



AUSTRALIAN
ISLAMIC COLLEGE

CHILD PROTECTION POLICY

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INTRODUCTION

All staff at Australian Islamic College are responsible for the care and protection of students. Everyone in the college community has the responsibility/duty of reporting any concerns related to emotional, physical or sexual abuse and/or neglect. This policy sets out guidelines for those caring for students either directly or indirectly in the school setting in fulfilling responsibilities for Child Protection.

All children have a right to be protected from harm and schools and teachers owe a 'duty of care' to all students at the school. Schools have a special responsibility to protect children when they are on school premises and also to intervene when they believe the welfare of a child is at risk outside the school.

On the 1st January 2009, the Western Australian government introduced new legislation that requires various occupations, including teachers, to report on child sexual abuse. This legislation is the *Children and Community Services Amendment (Reporting Sexual Abuse of Children) Act 2008* and is an amendment to the *Children and Community Services Act 2004*. The Act was further amended in 2016, to include boarding supervisors.

What is Child Abuse?: Child abuse and neglect, through the Department for Child Protection, is defined as maltreatment done by a person who has responsibility to care for a child and this document concentrates specifically on that relationship.

However, it is very important to note that the definitions of child maltreatment described in this document can be used to explain some of the behaviour that can occur in schools by one child to another. While the treatment of such behaviour may be dealt with through the colleges Bullying and Behaviour Management policies, the victim of that 'bullying' may display some of the physical and behavioural indicators as those described in this document. These events should be treated seriously by the school with the aim to help both parties.

It is also important to note that the child who is 'bullying' may be doing so because they have been subjected to the same inappropriate behaviour and may require assistance through the college's Child Protection policy.

ISLAMIC GUIDELINES

Australian Islamic College endeavours to protect all students from harm, to decrease risk of abuse and provide a safe Islamic environment for students to develop academically, spiritually and socially.

The notion that all children have a right to be protected from harm, is an important aspect of the Islamic faith. We firmly believe that God has given all educational institutions and its leaders the responsibility of protecting all children placed in their care. Leaders and those appointed by the leaders are fully accountable for the well being of each child in the College.

Islam instructs us to treat our elders with respect and our youngsters with kindness. The welfare of children under our care is paramount to the colleges objectives. All staff need to be aware of the proper etiquette and manner in which to address issues of abuse or neglect. Staff are encouraged to deal with all instances of abuse with kindness and sensitivity.

It is narrated that the Prophet Mohammad (peace be upon him) kissed Hasan ibn 'Ali while Aqra' ibn Habis was sitting nearby. Aqra' said, 'I have ten children and have never kissed one of them.' The Prophet looked at him and said, *"Those who show no mercy will be shown no mercy".*

Prophet Mohammad (peace be upon him) said:
Indeed Allah is gentle and loves gentleness, and gives due to gentleness, that which He does not give to harshness.

GENERAL PRINCIPLES

The objective of this policy is:

- To educate staff and the College community about the importance of protecting students from harm.
- To educate staff and the College community about the possible signs of abuse.
- To provide the means for the College community to have any concerns about abuse and risk raised and addressed as per legal requirements.
- To devise and implement procedures which prevent abuse and minimise risks of abuse.

How will teachers, parents and community know about mandatory reporting and the processes of it?

The College will notify all concerned parties of the mandatory reporting requirements via the following means:

- Conducting in school and out of school professional learning sessions for all teachers.
- Letters to parents an/or information in the school's regular online newsletter.
- Posting of the Child Protection Policy and the *Mandatory Reporting of Child Sexual Abuse in Western Australia - A guide for mandatory reporters* with Fact Sheets on the college website (www.aic.wa.edu.au).

1. Definition of Child Maltreatment

Child Abuse and Neglect

This is maltreatment of a person under the age of 18 years. It is the result of action or inaction on the part of a person who has responsibility to care for a child resulting in harm or injury to the child. The harm may include delayed physical and/or intellectual development. The maltreatment experienced is normally described in five categories. Each category of maltreatment is described by a range of indicators:

- Physical
- Sexual
- Emotional
- Psychological
- Neglect

Physical abuse

Physical abuse occurs when a child has experienced severe and/or persistent ill-treatment. It can include, but is not limited by injuries such as cuts, bruises, burns and fractures caused by a range of acts including beating, shaking, illicit administration of alcohol and other drugs, attempted suffocation, excessive discipline or physical punishment.

Female Genital Mutilation (FGM) is defined as physical abuse. FGM is the collective term for traditional practices that involve cutting the external female genitalia.

Sexual abuse

Sexual abuse covers a wide range of behaviour or activities that expose or subject a child to sexual activity that is exploitative and/or inappropriate to his/her age and developmental level. These behaviours include observation or involvement with inappropriate fondling of a child's body, making a child touch an adult's genitalia, showing pornographic material or sexual acts to a child, and sexual penetration of the child. Harm from sexual abuse may include significant emotional trauma, physical injury, infections and impaired emotional and psychological development.

Emotional abuse

Emotional abuse is a sustained, repetitive, inappropriate, ill treatment of a child or young person through behaviours including threatening, belittling, teasing, humiliating, bullying, confusing, ignoring and inappropriate encouragement. Children who have been emotionally abused are likely to have a reduced capacity to experience a range of emotions, to express emotion appropriately and to modulate their emotional experience. Children who have been emotionally abused are likely to be fearful, withdrawn and/or resentful, distressed and despairing.

Psychological abuse

Psychological abuse is the sustained, repetitive, inappropriate, ill treatment of a child or young person through behaviours including threatening, isolating, neglecting, discrediting, misleading, disregarding, ignoring and inappropriate encouragement. This abuse damages a child's intellectual faculties and processes, including intelligence, memory, recognition, perception, attention, imagination and moral development. Children are likely to feel worthless, flawed, unloved, unwanted, endangered or only of value in meeting another's needs.

Neglect

Neglect is the failure of a parent/caregiver to provide a child with the basic necessities of life. These include adequate supervision, adequate food or shelter, suitable clothing, effective medical, therapeutic or remedial care and emotional security. Neglect can be acute, chronic or episodic, and can result in detrimental effects on the child or young person's social psychological, educational or physical development and/or physical injury. Neglect should be considered in the context of physical, emotional or psychological abuse.

Descriptions of these indicators have been taken from the Department for Child Protection document *"Identifying and responding to child abuse and neglect – A Guide for Professionals"*.

Note: Students aged 18 and over may attend school but are legally considered adults and as such DCP does not have a child protection mandate for them. However, they can be considered potentially vulnerable and in need of specialist services and schools do owe a duty of care towards them. There are many youth-specific agencies available to assist these students. Details of these are listed in this document. Australian Islamic College will contact the Police when aware of any assault or crime against a young adult.

2. Indicators of Child Abuse and Neglect

The following list of indicators is not exhaustive but contains those that will be of most use to staff. This list has been taken from the Department for Child Protection document *"Identifying and responding to child abuse and neglect – A Guide for Professionals"*.

Students frequently show indicators from more than one category; and the examples listed are not necessarily exclusive to a single category of abuse. Any of these indicators may suggest that a student is being abused, neglected or at risk of harm; however, indicators should be considered in the context of the student's age, medical and developmental history, and capabilities. In addition, mental illness, substance abuse and domestic violence within families must also be considered.

