

Failure to Disclose Child Sexual Abuse

Interchange Outer East has zero tolerance towards child abuse, and all allegations and safety concerns will be treated very seriously and consistently with our robust policies and procedures.

In 2014, the law in Victoria was changed to create the failure to disclose offence in response to the Betrayal of Trust report (2013).

The law now requires any adult (aged 18 and over) who reasonably believes that a sexual offence has been committed in Victoria by an adult against a child (under the age of 16), disclose that information to police.

Reasonable belief may be formed when:

- A child states that they have been sexually abused;
- A child states that they know someone who has been sexually abused (sometimes the child may be talking about themselves);
- Someone who knows a child states that the child has been sexually abused;
- Professional observations of the child's behaviour or development lead you to believe that the child has been sexually abused; or
- Signs of sexual abuse lead to a belief that the child has been sexually abused (these can vary based on the age of the victim, e.g. inappropriate sexual knowledge for age, inappropriate engagement in sexualised play/behaviours for age, acting out sexual acts in play).

There are no exemptions to IOE staff or volunteers reporting a reasonable belief of child abuse, including:

- Whether the offence occurred whilst being supported by IOE or not;
- If the victim, who is under the age of 16, has requested you not to report it; and
- If the person has an intellectual disability, you are required to report regardless of whether the person is over the age of 16 or not, or when the offence occurred.

The simple rule is: if you have a reasonable belief that a sexual offence has been committed by an adult against a child, or person with an intellectual disability, who receives support from IOE, you must report this immediately to the most relevant coordinator/team leader or general manager at IOE. If the office is closed please contact the after hours emergency phone. If required, you will be supported to make a report to Victoria Police and/or Victorian Child Protection Service. Any disclosure will be documented and/or an incident report completed, and a confirmation document of the report will be provided.

It is important to inform IOE of your concerns first as there may be knowledge of prior disclosure, treatments and supports already in place.

If you fail to report, it can result in charges against you with a possible maximum sentence of three years imprisonment.

Reportable Conduct Scheme

The Victorian Reportable Conduct Scheme exists to oversee the response from organisations to allegations of child abuse and misconduct by their workers or volunteers. Organisations are required to report and investigate all allegations of reportable conduct.

There are five types of *reportable conduct*:

1. Sexual offences committed against, with or in the presence of a child
2. Sexual misconduct committed against, with or in the presence of a child
3. Physical violence against, with or in the presence of a child
4. Any behaviour that causes significant emotional or psychological harm to a child
5. Significant neglect of a child.

If you are unsure whether something needs to be reported, please discuss this with a senior staff member at IOE.