

## REPORTING OBLIGATIONS IN TASMANIA

*Children, Young Persons and Their Families Act 1997, ss. 3, 4, 13, 14.*

### General position

- *A child is an individual under 18 years of age.*<sup>1</sup>
- *Age of consent in Tasmania is 17 years.*<sup>2</sup>

### Reporting Obligation

Ministers of religion (elders) are ***not listed*** as ***prescribed persons*** having a responsibility to report under the *Children, Young Persons and Their Families Act 1997* and are therefore ***not required by law*** to report.<sup>3</sup>

### Taking Calls Concerning Abuse Matters

1. Names of the elders calling and from what congregation?
2. Names of the alleged victim/s?
  - Age now?
  - Age at time of alleged offence?
  - Spiritual status – (baptised/unbaptised/unbaptised pub/nonJW)?
3. Name of the alleged perpetrator?
  - Age now?
  - Age at time of alleged offence?
  - Spiritual status – (baptised/unbaptised/unbaptised pub/nonJW)?
  - Date of offence – (recent or if historical, approximate year/s)?
  - Does alleged perpetrator presently have access to children?
  - Relationship to the alleged victim?
4. In what State did the alleged abuse occur?
5. Who reported the matter to the elders?
6. Has this matter been or will be reported to the police or other authorities?
7. If the victim is still a child (under 18), is he/she still in danger? If so, the Service Department will provide necessary direction to ensure the child's protection.
8. Obtain legal advice from solicitor concerning this matter.
9. Irrespective of the legal advice, advise elders to pass on the following information to the victim, if he/she is an adult, or the child's parent/s if the victim is still a minor:
 

**“Even though you have reported this matter to the elders, you have the absolute right to report this matter to the authorities if you want to and the elders will support you in whatever decision you make.”**
10. Transfer the elders to Service Department.
11. If matter has been or will be reported to the authorities, the elders need to ensure that their actions do not interfere with any police investigation.

<sup>1</sup> *Children, Young Persons and Their Families Act 1997, s.3.*

<sup>2</sup> *Criminal Code Act 1924, s.124.*

<sup>3</sup> *Children, Young Persons and Their Families Act 1997, s.14(1), (2).* A broad list of ***prescribed persons*** in various occupations are listed as having an obligation to report if, in carrying out official duties or in the course of his or her work (whether paid or voluntary), he or she believes, or suspects, on reasonable grounds, or knows that a child (under 18) has been or is being abused. This includes, for example, medical practitioners, nurses, persons in the dental and psychology professions, police officers, principal and teachers in educational institutions, persons who provide child care or child-care services for reward, and others.