

## COMMISSION FOR CHILDREN AND YOUNG PEOPLE

### Issue of Section 15B Notice on RG Dance

Obj Doc Ref: \_\_\_\_\_

**Issue:** RG Dance appears to be operating in non compliance with Part 7 Child-related employment of the *Commission for Children and Young People Act 1998*

**Background:**

RG Dance has come to attention through the laying of charges by NSW Police for child pornography and child sexual grooming offences against the dance company's co-director Grant Davies. The other co-director of the company is Mr Davies' sister Rebecca Davies.

The Commission's records do not show RG Dance as registered for the Working With Children Check nor a Certificate for Self Employed People in Child-Related Employment being issued in either Grant Davies or Rebecca Davies name. The Commission's records do show background checks for these names but it cannot be confirmed if the checks relate to these two people until more personal details are obtained. It is unknown if the business employs other people to work with children. At the least the business should have registered for the check and conducted checks on Mr and Ms Davies, if they work unsupervised with children.

An article in today's Sydney Morning Herald indicates that the company is still operating and has children attending, Tab 2. If so, it is operating in breach of the Act.

**Current Situation/Analysis:**

A Section 41 Enforcement Notice could be issued requiring the company to register for the check and to undertake a background check. However, S41 requires response within 28 days and this would go beyond the end of the current Act.

S15B of the Act enables the issue of a notice requiring the provision of documentation relating to the Commission's monitoring and auditing functions under Part 7. Any timeline can be applied to such a notice, eg within 72 hours. A Section 15B notice could be issued to RG Dance requiring it to produce documentation that it has obtained a declaration under Section 33D from its employees. The Act provides penalties for failure to comply with a S15B notice and for failure to obtain declarations. Depending on the response the Acting Commissioner could then consider whether to refer the matter to NSW Police.

**Recommendation:**

The Acting Commissioner notes the above information and signs the Section 15B letter to Ms Davies at Tab 1 requiring provision within 5 days of declarations under S33D for any employee of RG Dance working with children.

John Williams, Child Safe Organisations, 22 May 2013

**Manager Child Safe Organisations**

**Acting Director Working With Children Strategy**

**Acting Commissioner NOT APPROVED**

Attach to file number: CPF13/0042

| Date | Initials |
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