Physical abuse

- broken bones or unexplained bruises, burns, or welts in various stages of healing
- the child or young person is unable to explain an injury, or explanations given are inconsistent, vague or bizarre
- direct admissions from the parents that they are concerned that they might harm their child
- family history of violence
- marked delay between injury and obtaining medical assistance
- parent who shows little concern about the welfare of their child or the treatment and care of the injury
- repeated presentations of the child to health services with injuries, ingestions or minor complaints (this could also be an indicator of Factitious Disorder by proxy, a rare expression of physical and emotional abuse)
- the child or young person is unusually frightened of a parent or carer, or is afraid to go home
- the child or young person reports intentional injury by their parent or carer

- arms and legs are kept covered by inappropriate clothing in warm conditions
- ingestion of poisonous substances including alcohol or drugs
- avoidance of physical contact by the child (particularly with a parent or carer)
- Female Genital mutilation

Sexual abuse

- sexualised behaviours inappropriate to their age (including sexually touching other children and themselves)
- knowledge of sexual behaviour inappropriate to their years
- disclosure of abuse either directly or indirectly through drawings, play or writing that describes abuse
- pain or bleeding in the anal or genital area with redness or swelling
- fear of being alone with a particular person
- child or young person implies that he/she is required to keep secrets
- presence of sexually transmitted disease
- sudden unexplained fears
- enuresis and/or encopresis (bed-wetting and bed soiling)

Emotional or Psychological abuse

- the parent or carer constantly criticises, threatens, belittles, insults, or rejects the child or young person with no evidence of love, support, or guidance
- the child or young person exhibits extremes in behaviour from overly aggressive to overly passive
- delayed physical, emotional, or intellectual development
- compulsive lying and stealing
- high levels of anxiety
- lack of trust in people
- feelings of worthlessness about life and themselves
- eating hungrily or hardly at all
- uncharacteristic seeking of attention or affection
- reluctance to go home
- rocking, sucking thumbs or self harming behaviour
- fearfulness when approached by a person known to them

Neglect

- signs of malnutrition, begging, stealing or hoarding food
- poor hygiene: matted hair, dirty skin or severe body odour
- unattended physical or medical problems
- the child or young person states that no one is home to provide care (inadequate supervision, failure to ensure safety)
- child or young person appears constantly tired
- frequent lateness to school or absence from school
- inappropriate clothing, especially inadequate clothing in winter
- alcohol and/or drug abuse present in the household
- frequent illness, low grade infections or sores
- hunger

3. Myths about Child Abuse and its Prevalence

An accurate understanding of the dynamics underlying child abuse is important because the impact of any form of abuse on the victim can be life changing. Common outcomes associated with abuse include drug abuse, suicide, eating disorders, low self-esteem, psychosomatic illness and self-mutilation.

There are many **dangerous beliefs and myths about sexual abuse**. Some of the common ones are shown below:

- sexual abuse is not relevant to Muslim families/children.
- sex between children and adults is not damaging if it is in the context of a loving relationship;

- it is not the abuse which causes the problem but the effects of the intervention by others;
- those abused turn into abusers;
- children frequently lie about sexual abuse;
- sexual abuse is more common in lower socio-economic areas and families;
- only men sexually abuse children;
- sexual abusers are readily identified by 'normal' people.

4. The Facts about Child Abuse

Children or young people are more often abused by a parent or carer. Adults who were abused as children are at greater risk of developing psychological and emotional problems later in life, and repeating the pattern of abuse with their own children.

A child abuser can be a member of the family (father, step-father, mother etc.) or someone close to the family or the child (teacher, community group leader). A child abuser usually spends a lot of time grooming the child with the child being made to feel that they are in some way complicit in the acts, thus making disclosure a difficult process.

On the whole, abusers are the least obvious people in our community. Many child sex abusers, for example, hold positions of trust within the community with easy access to children and their families. Occupations that some convicted child sex offenders have held include bus driver, entertainer, teacher, scout leader, librarian, principal, church leader, judge.

A recent study carried out by Huddersfield University, UK found that 52% of children were sexually abused in community-based organisations. These included sports and voluntary groups and also private tuition classes.

In Australia, a case of child abuse is reported every 2.5 minutes.

Almost three times as many girls as boys have substantiations of sexual abuse but boys are more likely to be physically abused. (AIHW, Australian Institute of Health and Welfare, 2008)

Two-thirds of all substantiations are for children aged 10 years old and under (AIHW, 2008).

Children with an intellectual disability are at the highest risk of sexual abuse. Research indicates that sexual abuse statistics range between 65% and 85% for these young people (Horsley and Azzopardi, 1990).

5. Mandatory Reporting of Child Sexual Abuse

The new legislation

From the 1st January 2009, the *Children and Community Services Amendment (Reporting Sexual Abuse of Children) Act 2008* came into effect and covers mandatory reporting of child sexual abuse in Western Australia. This amendment forms part of the *Children and Community Services Act 2004*. The Act was further amended in 2016, to include boarding supervisors.

In Western Australia, the mandatory reporters of child sexual abuse are the following professions in both the government and non-government sectors:

- teachers;
- boarding supervisors;
- nurses;
- doctors;
- police officers; and
- midwives.

Definition of 'boarding supervisor':

Boarding supervisor means a person who holds an office or position at a boarding facility the duties of which include the supervision of children living at the facility.

Definition of a 'nurse':

Nurse means a person registered under the Health Practitioners Regulation national Law (Western Australia) in the nursing and midwifery profession whose name is entered on the Register of Nurses kept under that Law.

In Western Australia, the mandatory reporters of child sexual abuse are the following professions in both the government and non-government sectors:

- doctors
- nurses
- midwives
- teachers
- police officers.

Definition of 'teacher'

The definition of teacher in section 124A of the Children and Community Services Act 2004 has been changed to read:

- (a) *person who is registered under the Teacher Registration Act 2012, or*
- (b) *a person who provides instruction in a course that is –*
 - (1) *mentioned in School Education Act 1999 section 11B(1)(a), (b) or (e); and*
 - (2) *prescribed for the purposes of this definition; or*
- (c) *a person who instructs or supervises a student who is participating in an activity that is –*
 - (1) *part of an educational programme of a school under an arrangement mentioned in the School Education Act 1999 section 24(1); and*
 - (2) *prescribed for the purposes of this definition; or*
- (d) *a person employed by the chief executive officer as defined in the Young Offenders Act 1994 section 3 to teach detainees at a detention centre as defined in that section.*

Only (a) applies to schools. The other subsections relate to other forms of education.

Below is an explanation of who is included under the definition of teacher.

- a) provisionally registered is someone who is still pending conditions eg. Finish qualifications for new graduates; limited authority to teach includes a teacher who can teach at one school but not any other eg. Specific language teacher eg Arabic, Aboriginal etc.
- b) 236(2) of School Education Act relates to those teaching in a community kindergarten
- c) Section 11B of School Education Act relates to compulsory education of children and the decision by the Minister to exempt a child.
- d) Section 24(1) of the School Education Act relates to arrangements alternative to attendance and alternative education programs for children that don't attend school
- e) Relates to those teaching detainees in a detention centre.

Teacher assistants, school chaplains and school psychologists are examples of people who work with children in schools that are not mandated reporters. However, all staff in our college, whether mandatory reporters or not, should continue to report reasonable beliefs about all forms of abuse. Non-mandatory reporters at AIC, if appropriate can be included in the consultative process with the teacher in the case of sexual abuse.

Please note that teachers are required to make the report, not the school principal. While the school principal may be involved in the discussion, the teacher is responsible for completing and submitting the report to the Mandatory Reporting Service. See flowchart later in document.

Role of Non Mandatory Reporters and Notifiers

Teacher assistants, school chaplains and school psychologists are examples of people who work with children in schools that are not mandated reporters. However, all people working with children, whether mandatory reporters or not, should continue to report reasonable beliefs and suspicions or concerns about all forms of abuse. These people who work with children also have a greater knowledge of the children in their care and can be included in the consultative process with the teacher in the case of sexual abuse.

