

Mandatory Reporting of Children at Risk.

The Victorian *Children and Young Persons Act 1989* addresses the question of mandatory reporting of a child or young person under the age of 17 who has suffered or who is likely to suffer from abuse, whether the abuse is physical, sexual, emotional or due to neglect.

When is a child in need of protection?

The Act specifies that a child is in need of protection when there is a risk of physical, sexual, emotional or psychological harm, and when a child's physical development or health is harmed or at risk.

The Act states three conditions:

- The child has suffered from physical emotional or psychological harm, or sexual abuse *or*
- The child is likely to suffer such harm or abuse *and*
- The child's parents have not protected or are unlikely to protect the child from such harm or abuse.

Who is obliged to notify the Department of Human Services?

If a doctor or teacher or nurse believes on reasonable grounds that a child is in need of protection on any of these grounds, he or she must notify the Secretary of the Department of Human Services (through the Child Protection Services or a member of the Police force) as soon as practicable. Failure to report is against the law.

Even if a child has been previously reported, if at any subsequent time there are further grounds for believing the child is at risk, these must be reported.

If a professional believes that another person had already notified the child, they should be sure of this, as they may be required by law to prove that the child had already been reported.

As a protection of the notifier, the Act states that no-one may disclose the name of the person making the notification, or provide information that could lead to their identification.

The school's advice to staff on reporting.

The school would not attempt to prevent a person reporting a student if that person did feel that he or she had reasonable grounds for doing so. However, in order to support that person and to assist in the care of the student, it is advised that the person considering making the report discusses this with the Director of Student Welfare and / or Head of Campus, and informs them if they have reported the child. It would be in the child's best interests also if the Head of House is also informed. It is not expected that the person reporting the child should discuss this with the child's parents.

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