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| Higher Education and Skills Group  **Participation Branch Memo**  **Department of Education and Early Childhood Development** |

***NUMBER:*** *2014 / October / 30*

**TO:** Learn Local organisations

Learn Local stakeholders

LLENs *– Chairs and / or Executive Officers*

**CC:** Participation Branch staff

**FROM:** Bronwen Heathfield, Director, Participation Branch

**DATE:** 30/10/2014

**SUBJECT:** New Obligation to Report Suspected Child Sexual Offences

**ACTIONS / CRITICAL DATES:**

* *For noting and appropriate action as required*
* *All staff who work with children under the age of 16 should familiarise themselves with these new reporting obligations: See:* [*http://www.justice.vic.gov.au/home/safer+communities/protecting+children+and+families/failure+to+disclose+offence*](http://www.justice.vic.gov.au/home/safer+communities/protecting+children+and+families/failure+to+disclose+offence)*.*
* *The new laws came in to effective from 27 October 2014*

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**New Obligation to Report Suspected Child Sexual Offences**

The Victorian Government through the Department of Justice have announced changes to the law on reporting suspected child sexual abuse. Under the new laws all adults are now required to inform police if they know or believe that a sexual offence has been committed.

All organisations contracted by the Department of Education and Early Childhood Development who work directly with children under the age of 16 must comply with the new law.

* From 27 October 2014 **all adults** will be required to report to police if they know or reasonably believe that a sexual offence has been committed by an adult against a child under the age of 16. It will be a criminal offence to fail to comply with this obligation.
* This reporting obligation is different to mandatory reporting obligations under child protection laws and applies to all adults, not just the professionals currently subject to mandatory reporting (i.e. registered teachers, principals and nurses).
* You will **not** be required to report in circumstances where the information has already been reported to police or DHS Child Protection, a child disclosed the information in confidence in the course of a therapeutic relationship, or you have a reasonable fear that the disclosure will place a person (other than the alleged perpetrator) at risk of harm.
* Further information about the new laws can be found on the [Department of Justice website](http://www.justice.vic.gov.au/home/safer+communities/protecting+children+and+families/failure+to+disclose+offence%20.).