



SPECIAL COMMISSION OF INQUIRY INTO
CHILD PROTECTION SERVICES IN NEW SOUTH WALES

PUBLIC FORUM

MANDATORY REPORTING

15 FEBRUARY 2008

AGENDA

In order for the State to protect children it must first identify those children and young persons in need of its protection. To do so, it must define when it needs to be told of such children with sufficient clarity to discourage reports of little substance while capturing children at real, including potential risk.

Whether the assessment of risk lies best with the reporter or DOCS needs to be decided and filters should be in place to ensure resources are used effectively.

In NSW, police, health and education workers, among others, are required to report children when they have reasonable grounds to suspect they are at risk of harm. Anyone can make a report in the same circumstances.

As can be seen from the facts sheet, most reports to DoCS are from mandatory reporters, and, of those, most are from the Police. Most reports arise from the presence of domestic violence in a household in which a child is usually present. Only about 15% of all reports result in any real action by DoCS.

The Inquiry is interested in the following questions:

1. What role should the professional judgement of the mandatory reporter play in determining whether a report is made and/or other action taken?
2. What should be reported?
 - a. A risk of, or potential for harm;
 - b. Actual harm;
 - c. A specific level of risk of or potential harm, such as serious or substantial; or
 - d. A probability of harm such as likely or possible
3. Should institutions such as hospitals and schools be obliged to report, rather than individual workers?
4. What form should reports take? Should there be different requirements for different reporters, such as Police reporting by providing the COPS entry?
5. Should the failure to report be sanctioned by a criminal offence and a substantial fine?
6. What information, and when should it be provided to reporters by DoCS?