

## Caveat Brief

**To:** Minister for Early Childhood Development  
**From:** DDG System Policy and Reform  
**Subject:** Early Childhood Educator charged with assault and possession of child exploitation material  
**Date:** 12 January 2021

That you note charges of assault and possession of child exploitation material against a prohibited educator recently working in the ACT education and care sector.

*This exposure should be kept in mind for the purposes of legislative improvement.*

**Noted / Please discuss**

Yvette Berry MLA *25/01/21*

- On 2 December 2020 Children's Education and Care Assurance (CECA) received information from Approved Provider G8 Education Limited, regarding [REDACTED] who is employed as an early childhood educator at Lavender Lane Childcare Service located in Conder ACT.
- The information from the Provider included:
  - On 2 December 2020, it is alleged that [REDACTED] was witnessed picking up a child and throwing him forcibly face first onto soft fall, causing abrasions to the child's face.
  - The witnesses in this instance included staff from another Provider who were walking past the service at that time.
  - The Provider immediately stood [REDACTED] down from duties, commenced initial enquiries with other staff, and reported the allegations to CECA, ACT Policing and the ACT Ombudsman.
- CECA liaised with Working with Vulnerable People (WWVP) and ACT Policing's Sexual Assault & Child Abuse Team (SACAT). SACAT confirmed that they were investigating the incident.
- Between 2 – 9 December 2020, CECA conducted enquiries with the Provider and witnesses identified.
- On 9 December 2020, CECA's Triage Committee determined that [REDACTED] be prohibited from working in the education and care sector with immediate effect.

- On 16 December 2020, WWVP advised CECA that [REDACTED] had been remanded in custody in relation to a separate matter.
- Representatives from CECA attended court on 12 January 2021 where [REDACTED] appeared in relation to charges of assault occasioning actual bodily harm, laid by ACT Police in connection with the incident at Lavender Lane Childcare Service, Conder.
- The case was adjourned until 4 March 2021, when additional matters relating to the possession of child exploitation material will also be heard.
- CECA requested details of the charges from SACAT in order to confirm whether the materials may have been gained through [REDACTED] employment in the education and care sector.
- SACAT provided a statement of facts, which alleged that [REDACTED] was in possession of 250-400 images of child exploitation material. These images were obtained via search warrant of [REDACTED] premises arising from the investigation into the incident at Lavender Lane Childcare Service.
- Images include children of various ages in stages of undress and non-penetrative sexual activity between children and adults.
- SACAT confirmed that the images identified to date appear to have been downloaded from the internet and not taken by [REDACTED]. His electronic devices are still under examination.
- CECA has proactively shared information with SACAT regarding [REDACTED] previous employment in the education and care sector.
- [REDACTED] will be remanded in custody until the next hearing on 4 March 2021. He is currently prohibited from working in the education and care sector and his WWVP card has been suspended.

Signatory Name: Deb Efthymiades  
Title Deputy Director General, SPR  
Date 12 January 2021