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SI(PERS) 8-7

MANDATORY REPORTING

Amendment List

Amendment	Comment	Date	Authority
AL-00	Initial Issue	31 Mar 16	CDR-AAFC

INTRODUCTION

1. Mandatory reporting is a term used to describe the legislative requirement imposed on selected classes of people to report suspected cases of child abuse and neglect to government authorities. States and territories have their own reporting laws which differ on the definition of children and young people, and who is a mandatory reporter. All states/territories agree that anyone who works with children or young people is encouraged to make a report about child abuse if appropriate. In accordance with **VCDF Directive 2014 03 – Child Protection AAFC supervisors** who reasonably suspect child abuse or associated crimes must report their suspicions to Government authorities and/or state/territory police (as applicable by state laws) by the quickest means possible.

2. The Australia Air Force Cadets (AAFC) takes seriously its commitment to ensure the safety of cadets in its care, which includes preventing and reporting child abuse. Every **Adult Supervisor** who has unsupervised management of cadets is required to be familiar with mandatory reporting requirements outlined in this instruction and the state or territory where cadet activities are conducted.

AIM

3. The aim of this instruction is to detail the requirements of Australian Defence Force Cadet mandatory reporting requirements.

AUTHORITY

4. This instruction is released under the authority of the Commander Australian Air Force Cadets.

SCOPE

5. This instruction applies to **all personnel** involved in the supervision or management of **cadets** and cadets aged 18 years of age and over.

REPORTABLE INCIDENTS

6. **Child abuse** is the mistreatment by a person of a child or young person (referred to as child in this instruction) that harms or endangers that child's physical or emotional health, development or well being. Child abuse can include sexual, physical, emotional abuse, neglect or **Child pornography**. Allowing others or failing to prevent others from committing any of the below would also constitute abuse. Child abuse can include:

- Sexual abuse/sexual misconduct** - any sexual act or sexual threat imposed on or with a child or young person. This includes inappropriate relationships, non behaviours such as exposure to pornographic material, making sexual comments to a child and contact behaviours such as kissing, fondling or sexual touching.
- Physical abuse** - non accidental behaviours that may physically harm a child. May include injury caused by excessive discipline, forcing a child to participate in an activity for which they are not physically able, unsafe transport, inappropriate activities for the youth development focus of cadets and physical assault. Physical abuse also includes hitting, slapping shaking punching and pushing.
- Emotional/psychological abuse** - behaviours that may psychologically harm a child. This is usually a behavioural pattern that undermines a child's self esteem or impairs a child's wellbeing, participation or development. It may include constant criticism, rejection, harassment, verbal abuse, exclusion, threats, humiliation, withholding praise or unreasonable demands in cadet activities.
- Neglect** - failure to provide a child with basic physical and emotional necessities. This may include inadequate supervision, inadequate sun protection and water during an activity as well as lack of safe and proper food and adequate clothing, personal hygiene or medical treatment.
- Child pornography** - any representation by whatever means, of a child engaged in real or simulated explicit sexual activities or any representation of the sexual parts of a child for primarily sexual purposes.

7. Defence has a zero tolerance for child abuse or related crimes and any known or suspected incidents must be taken seriously, the complainant offered support and the alleged crime immediately reported to the appropriate civilian authority. A complaint or suspicion of child abuse is to be actioned immediately by the **AAFC executive** who receives the allegation, or their commander. Complaints may be received from:

- the cadet who has suffered abuse; or
- from an **Adult Supervisor** who has reasonable grounds or suspicion to suspect a cadet may be abused.

Reasonable suspicion

8. It is not the responsibility of **Adult Supervisors** to decide what is or what is not child abuse, but any reasonable suspicion of child abuse should be reported. Reasonable suspicion means a state of mind that is less than a belief, but more than a mere possibility, based on reasonable grounds, that the child's physical safety, health, physiological or emotional wellbeing has been, is being or may be jeopardised. Proof is not required before reporting a reasonable suspicion of child abuse. Reasonable grounds for suspicion depends on all the circumstances at the time of the incident and all available information which presents at the time of reporting. A useful guide is to consider whether another person, when faced with similar information would also draw the same conclusion. If unsure, help is available from AAFC supervisory chain or child protection authorities (see annex A for contact details). The NSW Government has published an **Online Mandatory Reporter Guide** taken from relevant legislation (extract in annex B) from each state and territory which may assist in deciding whether or not an incident is a reportable incident.

