

# REPORTING CHILD ABUSE AUSTRALIAN CAPITAL TERRITORY



The health, safety and wellbeing of children is paramount in all organisations providing services to children across Australia. The Royal Commission into Institutional Responses to Child Sexual Abuse highlighted the need for improvement in the processes and outcomes of reporting child abuse. This has led to the expansion of the reporting system in the ACT.

The responsibility for reporting certain categories of child abuse falls into two main groups: All adults in the ACT and Mandatory Reporters.

## 1. ALL ADULTS IN THE ACT

All adults in the ACT have a legal obligation to report knowledge or suspicion of child sexual abuse, under the Failure to Report legislation. Anyone over 18 years old who reasonably believes a sexual offence has been committed against a child MUST report this to the police on 131 444.

All adults must report information you have about sexual offences committed against anyone who was under 18 at the time the offence was committed, even if the offence is historical. It is a criminal offence NOT to report.

Further information about the Failure to Report offence can be located [here](#).

## 2. MANDATORY REPORTERS

### WHO ARE MANDATORY REPORTERS?

The ACT has an extensive list of mandatory reporters who are defined as people who deliver the following services, wholly or partly, to children as part of their professional work or other paid employment and those in management positions in these services:

Health care, welfare, education, children's services, residential services, law enforcement, disability services, religious ministry or a person providing religious based activities and registered psychologists.

### WHAT REQUIRES REPORTING?

Mandatory reporters are legally required to report any concerns about the safety, welfare and wellbeing of any child under any of the following categories:

- Sexual abuse
- Physical abuse
- basic physical, emotional, developmental or psychological needs not being met
- exposure to family violence.

You do not require proof to make a report.

### HOW DO I MAKE A REPORT?

If a reporter believes the child is in imminent danger and at risk of immediate serious harm, they must call 000.

If you have concerns that a child is being harmed or is at risk of harm by a family member of guardian, you can use the online portal found [here](#).

You can also make a report using the following contact details:

- **Ph:** Mandated reporters 24-hour line: 1300 556 728
- **Web:** <https://forms.act.gov.au/smartforms/servlet/SmartForm.html?formCode=1136>
- **Email:** [childprotection@act.gov.au](mailto:childprotection@act.gov.au)

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If you have concerns that a child is being harmed or is at risk of harm outside of the family context, you must call ACT Police on 131 444.

## WHAT HAPPENS AFTER A REPORT IS MADE TO CYPSS?

A Child and Youth Protection Services (CYPSS) caseworker will assess the report to determine if statutory child protection intervention is required. They may contact you for further information and also access additional information from other sources.

You may be contacted advising you of the status of the report, however CYPSS is not required by law to do so.

Organisations must maintain records of all reports made regardless of the outcome of the report. This should be reported as an incident in SMO (Safety Management Online).

## WHAT HAPPENS AFTER A REPORT IS MADE TO THE POLICE?

The police will assess the matter and proceed as per their determination.

## WILL THE CHILD OR FAMILY BE INFORMED THAT I HAVE MADE A REPORT?

The identity of a reporter or referrer must remain confidential unless in the following circumstances:

- the reporter chooses to inform the child or family about the report
- the reporter consents in writing that their identity can be disclosed
- a court or tribunal decides that their identity is required to be disclosed for the safety of a child

## WHAT ARE THE CONSEQUENCES FOR NOT REPORTING CONCERNS ABOUT THE SAFETY, WELFARE AND WELLBEING OF A CHILD?

All adults who reasonably believe that a sexual offence has been committed against a child are legally bound to make a report to the police. Failing to report this is a criminal offence.

If you are a mandatory reporter, you are legally bound to report any concerns you have regarding the safety, welfare and wellbeing of a child with regard to abuse and harm to children.

Mandatory reporting is a legal requirement for organisations providing services directly to children in the ACT. Mandatory reporting should be included in child safeguarding policies and procedures including the Code of Conduct. Failing to report regarding concerns about the welfare, safety and wellbeing of a child could also lead to disciplinary action within an organisation.

Further information regarding mandatory reporting can be found [here](#).