

## CHILD ABUSE DEFINITIONS - a guide for school staff

**Call 000 if the child is in immediate danger**

**At all times make sure the child is safe first**

### CHILD PROTECTION:

A report to DHHS Child Protection should be made in any of the following circumstances:

- Physical abuse (**mandatory reporters must report**)
- Sexual abuse (**mandatory reporters must report**)
- Emotional abuse
- Neglect
- Medical neglect
- Family violence
- Human trafficking (including forced marriage)
- Sexual exploitation (including pornography and prostitution)

1. **Follow the Four Critical Actions including:**
2. Completing the form DHHS Child Protection/Police/Child FIRST CS/2
2. Speaking with the Principal/Child Safety Officer
3. Making the report

A report should also be made to DHHS Child Protection in circumstance where, for example:

- The child is engaging in risk-taking behaviour
- Female genital mutilation has occurred, or there is risk of it occurring
- There is risk to an unborn child
- A child or young person is exhibiting sexually-abusive behaviours
- There are indicators that a child is being groomed

### Child in need of protection:

**Any person** may make a report if they believe on reasonable grounds that a child is in need of protection for any of the following reasons:

- The child has been abandoned and there is no other suitable person who is willing and able to care for the child.
- The child's parents are dead or incapacitated and there is no other suitable person who is willing and able to care for the child.
- The child has suffered or likely to suffer significant harm as a result of sexual abuse and their parents are unable or unwilling to protect the child.
- The child has suffered or is likely to suffer emotional or psychological harm and the parents are unable or unwilling to protect the child.
- The child's physical development or health has been, or is likely to be significantly harmed and the parents are unable or unwilling to provide basic care, or effective medical or other remedial care.

### Child displaying sexually abusive behaviours and in need of therapeutic treatment:

**Any person may make a report** if they believe on reasonable grounds that a child who is 10 years of age or over, but under 15 years of age, is in need of therapeutic treatment because he or she has exhibited sexually-abusive behaviours

### Legal Obligations:

**Failure to disclose** criminal offence requires all adults (aged 18 and over) who hold a reasonable belief that a sexual offence has been committed in Victoria by an adult against a child under 16 to disclose that information to police (unless they have a reasonable excuse not to, for example because they fear for their safety or the safety of another). Whilst **failure to disclose covers child sexual abuse**, all adults should report other forms of child abuse to authorities. Failure to disclose does not change mandatory reporting responsibilities.

**Failure to protect:** A person in a position of authority in an organisation will commit this offence if they know of the risk of abuse and have the power or responsibility to reduce or remove the risk, but negligently fail to do so.

**Mandatory reporters** (doctors, nurses, midwives, teachers (including early childhood teachers), Principals and police) must report to child protection if they believe on reasonable grounds that a child is in need of protection from physical injury or sexual abuse. Refer to the school's Mandatory Reporting policy for further information.

**MAKING A REPORT:**

- **You must follow the school's Four Critical Actions.**

**In brief:**

- Keep comprehensive notes that are dated and include information about what has led to your concerns, the source of this information and the actions taken as a result of the concerns.
- **Discuss any concerns with the Principal** or Child Safety Officer.
- Complete the form **DHHS Child Protection/Police/Child FIRST CS/2**
- Make a report to the relevant agency (DHHS or Victoria Police or Child First)

**Child FIRST:**

A referral to Child FIRST may be the best way of connecting children, young people and their families to the services they need, where families exhibit any of the following factors that may impact upon a child's safety, stability or development:

- Significant parenting problems that may be affecting the child's development
- Family conflict, including family breakdown
- Families under pressure due to a family member's physical or mental illness, substance abuse, disability or bereavement
- Young, isolated and/or unsupported families
- Significant social or economic disadvantage that may adversely impact on a child's care or development

**Factors for consideration:**

What specifically has happened to the child that has caused your concerns and what is the impact on their safety, stability, health, wellbeing and development?

- How vulnerable is the child?
- Is there a history or pattern of significant concerns with this child or other children in the family?
- Are the parents aware of the concerns, capable and willing to take action to ensure the child's safety and stability, and promote their health, wellbeing, and development?
- Are the parents able and willing to use support services to promote the child's safety, stability, wellbeing and development.