Reports by those employees who are not mandated are usually made to the Principal of the school. In the case where it is believed the Principal may somehow be complicit or obstructionist, the report should be made to Chair of the Governing body.

Definition of sexual abuse

Sexual abuse is defined by the Act in section 124A as:

‘Sexual abuse’ in relation to a child, includes sexual behaviour in circumstances where:

- (a) The child is the subject of bribery, coercion, a threat, exploitation or violence; or
- (b) The child has less power than another person involved in the behaviour; or
- (c) There is a significant disparity in the developmental function or maturity of the child and another person involved in the behaviour.

This legislation is not intended to capture all sexual activity involving children and young people. Reference should be made to consent laws in Western Australia, The Criminal Code Act Compilation Act 1913 s.320-322.

Definition of child

The definition of ‘child’ is defined in section 3 of the Act as a person who is under the age of 18 years. In the absence of positive evidence as to age, a child is a person who is apparently under 18 years of age. Young people aged 18 and over are considered to be adults and are not covered by this legislation. However, schools still owe a duty of care to any students at the school. In these instances, police should be informed of any assault or crime against the young person.

Duty to report sexual abuse of children Section 124B of the CCS Act 2004 states, in part, a person who believes on reasonable grounds that a child:

- (i) has been the subject of sexual abuse that occurred on or after commencement day;
- (ii) is the subject of ongoing sexual abuse; and forms the belief;
- (iii) in the course of the person’s work (whether paid or unpaid) must report the belief as soon as practicable after forming the belief.

When does a mandatory reporter make a report?

Mandatory reporters must report a belief, based on reasonable grounds in the course of their work, paid or unpaid, that child sexual abuse has occurred or is occurring. This means that teachers working outside of the school grounds are also required to report when working in either a paid or unpaid capacity (eg tutoring).

Please note that within an Independent School, once a teacher has formed a belief based on reasonable grounds, in the course of their work, that individual teacher is required to make a written report to CPFS, not the school principal. Prior to forming a belief, the teacher may, if they wish, consult with appropriate colleagues with specialist knowledge, for example, the principal, psychologist, school counsellor.

A mandatory reporter can form the necessary belief, based on reasonable grounds, by noting the presence of indicators, disclosures, injuries, signs, symptoms and behaviours that heighten concerns about child sexual abuse. Information on the indicators of sexual abuse is covered in section 3 of this document.

Teachers may wish to consider the following questions to assist them in deciding if their belief is based on reasonable grounds:

- Can you describe the reasons why you believe a child has been, or is being sexually abused?
- What has the child said or done to suggest they are being sexually abused?
- Have you observed, or been told about, the presence of any of the 'possible indicators' of sexual abuse?
- Did the child disclose sexual abuse? What did they say happened? Who did they disclose to and when?
- What other behaviours have you observed and/or interactions with the child are of concern to you? What is the frequency and severity of the behaviour? How long has it been occurring?

How does a mandatory reporter make a report?

A centralised Mandatory Reporting Service (MRS) has been established to receive all reports of child sexual abuse in Western Australia. This service is operational 24 hours a day, 7 days a week.

Section 124C states that a written report may, but need not be in a form, approved by the CEO. However, the same section also specifies what information a report is to contain.

A report is to contain:

- (a) the name and contact details of the reporter;
- (b) the name of the child or, if the child's name cannot be obtained after reasonable inquiries, a description of the child;
- (c) if, or to the extent, known to the reporter —
 - (i) the child's date of birth;
 - (ii) information about where the child lives;
 - (iii) the names of the child's parents or other appropriate persons as defined in section 41(1);
- (d) the grounds for the reporter's belief that the child has been the subject of sexual abuse or is the subject of ongoing sexual abuse;
- (e) (ea) if, or to the extent, known to the reporter —
 - (i) the name of any person alleged to be responsible for the sexual abuse;
 - (ii) the person's contact details;
 - (iii) the person's relationship to the child;
- (f) any other information that is prescribed.

Mandatory reporters are required to submit a written report to the MRS as soon as practicable. A report may be oral or written, but in the case of an oral report the reporter must make a written report as soon as practicable after the oral report has been made.

Where a teacher has formed a belief that the child is at imminent risk of being abused, they should consider calling the Western Australian Police first, whether through the 000 or the 131444 numbers. This does not fulfil the legal obligation to report a child sexual abuse belief and the individual who has formed the belief should then make an Mandatory Report (MR), which can be complete through the following link:

<https://mandatoryreporting.dcp.wa.gov.au/Pages/MakeaReport.aspx>

Failure to make a verbal report can incur a penalty of up to \$6,000.

Failure to follow up a verbal report with a written report as soon as is practicable may result in a fine of \$3,000.

Reporters may report beliefs to CPFS on a web based form which can be accessed at the mandatory reporting website www.mandatoryreporting.dcp.wa.gov.au. Please note that this is a timed form for security reasons and cannot be saved on a local device.

Where a reporter does not have access to a computer, a written form can also be mailed out. Once you have completed your written report, it can be lodged using any of the following methods:

Email: mrs@dcp.wa.gov.au

Fax: 1800 610 614

Post: PO Box 8146, Perth BC, WA 6849

After a report is lodged, the sender will receive a standardised letter. This letter is proof that a report has been made, so it is important that the response is retained and securely stored.

Processing of the Report

Once the report has been lodged, the Mandatory Reporting Service will assess the immediate risk to the child, and determine the need for further child protection assessment and investigation. A copy of the report is sent to the WA Police. The police determine if they need to be involved on a case by case basis.

The mandatory reporter will receive a feedback letter advising them of the CPFS District Office to which the report has been referred. It is important to note that all reports are actioned by CPFS, but it may not be the response that the reporter expects. Principals may discuss ongoing concerns with CPFS and are encouraged to maintain clear lines of communication with the District Office.

If new information becomes available to the reporter, this information should be submitted to CPFS. If a new concern or belief is formed, a new MR should be submitted.

Confidentiality and Legal Protection

The identity of the reporter is required to be kept confidential, except in limited circumstances. Section 124F(2) protects a reporter's identity from being disclosed. Disclosure of a reporter's identity carries a maximum fine of \$24,000 and 2 years imprisonment.

There are exceptions where a reporter's identity is permitted. Even where disclosure is allowed, consideration will be given to ensuring the reporter's safety has been taken into account.

Examples of when a reporter's identity may be revealed include:

- The Mandatory Reporting Service must send a copy of every written report to the WA Police;
- The WA Police may need to reveal a reporter's identity in order to investigate or prosecute a suspected offence;
- A Department for Child Protection officer may need to reveal the reporter's identity when certain child protection, family law or adoption proceedings are taking place;
- Reporter may have provided written permission for their identity to be disclosed.

A mandated reporter who is normally governed by a code of confidentiality or secrecy, professional ethics, standards or principles of conduct (eg. Doctor/patient) is protected from a breach to this code if they are making a report in good faith. The legislative requirements of the Act override internal school policies, professional codes or confidentiality requirements.

A mandated reporter is also protected from liability. If a report is made in good faith, they will not incur any civil or criminal liability by making a report.

How has the Freedom of Information Act (FOI) been varied to take into consideration the legislation?

Australian Islamic College are not subject to the FOI Act and therefore the information which they will hold cannot be accessed by a third party under the FOI Act. The FOI Act only applies to Government Departments and statutory authorities.

Once the report under the Act is provided to the Department, then that report would be subject to the FOI Act but only to the extent the exemption in section 14(5) of the FOI Act as shown below does not apply.

There are various materials, reports and documents which are exempt from the provisions of the FOI Act and cannot be the subject of an FOI application. These are set out in Schedule 1 of the FOI Act.

When the Act was enacted, Schedule 1 of the FOI Act was amended to include reports made under the Act and also information which the Department collects as a consequence of receiving a report.

