actions

Educator	Ms Samantha Porfiri
Service Name	Alexandria Montessori Academy
Type of Service	Centre based education and care service
Action Taken	Prosecution action against Ms Samantha Porfiri for: <ul style="list-style-type: none"><li>two offences of failing to ensure that no child is subjected to any discipline that is unreasonable in the circumstances - section 166(3)(b) of the <i>Children (Education and Care Services) National Law (NSW)</i>.</li></ul>
Date of conviction	1 March 2019
Sentence	Convicted at Sydney Downing Centre Local Court and fined a total of \$1,000

### Proven offence:

Ms Samantha Porfiri was employed as an educator at Alexandria Montessori Academy.

On 11 August 2017, Ms Porfiri was caring for a child who was nearly 17 months old. At nap time, Ms Porfiri took the child to the cot room and placed the child in a cot. Ms Porfiri tried to get the child to go to sleep however, the child kept standing up in the cot. Ms Porfiri proceeded to wrap the child in a bed sheet, tying the ends of the sheet to the cot rails. This forced the child to lie on her side with her arms restrained.

On 16 August 2017, Ms Porfiri was caring for the same child. At nap time, the child was placed in a cot to sleep. The child did not go to sleep. In the presence of another educator, Ms Porfiri proceeded to wrap the child in a bed sheet, tying the ends of the sheet to the cot rails. The child's arms and legs were restrained.

On both occasions, Ms Porfiri tied the child in the sheet to discipline her to sleep.

Ms Porfiri, in her capacity as an educator at the service, subjected a child to discipline that was unreasonable in the circumstances.