

# REPORTING CHILD ABUSE VICTORIA



**LEGISLATION: Mandatory Reporting in Victoria falls under the Children, Youth and Families Act 2005 (Vic). Failure to Disclose and Failure to Report is governed by the Crimes Act 1958.**

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 Victoria.

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

## 1. ALL ADULTS

### FAILURE TO DISCLOSE

All adults in Victoria are required, by law, to report to the police if they have information that leads them to form a 'reasonable belief' that another adult has sexually offended against a child under 16 in Victoria. This information must be reported to the police as soon as possible. It is a criminal offence to fail to report. More information can be found on the Failure to Disclose requirements [here](#).

### FAILURE TO PROTECT

Any person in a position of authority who has the power or responsibility to remove risk and becomes aware of an adult associated with the organisation poses a substantial risk of sexual abuse, including grooming, to a child must take all reasonable steps to remove or reduce the risk. Failure to do so is a criminal offence under the Crimes Act 1958.

Further information regarding the Failure to Protect requirements can be found [here](#).

If a child is in imminent danger, call 000. Otherwise, contact SOCIT (Sexual Offences and Child Abuse Investigation Team). Contact details for different locations in Victoria can be located on the Victorian Police website [here](#).

## 2. MANDATORY REPORTERS

### WHO ARE MANDATORY REPORTERS?

Victoria has an extensive list of mandatory reporters.

- registered medical practitioners
- nurses
- midwives
- registered teachers and early childhood teachers
- school principals
- school counsellors
- police officers
- out of home care workers (excluding voluntary foster and kinship carers)
- early childhood workers
- youth justice workers
- registered psychologists
- people in religious ministry

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## WHAT REQUIRES REPORTING?

Mandatory reports are required to report if, during the course of their professional duties they form a reasonable belief that a child is in need of protection from harm from the following:

- Sexual abuse
- Physical abuse

Any adult may choose to make a report if they believe a child is at risk of other types of significant harm. These can include neglect, psychological abuse, lack of parental capacity or abandonment.

## HOW DO I MAKE A REPORT?

Reports must be made to the child protection intake service in the local government area (LGA). Details of LGAs can be found [here](#). Reports cannot be made online and must be made via phone.

Reports can be made during business hours (Mon to Fri 8.45am – 5.00pm) on the numbers below:

- North Division intake: 1300 664 977
- South Division intake: 1300 655 795
- East Division intake: 1300 360 391
- West Division intake - metropolitan: 1300 664 977
- West Division intake - rural and regional: 1800 075 599

If you have immediate concerns that a child is in imminent danger you must contact the Police on 000.

After-hours and weekend reports can be made to the After-Hours Child Protection Emergency Service on 13 12 78.

## WHAT HAPPENS AFTER A REPORT IS MADE?

Child Protection caseworkers will determine the next course of action based on the best interests of the child. This may include providing advice to the reporter, progressing the matter to investigation, referring the family to support services in the community, or taking no further action.

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 they have made a 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
- a court or tribunal decides evidence need to be given

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

Mandatory reporters are legally required to report any concerns about 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 could also lead to disciplinary action within an organisation.

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## WHAT IF I AM CONCERNED ABOUT THE WELLBEING OF A CHILD BUT I DO NOT BELIEVE THEY ARE IN NEED OF CHILD PROTECTION?

If you do not believe a child is at risk of significant harm or their immediate safety is not compromised you can make a referral to [The Orange Door](#).

Further information regarding mandatory reporting in Victoria can be found on the Department of Families, Fairness and Housing website: <https://providers.dffh.vic.gov.au/mandatory-reporting>