Reporting

9. Each State and Territory has its own list of who is a declared mandated reporter or child abuse, which differs for each state. However, for AAFC members, any **Adult Supervisor** who has received an allegation of or has a reasonable suspicion of child abuse or associated crimes is to:

- report the matter to the relevant State or Territory child protection authority (see website **Reporting Abuse and Neglect: State and Territory Departments Responsible for Protecting Children** or annex A to this instruction);
- advise parents/guardians if the cadet is under 18 years of age (and it is appropriate to do so);

- b. contact local police;
- c. report to CB-AF through supervisory chain unless the complaint is against the supervisor, whereby reporting should be taken to the next level).

Note: Cadet Branch-Air Force will report substantiated offences to the Australian Defence Force Investigative Service (ADFIS) in accordance with DI(G) ADMIN 45-2 - *Management and reporting of notifiable incidents*).

10. When making a report the following information, if known should be provided to child protection authorities or the police:
- a. name, age and address of child concerned;
 - b. current location of child;
 - c. date and time of incident(s) concerned; and
 - d. the nature and type of abuse suspected to have occurred.

Support

11. When making a report on behalf of or about a child **Adult Supervisors** should
- a. take all reasonably practicable steps to safeguard anyone in immediate danger;
 - b. support the cadet, but do not attempt to seek resolution (leave it to the professionals)
 - c. respect, as far as possible, the privacy of all persons involved in the allegation/incident(s) and do not discuss with other than authorised personnel who 'need to know'. Allegations should be discussed only with authorised civilian or Defence authorities and the reporter's commander or manager.
12. A cadet's desire that no action be taken does not override the requirement for mandatory reporting. The AAFC or Defence cannot interfere with, prevent or overrule AAFC staff who are obliged to make a mandatory report. AAFC **Adult Supervisors** are however required to inform AAFC higher authority that they have or intend to make a report to civilian authorities.

Investigation

13. Investigations into child abuse or associated crimes are the responsibility of state/territory authorities. Once the matter has been assumed by civil authorities, the AAFC should have no need to conduct its own investigations. Unauthorised discussion or interference may jeopardise police investigations and/or endanger (or at least) embarrass the child making the allegation.

Sanctions

14. Commander-Australian Air Force Cadets will stand down any IOC/OOC or ADF member who is allegedly involved with child abuse or associated crimes which are outlined in the **Mandatory Reporting of Child Abuse and Neglect** website.

Review

15. This SI is to be reviewed every two years.

Annexes:

- A. Contact Details for Civilian authorities in Each State and Territory
- B. Extract from **Online Mandatory Reporter Guide**.

Related Orders, Instructions and publications

- VCDF Directive 2014-03 – Child Protection.
- SI(GT) 1-1 Adult Transition Program
- SI(PERS) 1-6 - Safeguarding Children Awareness Package
- SI(PERS) 1-7 - Child Protection
- SI(PERS) 8-1 - Behaviour
- SI(PERS) 8-3 - Making a Complaint
- SI(PERS) 8-4 - Managing a Complaint

Sponsor: DCDR-AAFC

Annex A
AAFC SI(PERS) 8-7 - Mandatory Report

CONTACT DETAILS FOR CIVILIAN AUTHORITIES IN EACH STATE AND TERRITORY

<p>Australian Capital Territory: Office for Children, Youth and Family Support Further services / Information</p> <p>The Office for Children, Youth and Family Support contracts a range of services from the non-government sector to meet the needs of young people, including:</p> <ul style="list-style-type: none"> § Youth Centre § Youth Support Services § Youth development programs § Youth Plan and Sector development <p>Care and Protection services are responsible for facilitating coordination across government for the care and protection of children and young people. Care and Protection services include three Regional Offices and an After Hours service, which provide a continuum of service delivery to children and young people considered at risk of serious harm. If you are concerned about a child, refer to Keeping Children and Young People Safe.</p>	<p>Contact details</p> <p>Office for Children, Youth and Family Support GPO Box 158 Canberra City ACT 2601 Ph: 132 281</p> <p>To report instances of child abuse: Ph: 1300 556 729 If you are a mandatory reporter: Ph: 1300 556 728 Fax: 8205 0641 Email: childprotection@act.gov.au</p>
<p>New South Wales Department of Family and Community Services Further services / Information</p>	<p>Contact details</p>

