



INDEPENDENT INQUIRY
CHILD SEXUAL ABUSE

Features of mandatory reporting models (part I)

Mandatory reporting seminar, 30 April 2019

@InquiryCSA #MRSeminar



- **Key features of models of mandatory reporting**
 - **Who** does the legal duty to report apply to?
 - **What** must those subject to the duty report?
 - Are there any exceptions to what must be reported?
 - Are there any **consequences** for not reporting?
 - If so, are these criminal penalties?
 - Who do the consequences for not reporting apply to?

	Reportable conduct scheme in Victoria, Australia	Duty to report in Wales	Model proposed by Mandate Now	Ontario, Canada
Who does the duty apply to?	Heds of organisations that work with children (ie. schools, religious bodies, health services)	‘Relevant partners’ (ie. local authority staff, police, health staff, youth offending teams)	Staff working in regulated activities, including voluntary staff (ie. in schools, faith organisations, health services, children’s homes, national sports bodies)	All persons are subject to the duty
What must be reported?	Known or alleged sexual misconduct or offences against or in the presence of a child (under 18), about an employee or volunteer (aged 18+)	Concern or suspicion, based on reasonable grounds, that a child is at risk of sexual abuse (under 18)	Known or suspected sexual abuse of a child attending the regulated activity, whether the abuse took place within the regulated setting or elsewhere	Known or suspected child sexual abuse (under 16) or risk that a child is likely to be sexually abused
Are there any consequences for failing to report?	Failure to report is a criminal offence, punishable by fine	No statutory consequences; organisation disciplinary processes and professional/ regulatory sanctions may apply	All mandated persons would be subject to a criminal penalty	Fine for professionals who work with children and Directors who permit non-reporting; no sanction for members of the public



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