Section 14(5) of the FOI Act provides:

'a matter is an exempt matter if its disclosure would reveal or tend to reveal the identity of anyone as:

- (c) *A person who has made or a person who is mentioned in a report under the Children and Community Services Act 2004, section 124B(1) or*
- (d) *A person who is a notifier as defined in the Children and Community Services Act 2004, section 240(1) or a person about whom the information mentioned in that definition is given'*

What is the teachers' obligation with respect to the storage and retention of notes and reports?

That aside, under the Privacy Act a teacher, and also the school, do have obligations to keep secure and confidential any notes and reports that they prepare about individual students.

These obligations apply irrespective of whether a report has been made to the Department. There are also other requirements with respect to collection, correction, use, access and transfer of information under the Privacy Act.

There is nothing within the Act which requires a teacher to provide the report or their notes to the school nor does it make them automatically the property of the school. However, many schools have in place school policies and procedures which require these types of documents and records to be provided to the Principal of the school and to be kept as school records. In which case the Principal and the school will also have obligations under the *Privacy Act* to keep confidential and secure any notes or reports it may receive.

Once the report has been provided to the Department for Child Protection, the report becomes a 'government record' held by the Department and must be treated by the Department in accordance with the requirements imposed on the Department by the Act and any other statutory obligations.

Because the reporting obligations under the Act are obligations placed upon the teacher personally, it is recommended that the teacher:

- (a) Keep a copy of the report and any notes the teacher provides to the Department for Child Protection in compliance with their obligations under the Act;
- (b) Keep a record of receipt by the Department for Child Protection of the report (this is usually in the form of receipt number) as evidence that the report was made to the Department for Child Protection;
- (c) Keep a copy of the report and any notes the teacher provides to the school;
- (d) Should retain copies of any notes, the report and the receipt of the report by the Department for Child Protection, when the teacher leaves the school.

Where to go for information and assistance

The Department for Child Protection is the agency responsible for the new legislation regarding the mandatory reporting of child sexual abuse. The Mandatory Reporting Service has been established by the Department to receive and investigate reports of sexual abuse.

The Department has established a website www.mandatoryreporting.dcp.wa.gov.au, which provides information around Mandatory Reporting and is the portal for making an online written report, but includes a downloadable copy.

The Mandatory Reporting Service can also be contacted through the following ways:

Telephone: 1800 708 704

Email: mrs@dcp.wa.gov.au

Fax: 1800 610 614

Post: PO Box 8146

Perth BC, WA 6849

6. Grooming Behaviour

Grooming in a child protection context refers to deliberate actions undertaken to engage in sexual activity with a child. It differs from sexual abuse in that it is primarily a preparatory activity occurring before abuse occurs, but is continued during and after the abuse to ensure the safety of the groomer.

Grooming is a subtle, gradual, and escalating process of building trust with a child and those around the child, both children and adults, with the express purpose of the sexual gratification of the perpetrator and generally involves engaging in sexual activity with the child. It is deliberate and purposeful and occurs both before and after the abuse. Abusers may groom children and supporting adults for weeks, months, or even years before any sexual abuse actually takes place. The grooming may occur in person or via cyber media.

In the early stage, a committed offender will employ grooming behaviour and because it is so subtle and gradual the child may not be aware of the actual abuse when it occurs and that it is wrong or harmful. The grooming occurs not only with the child but also with those supporting networks around the child which might act as a deterrent or protective element. The perpetrator will invest significant energy and patience to minimise the risk of detection and exposure.

The groomer will employ manipulation, guilt, shame, bribery, coercion or exploit low self-esteem to psychologically manipulate the child and as a result the child becomes increasingly dependent on the groomer and increasingly alienated from protective elements including possible sources to disclose to. Plausible deniability is part of the strategy that the groomer employs to ensure that staff don't take seriously the possible disclosures of a child. This is a deliberate strategy employed to maintain the secrecy of the abuse, so that the abuse is concealed and to ensure the silence of the child.

The groomer will exploit vulnerabilities of the protective elements around the child, including parents and family circumstances, organizational and systemic weaknesses. Groomers are very adept at identifying anomalies, boundary ambiguities, and the lack of systemic awareness; at deflecting attention from their own actions and intentions.

While distinguishing between appropriate intent and inappropriate intent is very difficult, particularly for a child, it is essential that schools have very clear expectations and boundaries around behaviours so that there can be rigorous accountability when dealing with children.

Organisations must invest in increasing understanding around providing a safe environment for children and adults to challenge existing practice, to be able to raise concerns around unprofessional behaviour and to have a shared understanding of what a safe school is.

Grooming behaviour with children may include, but is not limited to:

- selecting, befriending a child and gaining his or her trust, exploiting the child's vulnerabilities;
- testing a child's boundaries through telling inappropriate jokes, roughhousing, backrubs, tickling, or sexual games;
- moving from non-sexual touching to "accidental" sexual touching. This typically happens during play so the child may not even identify it as purposeful, inappropriate touching. It is often done slowly so the child is gradually desensitized to the touch;
- manipulating the child to not tell anyone about what is happening. The abuser may use a child's fear, embarrassment, or guilt about what has happened. Sometimes, the abuser uses bribery, threats, or coercion;
- causing the child to feel responsible for the abuse. Children may not notice or may become confused as the contact becomes increasingly intimate and sexual.

Grooming behaviour with adolescents may include additional strategies, such as:

- identifying with the adolescent. The abuser may appear to be the only one who understands him/her;
- displaying common interests in sports, music, movies, video games, television shows, etc;
- recognizing and filling the adolescent's need for affection and attention;
- giving gifts or special privileges to the adolescent;
- allowing or encouraging the adolescent to break rules (e.g., smoking, drinking, using drugs, viewing pornography);

- communicating with the adolescent outside of the person's role (e.g., teacher, or coach). This could include, for example, texting or emailing the teen without the parents' knowledge.

In addition to grooming the child, the groomer will use deflection strategies to remain unchallenged. Some of these strategies may include where the perpetrator:

- promotes self and creates a reputation as caring, child-loving, competent, available, trustworthy, truthful;
- raises doubts about the motives, mental health, reliability of the child or anyone else who might approach support services with allegations;
- fosters dependency as someone the family can rely on; and
- positively represents child to others so as to be perceived as someone who would never harm the child.

Preventing or interrupting the Grooming process

Organisations unfortunately provide a vast array of opportunities for groomers to enact the grooming process. Some abusers have a particular preference for children within particular age bands and some studies have shown that groomers will take child focussed employment primarily to get access to a particular cohort of children.

Within an organisational context, holding all staff members accountable to the school code of conduct and challenging boundary crossings and violations is one of the most accessible strategies to combat grooming behaviour.

Employees, other professionals and volunteers, and others, must have very clear understandings of the expectations around interactions with students and processes for reporting concerning behaviours. Where an employee is investigated for behaviours considered to be grooming, school authorities are obligated to report this to both the Director General of DES and the TRBWA (Standard 9).

7. Cyber Predators

The internet is one of the main sources of communication for young people today. The popularity of various social media as well as chat rooms, discussion groups and interactive games makes them a very attractive place for predators as they can remain virtually anonymous whilst participating in a range of paedophilic activity. There are significant concerns in this area, and schools, parents and students need to be informed consumers of this space.

As NetAlert describes on their website,

"...paedophiles can socialise together, trawl for inappropriate content (such as child pornography) and easily make collections of this and distribute to others.

They can pretend to be people other than themselves and they find a sense of security by operating from the confines of their own homes.

Grooming children online with the intention to meet them in real life is an activity many undertake.

They often set up bogus email accounts and handles (a nickname for a person who uses the Internet) which protect their identity online.