<p>The Department of Family and Community Services provides services across three key program areas—prevention and early intervention, child protection and out-of-home care.</p> <p>By law, Community Services must assess reports where a child or young person is or may be at risk of significant harm from abuse or neglect. When you make a report, staff will ask you questions to help them find out about the risk of significant harm to the child or children involved.</p> <p>For further information about the process of reporting concerns in NSW about a child's welfare refer to Reporting Suspected Abuse or Neglect</p>	<p>Department of Family and Community Services Head Office 4–6 Cavill Ave Ashfield, NSW 2131 Loked Bag 4028 Ashfield, NSW 2131 Ph: (02) 9716 2222 Child Protection Helpline: 132 111 (TTY 1800 212 936) for the cost of a local call 24 hours a day, 7 days a week. If you are a mandatory reporter, you can call the Child Protection Helpline on 132 111.</p>
<p>Northern Territory Department of Children and Families Further services / Information</p> <p>The NT Department of Children and Families provides or funds the following range of services to support children, youth and families:</p> <ul style="list-style-type: none"> \$ Support services for individuals and families in crisis, including for victims of family/domestic violence and sexual assault, people who are homeless or at risk of homelessness and families in financial crisis \$ Family support and parenting support services \$ Child protection services \$ The Sexual Assault Referral Centre (SARC) provides a counselling service to both adults and children who may have experienced (recently or many years ago) any form of sexual assault \$ Foster care services \$ Adoption services <p>For further information about the process of reporting concerns about a child's welfare in the NT refer to the Child Abuse page of the Department's website.</p>	<p>Contact details</p> <p>Department of Children and Families PO Box 40596 Casuarina NT 0811 Ph: (08) 89993737</p> <p>To report instances of child abuse: (24 hours) 1800 700 250</p>
<p>Queensland Department of Communities – Child Safety Further services / Information</p> <p>Child Safety offers the following range of services to support children, youth and families:</p> <ul style="list-style-type: none"> \$ Services for children and young people at risk \$ Services for children and young people in care \$ Adoption services <p>For further information about the process of reporting concerns about a child's welfare in QLD refer to the Reporting Child Abuse page of the department's website.</p>	<p>Contact details</p> <p>Child Safety Queensland PO Box 806 Brisbane QLD 4002</p> <p>To report instances of child abuse: South East: 1300 679 848 South West: 1300 663 380 Far North QLD: 1300 684 062 North QLD: 1300 706 147 North Coast: 1300 703 921 Brisbane: 1300 682 254 Central QLD: 1300 703 762</p> <p>After hours (all areas): 1800 177 135. If in doubt who to call, or for assistance to locate your nearest child safety service centre call Child Safety Services' Enquiries Unit on: 1800 811 810.</p>
<p>South Australia Department for Families and Communities – Families SA Further services / Information</p> <p>Families SA provides support and assistance to the community, especially those experiencing disadvantage or who are in need of care and protection. Services assist young people who offend or are at risk of harm and families and children at risk.</p> <p>For further information about the process of reporting concerns about a child's welfare in SA refer to the Families SA page on the department's website.</p>	<p>Contact details</p> <p>Families SA Level 7, 108 North Terrace Adelaide SA 5000 Phone: (08) 8124 4185 To report instances of child abuse: 131 478 (24 hours)</p>
<p>Tasmania Department of Health and Human Services Child Protection Services Further services / Information</p> <p>The role of Child Protection Services is to protect children and young people who are at risk of abuse or neglect. Child Protection Services offers intake, response, case management and out of home care and adoption services.</p> <p>For further information about the process of reporting concerns about a child's welfare in TAS refer to the Child Protection Services webpage on the department's website.</p>	<p>Contact details</p> <p>Child Protection Services GPO Box 125 Hobart, TAS 7001</p> <p>To report instances of child abuse: Ph: 1300 737 639 at any time</p> <p>Online notification is also available</p>
<p>Victoria Department of Human Services – Children, Youth and Families Further services / Information</p> <p>The Child Protection Service is specifically targeted to those children and young people at risk of significant harm. The main functions are to:</p> <ul style="list-style-type: none"> \$ investigate matters where it is alleged that a child is at risk of significant harm; \$ refer children and families to services that assist in providing the ongoing safety and well-being of children; \$ take matters before the Children's Court; \$ supervise children on legal orders; and \$ provide and fund out of home care services, specialist support services, and adoption and permanent care. <p>The Child and Family Information Referral and Support Teams (ChildFRST) initiative provides access to integrated family services has ensured that vulnerable families and children receive early intervention and support services before statutory involvement.</p> <p>For further information about the process of reporting concerns about a child's welfare refer to the About Child Abuse page of the department's website, specifically the Child Protection pages.</p>	<p>Contact details</p> <p>Department of Human Services – Children, Youth and Families Level 9, 50 Lonsdale St Melbourne VIC 3000</p> <p>To report instances of child abuse:</p> <p>Metropolitan Eastern: 1300 360 381 Southern: 1300 655 795 North & West: 1300 664 977</p> <p>Rural Barwon S/West: 1800 075 599 Gippsland: 1800 020 202 Grampians: 1800 000 551 Hume: 1800 650 227 Loddon Mallee: 1800 675 598 All regions after hours: 131 278</p>
<p>Western Australia Department for Child Protection Further services / Information</p> <p>The Department for Child Protection offers a range of services including:</p> <ul style="list-style-type: none"> \$ Adoption services \$ Case management & co-ordination \$ Counselling services \$ Child migrant services \$ Child advocacy services \$ Homelessness services \$ Parenting support \$ Out of home care placement services \$ Intensive in home Family support services <p>For further information about the process of reporting concerns about a child's welfare refer to the "If You are Concerned about a Child" page on the department's website.</p>	<p>Contact details</p> <p>Department for Child Protection: Central Office PO Box 6334 East Perth WA 6892 Ph: (08) 9222 2555 TTY: (08) 9325 1232</p> <p>To report instances of child abuse: (08) 9222 2555 or 1800 622 258 After hours: (08) 9223 1111 or 1800 199 008</p> <p>If you are a mandatory reporter: Ph: 1800 708 704 Fax: 1800 810 814 Email: mra@dcp.wa.gov.au</p>

