



## Early Childhood Education Directorate Convictions and Significant Enforcement Actions

Approved Provider Name	Bliss Early Learning Maroubra Pty Ltd
Service Name	Bliss Early Learning Maroubra
Type of Service	Centre based education and care service
Action Taken	<p>Prosecution action against Bliss Early Learning Maroubra for:</p> <ul style="list-style-type: none"><li>• One offence of failing to ensure all children being educated and cared for by the service are adequately supervised at all times – section 165(1) of the <i>Children (Education and Care Services) National Law (NSW)</i>; and</li><li>• one offence of failing to ensure that every reasonable precaution was 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></ul>
Date of conviction	10 May 2021
Sentence	Sentenced at Waverley Local Court to a Conditional Release Order ('CRO') without conviction. The CRO was made on the condition of good behaviour for a period of 18 months. The sentence was confirmed on 17 August 2021, following a leniency appeal to Sydney Downing Centre District Court.

### Proven offence:

Bliss Early Learning Maroubra Pty Ltd:

- failed to ensure children being educated and cared for by the service were adequately supervised at all times in that:
  - the child was not actively supervised whilst playing at the cubby house;
  - the period of time that the child was not actively supervised was sufficient in duration for a ribbon to become wrapped around the child's neck; and
  - no educators noticed that a ribbon had become wrapped around the child's neck until she became limp and unresponsive;

- failed to take every reasonable precaution to protection children being educated and cared for by the service from harm and from any hazard likely to cause injury in that it failed to:
  - conduct a risk assessment in relation to the ribbons;
  - remove the ribbons from the play area;
  - ensure adequate supervision of the children playing with the ribbons; and provide educators with adequate training as to appropriate supervision and child safety.