*Children need to think carefully about a handle they choose. Handles such as *Angel-Babe*, *Sweet-Sixteen* and *SexyKid* appear harmless on the outset, however can attract the wrong attention. Paedophiles are often attracted to people with these types of names.*

Paedophiles may also erase the history of what they have done online from their personal computers, making it a lengthy task for authorities to charge them with an offence.

Paedophiles conduct numerous activities online:

- Swapping child porn pictures in chat rooms or through email or P2P networks;
- Swapping personal information of children that they have collected;

- *Participating in online communities with the intention to groom children for personal sexual gratification or to meet them in person;*
- *Forming networks with other paedophiles;*
- *Trading techniques on how to avoid the authorities.”*

The *Criminal Code Amendment (Cyber Predators) Act 2006* is the legislation in Western Australia that protects children under the age of 16, or that the offender believes is under the age of 16, from an adult who uses electronic communications with the intent to procure the child to engage in sexual activity; or to expose the child to any indecent matter.

The college is active in the education and awareness of CyberSafety through the colleges’ policies on Bullying and Internet Usage which further reinforce the importance of this issue for the college community. The college is a regular participant in Cyberbullying initiatives and these issues are addressed and supported through regular professional development for staff and targeted programs for students.

The following is available on the <http://www.thinkuknow.org.au> website:

HOW TO REPORT

If you think a child is in immediate danger, call Triple Zero (000).

This section provides information and facilities to help you report inappropriate, harmful or criminal activities that **occur online or via a mobile device**.

This information is for people who live in **Australia only**. For advice on reporting these issues from another country, please visit the [Virtual Global Taskforce website](#).

	<u>Report online child sexual exploitation</u> Report inappropriate sexual behaviour towards a child.
	<u>Report inappropriate content</u> Report internet content which you believe is prohibited or inappropriate.
	<u>Report cybercrime</u> Report cybercrime to the Australian Cybercrime Online Reporting Network (ACORN).
	<u>Report cyberbullying</u> Report cyberbullying of adults to ACORN or children to the eSafety commissioner.

8. Interagency Reporting of Child Protection Matters

Section 28A of the Children and Community Services Act, provides for the disclosure of relevant information between prescribed authorities and authorised entities. An authorised entity is defined as the governing body of a registered school (s. 28B) and section 28C provides for the delegation of the power to the principal, with the stipulation that this delegation be done in writing. Relevant information is defined as *information that is, or is likely to be, relevant to 1) the wellbeing of a child or class or group of children; or 2) the safety of a person who has been subjected to, or exposed to, one or more acts of family and domestic violence; OR C) other information of a kind prescribed by the regulations.*

Where information is disclosed in good faith, no civil or criminal liability is incurred; the disclosure will not be regarded as a breach of any duty of confidentiality or secrecy imposed by law; and the disclosure will not be regarded as a breach of professional ethics or standards or any principles of conduct applicable to a persons employment or regarded as unprofessional conduct.

In addition, a Memorandum of Understanding (MOU) exists between the Department for Child Protection and Family Support and the Association of Independent Schools of Western Australia. This MOU provides an overarching framework for the schedule that guides the provision of collaborative child protection and education services for children in the CEO's care and children who have been, or are, at risk of abuse and/or neglect.

The MOU deals with two elements, firstly around abuse where it outlines the responsibilities of Independent Schools, CPFS and joint responsibilities in information sharing. In obtaining access to children at school, mandatory reporting, responsibilities of principals in relation to reporting child abuse and neglect.

Secondly in relation to supporting children who are in the care of CEO of CPFS including enrolment, education assessment and planning, supporting children with high needs, managing child behaviour and attendance, consent for publications, photographs and school activities.

9. The role of the Department for Child Protection and WA Police

Teachers are required by law to make reports when they have a reasonable belief that sexual abuse is occurring or has occurred. For other forms of child abuse mandatory reporting is not a requirement, however, schools have a duty of care and a moral obligation to follow the recommended procedures in cases of suspected child abuse.

The Department for Child Protection and Family Support (CPFS) is the government department with the statutory authority to investigate child protection concerns in Western Australia.

It is not the school's role to investigate child maltreatment issues, including concerns of sexual abuse. That responsibility lies with the CPFS and WA Police. All disclosures or strong concerns of abuse or neglect should be **reported** to CPFS by the Principal or teacher. CPFS will then decide on how to proceed. See sections 6 and 13 of this document for detailed information on reporting procedures.

The *Western Australian Police* also have a role in responding to allegations of child abuse and neglect. The WA Police Service Child Abuse Investigation Unit (CAIT) intervene in instances where it is believed that a criminal offence has occurred which may lead to criminal charges being laid. In the case of a report of child sexual abuse, CPFS will forward all reports to the WA Police.

Where abuse and neglect has occurred within a family and there is the possibility of criminal charges being laid, the police and the CPFS may undertake a joint investigation to reduce the trauma of the interviewing process to the child or young person.

Under section 129 of the *Children's and Community Services Act 2004*, people who give information, in good faith, to the Department for Child Protection are protected from incurring any civil or criminal liability, from having breached any confidentiality imposed by law, or from having breached any professional ethics or standards.

Department of Child Protection and Family Support (CPFS)

In cases of child sexual abuse the teacher will provide a written report to the Mandatory Reporting Service of CPFS. The Mandatory Reporting Service will provide a standardised letter to the reporter outlining which CPFS local office is involved, and what action has been taken. The Mandatory Reporting Service is required to forward all reports on to the WA Police.

For other forms of abuse, the Principal should report all disclosures or strong concerns to the CPFS of abuse or neglect arising from the actions or inactions of parents/caregivers and maintain a written record of this communication and subsequent actions. The CPFS will then decide how to proceed. The decision to progress the matter further is the responsibility of the CPFS.

The CPFS is required to provide feedback to people making reports on child abuse. The Principal should seek undertakings from the CPFS that they will be kept informed within the bounds of confidentiality.

The Principal's initial contact with the CPFS will be through the Duty Officer at the Local District Office closest to where the child lives (all offices are listed in the White Pages). All calls from school concerning students are taken very seriously and it may be appropriate if the emergency occurs after hours to explain to the switchboard operator that it is an emergency so they can speak to the Duty Officer promptly. When reporting to the Duty Officer, note his/her name and position.

Note: The Mandatory Reporting Service and the Duty Officer at the local CPFS office can also be used initially in a consultative role if either the Principal or the teacher is unsure of what action to take.

The school should be aware that the powers of the CPFS under the *Children and Community Services Act 2004* includes:

Apprehension of children in need of care and protection (without warrant)

Interviewing the child: CPFS has the authority to interview the child at school before contact is made with the parent/caregiver. Before doing so, the principal or 'person in charge' at the school must be notified. The child should have the option of having support at the interview from a staff member of their choosing.

Removal of children from the school: CPFS officers may remove a child from the school if they have the permission of the parent/caregiver or if they have apprehended the child. The Principal should satisfy themselves that all conditions have been met before this occurs and document all conversations.

Medical examination: CPFS may require that a medical examination occur as soon as possible so that bruising, marking and other symptoms can be recorded for future reference. This would normally take place at either PMH or the Community Child Health Services Centres. This examination can only take place if permission has been obtained from the parent/caregiver or the child has been apprehended (when parent/carer permission is not obtained).

Parents/Caregivers

To avoid interfering with any investigative process initiated by CPFS or the Police, the Principal and teacher must seek advice from CPFS or Police prior to informing the parent/carer of a concern of abuse or neglect.

10. Reporting Procedures and Notification Steps

Listed below are the steps to follow in submitting a report.

