

REPORTING CHILD ABUSE QUEENSLAND



Legislation: Mandatory Reporting in Queensland falls under The Child Protection Act 1999 (Qld)

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 fact sheet provides information on reporting child abuse in Queensland.

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

1. ALL ADULTS IN QUEENSLAND

FAILURE TO REPORT

From July 2021, new legislation was introduced to strengthen the consequences for failing to report or failing to protect children from sexual offence.

All adults in Queensland who reasonably believe (or should reasonably believe) that a child is being or has been the victim of sexual abuse by another adult, they must report it to the police.

This offence relates to a child under the age of 16 and a child under the age of 18 with an impairment of the mind.

The law says that information about a sexual offence against a child that has been gained during, or in connection with, a religious confession, must be reported to police.

Despite the express provisions relating to religious confessions, the offence is not intended to override privilege, including legal professional privilege and sexual assault counselling privilege.

The maximum penalty for failing to report belief of a child sexual offence is 3 years imprisonment.

If a child is in imminent danger, call 000; otherwise, call your local Police Station and ask for the CPIU (Child Protection Investigation Unit).

Further information on failing to report can be found [here](#).

2. MANDATORY REPORTERS

WHO ARE MANDATORY REPORTERS?

- doctors
- registered nurses
- teachers
- police officers with child protection responsibilities
- early childhood education and care professionals
- a person performing a child advocate function under the Public Guardian Act 2014

WHAT REQUIRES REPORTING?

Mandatory reporters are legally required to report any concerns regarding the known or suspected sexual or physical abuse of a child.

You do not require proof or consent to make a report.

Although not specified in the legislation, mandatory reporters should also report if they have a reasonable suspicion that a child is in need of protection caused by any other form of abuse or neglect.

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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.

Reports must be made to Child Safety through the Queensland Government Child Protection Guide (CPG). Access to the CPG can be found [here](#).

The CPG supports mandatory reporters to make an informed decision about their action if they know or suspect that a child is at risk of harm.

A mandatory reporter can also make a report and/or discuss concerns by contacting a child safety service centre in their particular region. Contact details can be located [here](#).

WHAT HAPPENS AFTER A REPORT IS MADE?

A Child Safety caseworker will make an initial assessment on reports regarding sexual abuse and take the most appropriate action. They may contact you for further information.

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).

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 requests it in order to ensure the safety of a child.

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

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.

Mandatory reporting must 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 will also lead to disciplinary action within an organisation.

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