Jurisdiction	State of mind	Extent of harm
ACT	Belief on reasonable grounds	Not specified: "sexual abuse ... or non-accidental physical injury"
NSW	Suspects on reasonable grounds that a child is at risk of significant harm	A child or young person "is at risk of significant harm if current concerns exist for the safety, welfare or wellbeing of the child or young person because of the presence, to a significant extent, of ... basic physical or psychological needs are not being met ... physical or sexual abuse or ill-treatment ... serious psychological harm"
NT	Belief on reasonable grounds	Any significant detrimental effect caused by any act, omission or circumstance on the physical, psychological or emotional wellbeing or development of the child
QLD	Become aware, or reasonably suspects	Significant detrimental effect on the child's physical, psychological or emotional wellbeing
SA	Suspects on reasonable grounds	Any sexual abuse; physical or psychological abuse or neglect to extent that the child "has suffered, or is likely to suffer, physical or psychological injury detrimental to the child's wellbeing; or the child's physical or psychological development is in jeopardy"
TAS	Believes, or suspects, on reasonable grounds, or knows	Any sexual abuse; physical or emotional injury or other abuse, or neglect, to extent that the child has suffered, or is likely to suffer, physical or psychological harm detrimental to the child's wellbeing; or the child's physical or psychological development is in jeopardy
VIC	Belief on reasonable grounds	Child has suffered, or is likely to suffer, significant harm as a result of physical injury or sexual abuse and the child's parents have not protected, or are unlikely to protect, the child from harm of that type
WA	Suspects on reasonable grounds	Not specified: any assault or sexual assault; serious psychological harm; serious neglect

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