- | | |
|---------------|---|
| Step 1 | The individual teacher makes observations and keeps note of concerns that exist that have led them to the belief that a report may be necessary.
OR
A student discloses abuse or neglect of the types listed below: <ul style="list-style-type: none">i. Disclosure of abuse or neglect from someone with a responsibility to care for the student;ii. Alleges sexual contact by staff;iii. Show indication of abuse or neglect;iv. Sexual contact by another student. |
|---------------|---|

Note: It may assist teachers to think in terms of reporting a behaviour or a series of behaviours and concern/s rather than reporting an individual family.

- | | |
|---------------|---|
| Step 2 | The teacher's observations or the child's disclosure should be discussed, in the first instance, with the Principal , (except mandatory reporting)
It is not the role of the teacher to investigate child abuse or neglect matters. They must report concerns to the Principal. For suspected cases of sexual abuse refer to Step 3A. |
|---------------|---|

Step 3A In cases of suspected SEXUAL ABUSE:

The teacher is the mandated reporter required to make a report to the Department for Child Protection through the Mandatory Reporting Service.

Department of Child Protection and Family Support (CPFS)

In cases of child sexual abuse the teacher will submit a report (verbal and written) to the Mandatory Reporting Service of DCP. The Mandatory Reporting Unit will provide a feedback letter to the reporter outlining which DCP local office is involved, and what action has been taken. The Mandatory Reporting Service is required to forward all reports on to the WA Police.

Step 3B In cases of other forms of child abuse and neglect:

The Principal may be the appropriate person who will then decide the appropriate actions to take and who should be contacted.

For other forms of abuse, the Principal should report all disclosures or strong concerns to the DCP of abuse or neglect arising from the actions or inactions of parents/caregivers and maintain a written record of this communication and subsequent actions. The DCP will then decide how to proceed. The decision to progress the matter further is the responsibility of the DCP.

The DCP is required to provide feedback to people making reports on child abuse. The Principal should seek undertakings from the DCP that they will be kept informed within the bounds of confidentiality. The Principal's initial contact with the DCP will be through the Duty Officer at the Local District Office closest to where the child lives (all offices are listed in the White Pages). All calls from school concerning students are taken very seriously and it may be appropriate if the emergency occurs after hours to explain to the switchboard operator that it is an emergency so they can speak to the Duty Officer promptly. When reporting to the Duty Officer, note his/her name and position.

Very Important! To avoid interfering with any investigative process initiated by DCP or the Police, the Principal or teacher must seek advice from DCP or Police prior to informing the parent/carer of a concern of abuse or neglect.

Note: The Mandatory Reporting Service and the Duty Officer at the local DCP office can also be used initially in a consultative role if either the Principal or the teacher is unsure of what action to take.

Step 4 If following a report, a family approaches the school, it is recommended that any interview be conducted with a minimum of 2 school members present (eg. The Principal and one other) to provide support.

Note: It is important to remember that the focus of the meeting should be the welfare of the child.

In cases of child sexual abuse, the legislation provides protection for the person reporting. Disclosure of the reporter's identity or identifying information to parents or any other party can incur a fine of \$24,000 and two years imprisonment.

Step 5 The Principal should undertake ongoing support for the teacher, the student and anyone else affected. The need for ongoing support could be necessary as the teacher continues in their role with the student and the DCP's role may continue for a while.

REPORTING STAGES

In cases of child sexual abuse

STAGE 1: The teacher will submit a report followed by a written report to the Mandatory Reporting Service of DCP.

STAGE 2: The Mandatory Reporting Service will provide a feedback letter to the reporter outlining which DCP local office is involved, and what action has been taken.

STAGE 3: The Mandatory Reporting Service will forward all reports on to the WA Police.

For other forms of abuse

STAGE 1: The Principal should report all disclosures or strong concerns to the DCP of abuse or neglect arising from the actions or inactions of parents/caregivers and maintain a written record of this communication and subsequent actions.

STAGE 2: The DCP will then decide how to proceed. The decision to progress the matter further is the responsibility of the DCP.

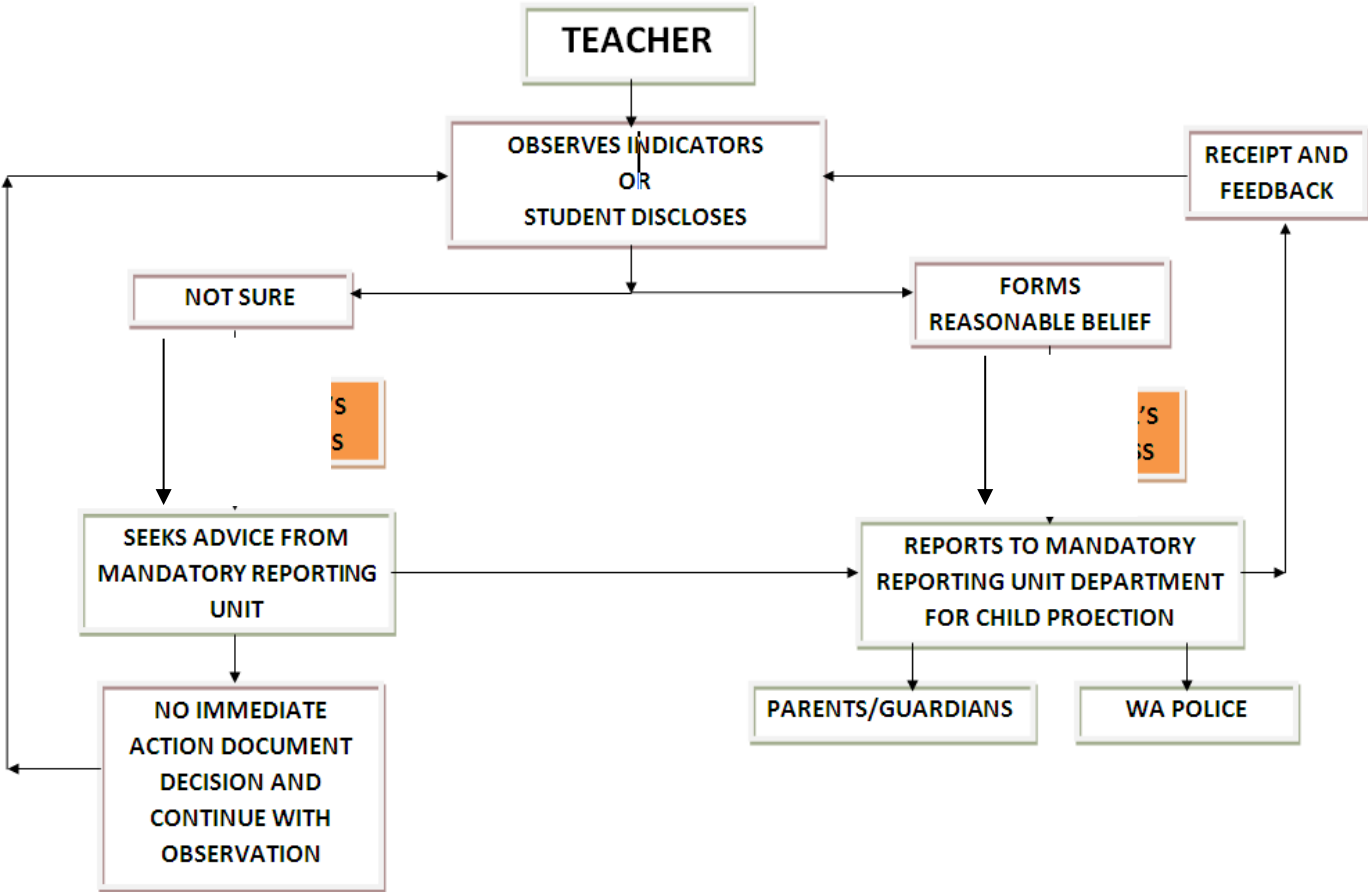
STAGE 3: The DCP is required to provide feedback to people making reports on child abuse. The Principal should seek undertakings from the DCP that they will be kept informed within the bounds of confidentiality. The Principal's initial contact with the DCP will be through the Duty Officer at the Local District Office closest to where the child lives (all offices are listed in the White Pages).

