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MEDIA RELEASE

CALL FOR EXPANSION TO MANDATORY REPORTING CRITERIA CHILDREN AND YOUNG PEOPLE ACT 2008

The Australian Federal Police Association (AFPA) is calling for legislative reform in relation to mandatory reporting of suspected cases of child abuse and exploitation in the ACT.

A mandated reporter is a person legally required to report observed or suspected child abuse or exploitation.

AFPA President Alex Caruana said that while the existing mandatory reporting legislation in the ACT was adequate, it should be improved and expanded to regard Members of the ACT Legislative Assembly and their staff as being mandated reporters.

“Given recent media coverage, I think there needs to be an expansion to the mandated reporter criteria. In the course of their duties, Members of the Legislative Assembly and their staff may receive information that should be reported to the appropriate authorities in order to protect children and young people in the ACT.

“We welcome the recent commentary announcing an independent inquiry into the handling of the Davis allegations and further support the comments from the Speaker of the ACT Legislative Assembly, Joy Burch MLA, about reviewing the provisions of mandatory reporting legislation,” Mr Caruana said.

Section 356 of the *Children and Young People Act 2008 (ACT)* outlines the offence of being a mandated reporter and not mandatorily reporting. This section also defines what is meant by a “mandated reporter”. The AFPA notes that a Member of the ACT Legislative Assembly or their staff is not considered a mandated reporter as per section 356.

Mr Caruana said that if professionals such as doctors, midwives, teachers, police officers, and ministers of religion were considered mandated reporters under the Act, it was not unreasonable to hold Members of the ACT Legislative Assembly and their staff to the same standard.

“We are talking about the protection of children and young people here; a Member of the ACT Legislative Assembly or their staff aren’t the right people to be making enquiries if they become aware of an allegation of child abuse or exploitation. It must be mandatorily reported to the authorities, such as ACT Policing and Child and Youth Protection Services. Let the experts do their job.

“We recommend including Members of the Legislative Assembly and their staff in section 356 of the *Children and Young People Act*. This should clear up any ambiguity regarding the reporting of child abuse and exploitation in the ACT,” Mr Caruana said.

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