

Department of Children and Families

**Alice Springs Child Protection Office
Child Protection – Harm and Neglect
Mandatory Reporting**

Alice Springs Child Protection Office

Working up to Wilora, across to Kintore, and to the Queensland and South Australian borders.

Six teams delivering child protection services to Alice Springs and remote communities.

Two Investigation and Assessments Teams.

Four Case Management Teams for children in care or at home with family.

Child Protection is co-located with Carer and Residential South (Foster, Kin and Residential Care) and Remote Services (RAFCW, Domestic Violence and MOS Plus).

Definition of Harm

Harm to a child is any significant detrimental effect caused by any act, omission or circumstance on:

- the physical, psychological or emotional wellbeing of the child; or
- the physical, psychological or emotional development of the child.

Harm can be caused by the following:

- physical, psychological or emotional abuse or neglect of the child;
- sexual abuse or other exploitation of the child;
- exposure of the child to physical violence.

Care and Protection
of Children Act
(CPCA)
Section 15

Definition of Exploitation

Exploitation of a child includes sexual and any other forms of exploitation of the child. Sexual exploitation of a child includes:

- sexual abuse of the child; and
- involving the child as a participant or spectator in any of the following:
 - an act of a sexual nature;
 - prostitution;
 - a pornographic performance.

Care and Protection
of Children Act
(CPCA)
Section 16

Physical Harm

- Refers to all non-accidental physical injuries or impairments or where there is significant risk of injuries occurring.
- Physical harm to a child can be caused by actions such as the child being, punched, shaken, burnt etc.

Emotional Harm

- Occurs when a child's social, emotional or cognitive development is impaired or is at significant risk as a direct result of the carer's persistent failure to meet the child's emotional need for love and security, or their psychological needs for stimulation/nurturing.
- Emotional harm to a child can be caused by actions such as criticism, exposure to domestic and family violence etc.

Sexual Abuse

- ❑ Sexual abuse occurs when any sexual activity or sexual threat is imposed on a child. The result of sexual abuse is physical and/or emotional harms.
- ❑ It includes the inducement or coercion of the child to engage in or to witness sexually explicit conduct for sexual gratification of the person responsible.

Sexual Offence

- ❑ Sexual intercourse, oral sex, indecent dealing and exposure to pornographic material with a child under 16 years, regardless of consent or the age of the other person.

Neglect

- ❑ Neglect is the repeated failure to meet a child's basic physical and emotional necessities of life including supervision, shelter, nutrition, medical care etc.

Cumulative Harm

- ❑ Effects of multiple adverse circumstances and events in a child's life.
- ❑ Cumulative harm is especially relevant to chronic neglect and emotional harm when damaging effects are unlikely to be evident after a single incident.

Thresholds

Factors to consider in determining thresholds for child protection intervention:

- Patterns of harm, including escalation, frequency and severity
- Non-accidental injuries
- Risk of harm and actual harm
- Family involvement, response and history
- Age and vulnerability of the child

Mandatory Reporting

- ❑ Mandatory reporting is the legal requirement of a person over the age of 18 years, to report a belief or suspicion of harm which has been, is being, or may be committed.
- ❑ The Northern Territory operates under “universal” mandatory reporting requirements.
- ❑ It is an offence if you hold a reasonable belief about a Child Abuse and Neglect and/or Domestic and Family Violence matter and do not make a report.

What is reported in the NT?



Child Abuse and Neglect

Everyone over the age of 18 years is mandated to make a report if they believe a child has been, or is likely to suffer harm or exploitation or be a victim of a sexual offence.

Domestic and Family Violence

Everyone over the age of 18 years is mandated to make a report if they believe a person has caused, or is likely to cause, serious physical harm to someone they are in a domestic or family relationship with and/or the life or safety of a person is under serious or imminent threat, because domestic or family violence has been, is being or is about to be committed.

Mandatory Reporting

Care and Protection
of Children Act
(CPCA)
Section 26

- (1) A person is guilty of an offence if the person:
 - (a) believes, on **reasonable grounds**, any of the following:
 - i. a child has suffered or is likely to suffer harm or exploitation;
 - ii. a child aged less than 14 years has been or is likely to be a victim of a sexual offence;
 - iii. a child has been or is likely to be a victim of an offence against section 128 of the criminal code; and
 - (b) does not, as soon as possible after forming that belief, report (orally or in writing) to the CEO or a police officer:
 - i. that belief; and
 - ii. any knowledge of the person forming the grounds for that belief; and
 - iii. any factual circumstances on which that knowledge is based.

Mandatory Reporting

- ❑ A person acting in good faith in making a report under section 26 of the CPCA is not civilly or criminally liable, or in breach of any professional code of conduct for making the report and providing information for the report.

- ❑ The identity of the person making the report is protected.

IDENTIFYING INFORMATION

- Names
- Dates of birth
- Addresses of the child, parents/caregivers, alleged perpetrator
- Details of other household members

DESCRIPTION OF HARM

- Description of the injury
- Description of abusive or neglectful indicators observed
- Details of the history of abuse (when you first become concerned)
- Reasons for believing the injury or behaviour is the result of abuse or neglect

Reporting Harm and Exploitation

CURRENT SITUATION

- Whereabouts of the child and other family members
- Who is aware of the report being made

OTHER RELEVANT INFORMATION

- Other agencies involved
- Family strengths
- Other relevant family information

REPORTERS INFORMATION

- Identifying information and contact details
- Relationship with the child and their family

Central Intake 24hrs

1800 700 250