

REPORTING OBLIGATIONS IN QUEENSLAND

Child Protection Act 1999, s.13E, 13F

General position

- A child is an individual under 18 years of age.¹
- The age of consent is 16 for heterosexuals and 18 for homosexual.²

Reporting obligation

A minister of religion (elder) **is not** a **relevant person** under the *Child Protection Act 1999* and is therefore **not required by law** to report.³

Taking Calls Concerning Abuse Matters

1. Names of the elders calling and from what congregation?
2. Names of the alleged victim/s?
 - Age now?
 - Age at time of alleged offence?
 - Spiritual status – (baptised/unbaptised/unbaptised pub/nonJW)?
3. Name of the alleged perpetrator?
 - Age now?
 - Age at time of alleged offence?
 - Spiritual status – (baptised/unbaptised/unbaptised pub/nonJW)?
 - Date of offence – (recent or if historical, approximate year/s)?
 - Does alleged perpetrator presently have access to children?
 - Relationship to the alleged victim?
4. In what State did the alleged abuse occur?
5. Who reported the matter to the elders?
6. Has this matter been or will be reported to the police or other authorities?
7. If the victim is still a child (under 18), is he/she still in danger? If so, the Service Department will provide necessary direction to ensure the child's protection.
8. Obtain legal advice from solicitor concerning this matter.
9. Irrespective of the legal advice, advise elders to pass on the following information to the victim, if he/she is an adult, or the child's parent/s if the victim is still a minor:

“Even though you have reported this matter to the elders, you have the absolute right to report this matter to the authorities if you want to and the elders will support you in whatever decision you make.”
10. Transfer the elders to the Service Department.
11. If matter has been or will be reported to the authorities, the elders need to ensure that their actions do not interfere with any police investigation.

¹ *Child Protection Act 1999, s.8.*

² *Criminal Code Act 1899, ss. 208, 215.*

³ *Child Protection Act 1999, s.13E.* A **relevant person** who forms a **reportable suspicion** about a child in the course of the person's engagement as a **relevant person** (ie in the course of his/her professional activities) is under obligation to report the matter.
A **relevant person** is a doctor; a registered nurse; a teacher; a police officer who, under a direction given by the commissioner of the police service under the *Police Service Administration Act 1990*, is responsible for reporting under this section; and a person engaged to perform a child advocate function under the *Public Guardian Act 2014*.