STAGE 4: All calls from school concerning students are taken very seriously and it may be appropriate if the emergency occurs after hours to explain to the switchboard operator that it is an emergency so they can speak to the Duty Officer promptly. When reporting to the Duty Officer, note his/her name and position.

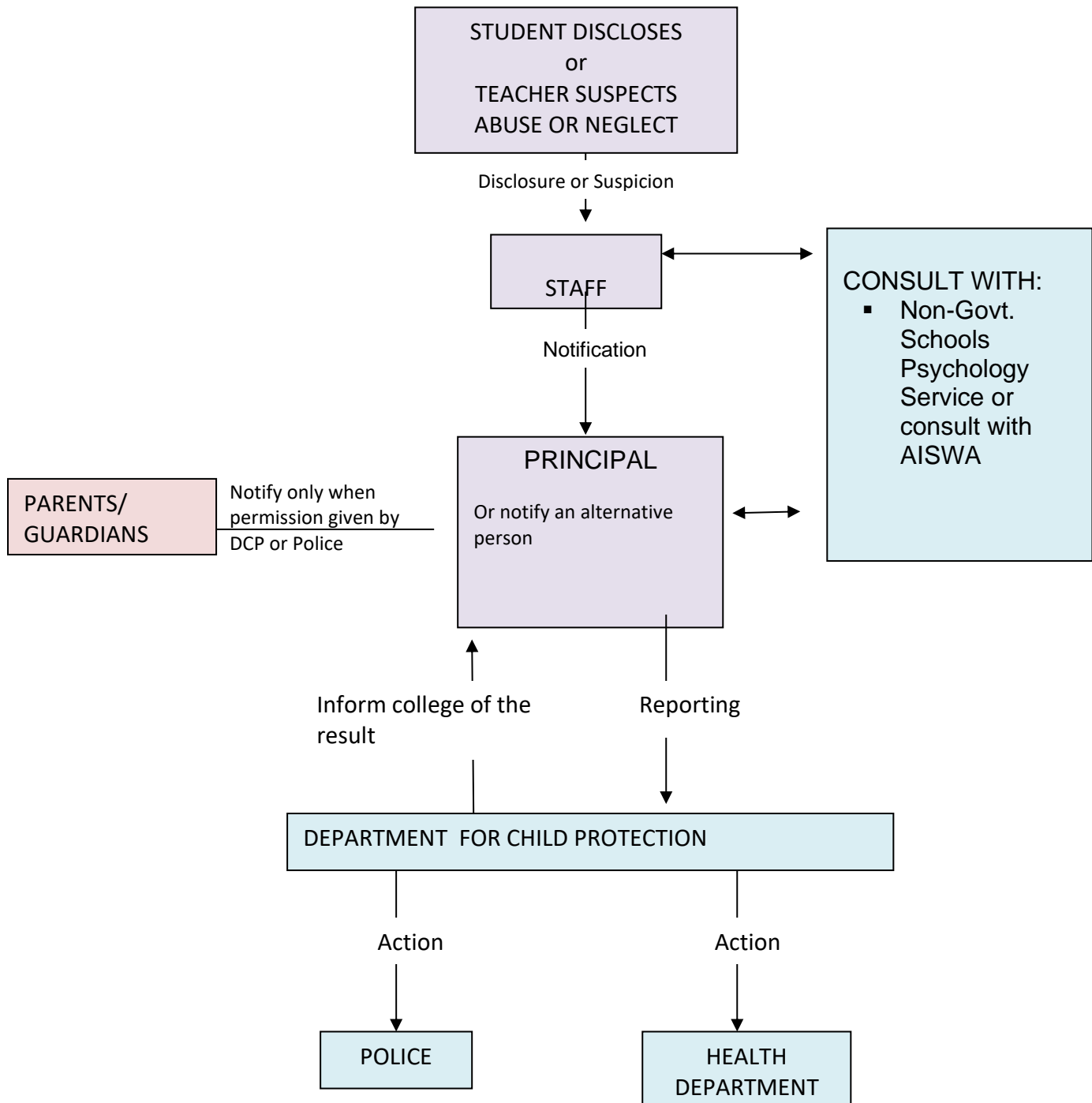
Notification Process for Mandatory Reporting

Note: If you are unsure on the following procedure please refer to the school Principal. Please note that the College's internal processes require teachers directly to inform cases of suspected sexual abuse to the Mandatory Reporting Service of the Department of Child Protection and Family Support (CPFS).

NOTIFICATION STEPS FOR INDEPENDENT SCHOOLS



Notification Process for physical, emotional, psychological abuse and neglect and non-mandatory reporters of sexual abuse.



11. Response to disclosure of abuse or neglect

not make judgements about If a student makes a disclosure of abuse or neglect staff should be aware of the immediate needs of the student and know what to do in these circumstances. Children will rarely use adult language or specific terms when disclosing abuse, the language used will be at the developmental level of the child, so staff may not initially pick up the nuances of the disclosure.

Most disclosures are accidental, that is the child did not intend to disclose, and it is likely that the disclosure will only be partial. Staff should not attempt to elicit a full disclosure, or ask direct questions. The child should be encouraged to speak freely, ie a free narrative, but staff should not try to direct the child down a particular path of thought.

The following are suggested elements that should form part of the school policy and be discussed at staff training:

- Use 'protective interrupting' if students begin to disclose in class or in a public area to protect them from sharing the information with too many other people
- Acknowledge that you have heard them and stop them from disclosing any further
- Be supportive and gently indicate that they might tell you about it in a more private situation
- Quietly arrange to see them as soon as possible, in a situation away from other students
- Establish clear limits on confidentiality by telling the child that a report will be made to a person who will be able to provide help and protection and that you will help them throughout the process
- Put your own feelings aside and listen as if the information is not sensational
- Provide reassurance that the student is believed, that they were right to tell and it was not their fault
- remain as objective as possible as a staff member and do what has happened
- Listen to students in an appropriate private location within the school, that is a place where the interactions can be observed but not heard by others
- Be supportive and understanding
- Be empathetic to student feelings; the student may be confused because of the relationship with the abuser; eg: loving parents shouldn't do abusive things
- Acknowledge that it is difficult to talk about such things
- Try to identify students' immediate fears
- Let students tell the event in their own words; when reporting, do not paraphrase but try to be as accurate as possible
- If you are unable to answer all the questions of the child, it is OK to let them know
- Once you have established that they have been harmed or are at risk of being harmed, do not pursue the conversation any further. This is important to ensure that questions cannot be raised later about possible manipulation of the disclosure
- Allow students the option of support during any agency interview and reassure them of the availability of continuing support
- Document the conversation that you have had remembering as accurately as you can, the words and phrases used by the child to describe what has happened to them
- Document the disclosure and subsequent discussion and actions
- Explain what will happen next
- Try and stay with the student after the disclosure to provide a sense of security until necessary steps have been taken to ensure the safety and support.

Staff must be careful that they:

- don't push for details or conduct an investigation. Other agencies have this responsibility;
- don't express judgement of the student, perpetrator or family;
- don't get angry, upset or show shock;
- don't ask questions that may make the child feel guilty or inadequate;
- don't ask leading questions, for instance 'Did Daddy hit you?';
- don't put words in students' mouths or interrogate as this could jeopardise the interviewing process of CPFS and Police;
- don't promise not to tell when there are clear limits on confidentiality;

- never make false promises;
- don't give a lecture about right and wrong;
- don't say 'forget it', 'you'll get over it' or other such minimising statements;
- don't give excessive pity;
- respect the confidentiality of the disclosure and do not share the information with anyone other than the Principal and either the Department for Child Protection or the Police. This includes not engaging in general staffroom discussion about the disclosure.

