

Mandatory Reporting vs Voluntary Reporting

What is Mandatory Reporting?

- A legal requirement for certain professionals (including doctors, nurses, midwives and dentists) to provide information to CYF if, through the course of their work, they form a belief on reasonable grounds that a child (<18 years) may be:
 - Experiencing or has experienced sexual abuse; or
 - Experiencing or has experienced non-accidental physical injury (physical abuse).

People who are mandatory reporters may also be voluntary reporters as well. A mandatory reporter is a voluntary reporter outside of their professional capacity or in situations where they believe a child may be at risk of significant harm but the concerns do not fit into a category listed above.

What is Voluntary Reporting?

- Anyone can be a voluntary reporter in the ACT
- A voluntary report can be made where someone is concerned about the welfare of a child (or unborn child) and is concerned that the child may be at risk of significant harm
- Voluntary reports should always include the basis for which the belief or suspicion exists

'Failure to Report' Offense:

All adults in the ACT are required to notify police if they have reasonable belief that a sexual offence has been committed against a child. However, where an individual is acting in the capacity of a mandatory reporter, making a report to CYF satisfies this requirement so no report to police is required.

What Sort of Information can CYF receive?

Risk of Significant Harm:

CYF defines 'significant harm' as: *"The potential to cause a substantial and demonstrably adverse impact on the safety, welfare or wellbeing of the child or young person. This can result from a single act, omission or circumstance or can be a combination of these. Where harm has not yet been suffered, the likelihood of harm must be considered, extending to unborn children following birth."*

CYF can receive information relating to signs of:

- **Sexual abuse, grooming or sexual exploitation** (for children and young people aged 16 which is the age of consent or children over 16 where informed consent has not been present)
- **Physical abuse**
- **Emotional abuse**
- The child or young person's **basic physical, emotional, developmental or psychological needs not being met;**
- **Exposure to family or domestic violence**

A child may experience one or more of these forms of harm. However, one sign on its own may not suggest abuse is happening. Consider the context in which you have witnessed the sign/s to determine whether the child is at risk of significant harm.

Having a Conversation about Mandatory Reporting

- It is important that you remain transparent with your patient about your role as a mandatory reporter and your limits to confidentiality. This allows a patient to decide whether or not speaking with you is something they want to do
- If a patient discloses an incident of sexual or physical abuse that requires a mandatory report, inform them of what information you will provide to CYF prior to making a report
- Gently explain to the patient why making a report is necessary (ie. to ensure they are being supported in the best way possible)

Making a CYF Report

Reports can be made:

- Online: <https://forms.act.gov.au/smartforms/servlet/SmartForm.html?formCode=1136>
- By phone:
 - Mandatory reports - 1300 556 728
 - Voluntary reports - 1300 556 729
- By email: childprotection@act.gov.au

Information to Provide:

- Details about the child/young person including **name, date of birth, residential address**
- Information relating to the child/young person's parents/carers and other significant people living in the home, including siblings
- Reasons for your concern including **what has happened, where the incident occurred, any injuries sustained, the circumstances that led to the incident, the impact on the child and who you believe to be responsible**
- Other relevant information for example, known drug use, existing mental health concerns, financial issues, court matters or past trauma
- **Your contact details** including name, contact information and relationship to the child/young person

What Happens Following a Report?

- All reports are assessed by CYF
- In many cases, early assessment of the report leads to referral to support services
- Following an assessment, where there is a reasonable suspicion of risk of significant harm, CYF may perform an 'appraisal' which involves gathering more information on the circumstances surrounding the report to establish whether further involvement is necessary
- A majority of reports made to CYF do not lead to an appraisal and even fewer result in further action occurring

