

## Early Childhood Education and Care Directorate convictions and significant enforcement actions

Educator (name suppressed)	Defendant's name and children subject of charges not to be published - court order under s8 (1) (e) of the <i>Court Suppression and Non-publication Act 2010</i> .
Type of service	Centre based education and care service. No evidentiary grounds to commence prosecution action against the education and care service.
Action taken	Prosecution action for 4 charges of common assault under section 61 of the <i>Crimes Act 1900</i> , and 1 charge of subjecting a child to discipline that is unreasonable in the circumstances under section 166(3) of the <i>Education and Care Services National Law</i> .
Date of conviction	19 December 2013
Sentence	Educator convicted of 4 common assault charges and sentenced to a total of 450 hours of community services, fined \$2000 and placed on good behavior bond for three years. Educator fined \$2000 for one offence of subjecting a child to discipline that is unreasonable in the circumstances.

### Proven offences:

Educator was convicted of common assault charge in relation to force feeding of a child #1 (name suppressed) between 30 March 2012 and 13 April 2012 at the education and care service.

Educator was convicted of common assault charge in relation to force feeding of a child #2 (name suppressed) between 30 March 2012 and 13 April 2012 at the education and care service.

Educator was convicted of common assault charge in relation to force feeding and smacking of a child #3 (name suppressed) on 16 April 2012 at the education and care service.

Educator was convicted of the common assault charge in relation to force feeding (and use of inappropriate language) of a child #4 (name suppressed) on 18 April 2012 at the education and care service.

Educator convicted of subjecting a child #3 (name suppressed) to discipline that is unreasonable in the circumstances in relation to leaving child in the cot room for period of 2 - 4 hours knowing the child was crying and distressed on 16 April 2012 at the education and care service.