

Safeguarding Children Program

Australian child abuse Mandatory Reporting legislation

All jurisdictions in Australia have child abuse mandatory reporting legislation. All jurisdictions require a reasonable belief or suspicion that a child is at risk of harm to trigger a mandatory report. However the type of harm triggering a report varies between jurisdictions. Most jurisdictions require reporting of all types of abuse¹. Some jurisdictions limit mandatory reporting requirements to sexual or physical abuse.

Please note: the information provided below is a summary for general reference only. If you are unsure of your mandatory reporting obligations you should seek direction from the child protection authority in your jurisdiction.

Jurisdiction	Types to be reported	Mandated notifiers	Legal Provisions
ACT	Physical & sexual abuse	A person who is: a doctor; a dentist; a nurse; an enrolled nurse; a midwife; a psychologist; a teacher at a school; a person authorised to inspect education programs used for home education of a child or young person under the Education Act 2004; a police officer; a person employed to counsel children or young people at a school; a person caring for a child at a child care centre; a person coordinating a family day care scheme; a public servant who works with, or provides services personally to, children and young people or families; the public advocate; an official visitor; a person who, in the course of the person's employment, has contact with or provides services to children, young people and their families and is prescribed by regulation	s356 Children & Young People Act 2008 (ACT)
NSW	All types	A person who, in the course of his or her professional work or other paid employment delivers health care, welfare, education, children's services, residential services or law enforcement, wholly or partly, to children; and a person who holds a management position in an organisation, the duties of which include direct responsibility for, or direct supervision of, the provision of health care, welfare, education, children's services, residential services or law enforcement, wholly or partly, to children	Ss23 & 27 Children & Young Persons (Care & Protection) Act 1998 (NSW)
NT	All types	Any person	Ss15, 16 & 26 Care & Protection of Children Act 2007 (NT)
	Sexual offences against children aged 14 or 15 years where offender > 2 years older	A health practitioner or someone who performs work of a kind that is prescribed by regulation	s26(2) Care & Protection of Children Act 2007 (NT)

¹ Abuse is where there is significant detrimental effect on the physical, psychological or emotional wellbeing or development of a child, caused by sexual, physical or emotional abuse or neglect which involves an act, omission or circumstance. Mandatory legislation usually applies to abuse or neglect by a parent or care-giver.

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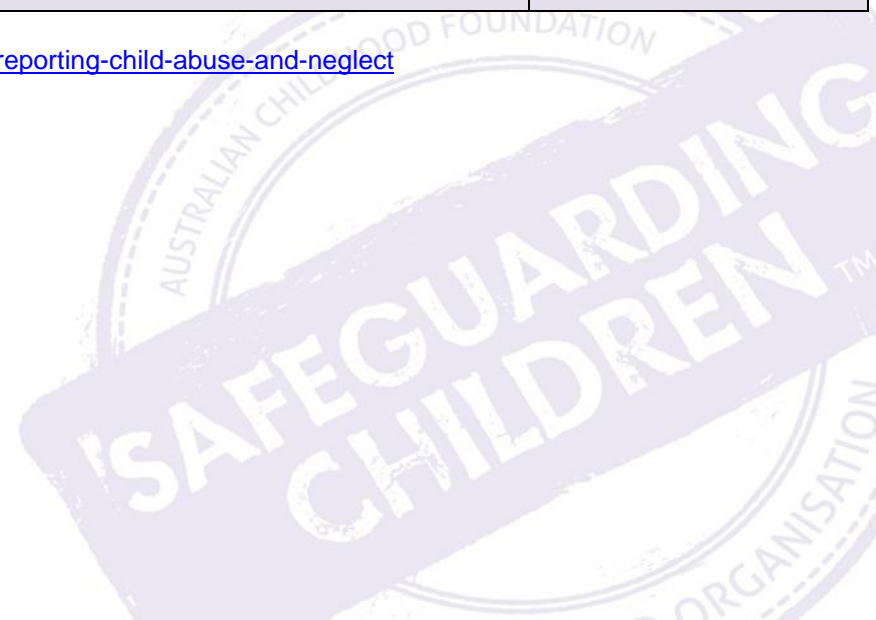
Jurisdiction	Types to be reported	Mandated notifiers	Legal Provisions
QLD	Physical & sexual abuse	An authorised officer, a public service employee employed in the department, a person employed in a departmental care service or licensed care service Relevant persons: doctors; registered nurses; teachers; a police officer who, under a direction given by the commissioner of the police service under the Police Service Administration Act 1990, is responsible for reporting under this section; a person engaged to perform a child advocate function under the Public Guardian Act 2014	Pt1AA, s13f Child Protection Act 1999 (Qld) Pt1AA, s13e Child Protection Act 1999 (Qld)
	Sexual abuse	School staff	Ss364, 365, 365A, 366, 366A Education (General Provisions) Act 2006 (Qld)
SA	All types	Medical practitioners; pharmacists; registered or enrolled nurses; dentists; psychologists; police officers; community corrections officers; social workers; a minister of religion, a person who is an employee of, or volunteer in, an organisation formed for religious or spiritual purposes, (with the exception of disclosures made in the confessional); teachers in educational institutions including kindergartens; approved family day care providers; any other person who is an employee/volunteer in a government or non-government organisation that provides health, welfare, education, sporting or recreational, child care or residential services wholly or partly for children, being a person who is actively engaged in the delivery of those services to children or who holds a management position in the relevant organisation, the duties of which include direct responsibility for, or direct supervision of, the provision of those services to children	Ss6, 10 & 11 Children's Protection Act 1993 (SA)
TAS	All types	Registered medical practitioners; nurses; midwives; dentists, dental therapists, dental hygienists or oral health therapist; registered psychologists; police officers; probation officers; principals and teachers in any educational institution including kindergartens; persons who provide child care or a child care service for fee or reward; persons concerned in the management of a child care service licensed under the Child Care Act 2001; any other person who is employed or engaged as an employee for, of, or in, or who is a volunteer in, a government agency that provides health, welfare, education, child care or residential services wholly or partly for children, and an organisation that receives any funding from the Crown for the provision of such services.	Ss3, 4 & 14 Children, Young Persons and their Families Act 1997 (TAS)
VIC	Physical or sexual	Registered medical practitioners, nurses, midwives, a person registered as a teacher or an early childhood teacher under the Education and Training and Reform Act 2006 or teachers granted	Ss182(1)(a)-(e), 184 & 162(c)-(d) Children, Youth

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	abuse	permission to teach under that Act; principals of government or non-government schools within the meaning of the Education and Training Reform Act 2006; and police officers.	& Families Act 2005 (Vic)
	Sexual offence	Any person	s327 Crimes Act 1958
WA	Sexual abuse	Doctors; nurses and midwives; teachers or boarding supervisor; and police officers	Ss124A & 124B Children & Community Services Act 2004
	All types	Court personnel; family counsellors; family consultants; family dispute resolution practitioners, arbitrators or legal practitioners independently representing the child's interests	Ss5, 160 Family Court Act 1997 (WA)
Australia	All types	Family Court of Australia, Federal Magistrates Court and Family Court of Western Australia personnel; family counsellors; family consultants; family dispute resolution practitioners, arbitrators or legal practitioners independently representing the child's interests	Family Law Act 1975 (Cth)

Source: Australian Institute of Family Studies <https://aifs.gov.au/cfca/publications/mandatory-reporting-child-abuse-and-neglect>



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