Staff must be aware that a disclosure can arouse within themselves strong feelings of shock, anger and helplessness. It is important to try and control these feelings and work through them after the disclosure. Even a hint of disbelief could cause a child to stop disclosing.

Children left at the College

It is imperative that the college exhausts all avenues in attempting to contact the child's family and emergency contacts.

In some cases, the Principal will decide someone reliable to drive the child home to establish contact with the family. It would be wise in some circumstances to ask a staff member to accompany the Principal or the staff who is taking the child home.

If the school is unable to make any contact with the child's family, the Principal should contact the Local District Office of the DCP and explain it is an emergency. After hours, the Crisis Care Line, also operated by the DCP, is to be contacted.

12. Recruitment and Selection of Staff, Volunteers and Contractors

The College has effective human resource practices in place to ensure all new employees, volunteers and contractors are adequately screened, trained and supervised.

Working with Children Check

To strengthen the protection of children in WA, the State Government introduced legislation, the *Working with Children (Criminal Record Checking) Act 2004* (the Act), that requires people who start or continue in "child-related work" to have a national criminal record check called a Working with Children Check (WWC Check).

Work is "child-related work" if the **usual duties** of the work involve, or are likely to involve, contact with a child **in connection with at least one the 19 categories of work** listed under the Act. A "child" is a person under the age of 18 years. Detailed information on this legislation and its application to the Education Sector is contained in the 'Duty of Care' document in AISWA's Policy and Procedures Manual.

The College will sight and retain a copy of the Working with Children Card of all staff, any volunteers or self-employed people used by the school.

Police Clearances

TRBWA registered teachers

TRBWA registered teachers are required as part of their TRBWA registration to have both WWC Checks and a Criminal Record Check. This check is part of the TRBWA assessment process to determine whether a person is

suitable for registration as a teacher. Information completed on the form will be forwarded to the CrimTrac Agency, other Australian police services or other law enforcement agencies for checking.

The teacher will be asked to disclose whether they are the subject of any criminal charges still pending before the Court, or whether they have been the subject of any convictions or findings of guilt before a Court.

Under Western Australian legislation (Spent Convictions Act 1988 (WA)), spent convictions are not disclosed as part of the criminal history checks. However, TRBWA has received an exemption that allows them to receive information on ALL criminal convictions or findings of guilt, including spent convictions in WA. Spent convictions in other states will only be released if the State based legislation in that state allows them to release it.

Other School Staff

Other school staff are also required to have a WWC Check if the usual duties their work involve, or are likely to involve contact with a child. The College requires all staff to also have a criminal check/police clearance. The Australian Federal Police administer the National Police Certificate through the CrimTrac Agency.

A National Police Certificate is a list of your disclosable Court outcomes and pending charges sourced from the databases of all Australian Police Jurisdictions. Certain convictions may not be disclosed on a NPC in accordance with the legislation and policies of various police jurisdictions (eg Spent Convictions and most traffic and juvenile convictions). National Police Certificates are commonly used for employment or licensing purposes. To obtain a National Police Certificate, collect a form from a participating Post Office [Bank@Post Australia Post outlet](#)

What is CrimTrac?

CrimTrac provides national criminal history checks for a range of organisations across the country. These services involve checking the criminal history of potential employees on behalf of employers, such as government agencies, and non-government organisations.

A national criminal history check involves identifying and releasing any relevant criminal history information (CHI) subject to relevant spent convictions/non-disclosure legislation and/or information release policies. CrimTrac facilitates about 2.5 million national criminal history checks a year through a decentralised process involving all Australian police services evaluating relevant police records with a view to determining the type and extent of CHI that can be released.

What is a spent conviction?

A spent conviction is a conviction for either a Commonwealth, Territory, State or foreign offence which satisfies all of the following conditions:

- it is 10 years since the date of the conviction (or 5 years for child offenders);
- the individual was not sentenced to imprisonment or was not sentenced to imprisonment for more than 30 months;
- the **individual** has not re-offended during the 10 year (5 years for child offenders) waiting period: and;
- a statutory or regulatory exclusion does not apply. (A full list of exclusions is available from the Privacy Commissioner.

13. Relevant Legislation and Authority

The relevant sections of the legislation listed below can be viewed on www.slp.wa.gov.au

- Children and Community Services Act 2004
- Children and Community Services Amendment (Reporting Sexual Abuse of Children) Act 2008
- Criminal Code Act (1913)
- Criminal Code Amendment (Cyber Predators) Act 2006
(changes to s204B of The Criminal Code)
- Working with Children (Criminal Report Checking) Act 2004.

The *Criminal Code Amendment (Cyber Predators) Act 2006* is the legislation in Western Australia that protects children under the age of 16, or that the offender believes is under the age of 16, from an adult who uses electronic communications with the intent to procure the child to engage in sexual activity; or to expose the child to any indecent matter.

Under the section 129 of the *Children's and Community Services Act 2004*, people who give information, in good faith, to the Department of Child Protection and Family Support (CPFS) are protected from incurring any civil or criminal liability, from having breached any confidentiality imposed by law, or from having breached any professional ethics or standards.

Details of the *Children and Community Services Amendment (Reporting Sexual Abuse of Children) Act 2008* are covered in section 6 of this document.

14. Where to go for further information

The Department for Child Protection is the state government department responsible for issues specifically related to the protection of children, including the handling of abuse and neglect cases. This website contains some excellent material for professionals, and parents and friends. Of particular interest is the information on 'Identifying and responding to child abuse and neglect – a guide for professionals'.

<http://www.community.wa.gov.au/>

The sexual abuse reports, the Mandatory Reporting Service must be contacted through one of the following means:

Telephone: 1800 708 704

Email: mrs@dcp.wa.gov.au

Fax: 1800 610 614

Post: PO Box 8146

Perth BC WA 6849

This unit is available 24 hours a day, 7 days a week for make a report or to raise concerns.

Details regarding mandatory reporting can be obtained through www.mandatoryreporting.dcp.wa.gov.au

To contact DCP for assistance with a specific case that does not involve sexual abuse, the school will need to speak

Office	Address	Telephone
Armadale	145 Jull Street, Armadale WA 6112	(08) 9497 6555
Cannington	Cnr Grose and Lake Street Cannington WA 6107	(08) 9351 0888
Fremantle	25 Adelaide Street, Fremantle WA 6160	(08) 9431 8800
Gosnells	88 Lissiman Street, Gosnells WA 6110	(08) 9498 9300
Joondalup	Joondalup House, 8 Davidson Terrace Joondalup WA 6027	(08) 9301 3600
Midland	281 Great Eastern Highway Midland WA 6056	(08) 9274 9411
Mirrabooka	6 Ilkeston Place, Mirrabooka WA 6061	(08) 9344 9666
Perth	641 Wellington Street, Perth WA 6000	(08) 9214 2444
Rockingham	8 Leghorn Street, Rockingham WA 6168	(08) 9527 0100

to the Duty Officer at the local office, available during office hours. All offices are listed below:

After hours

Child Abuse Services WA

9223 1111/1800 199 008

Crisis Care

9223 1111/1800 199 008 (a 24 hour telephone service for people in crisis and needing urgent help)

WA Police Service Child Abuse Investigation Unit

If the matter is urgent and the safety of a child is at risk, call 000. If you are a victim of child abuse or paedophilia, or if you have information about someone else being abused, you should contact police on **131 444**. You can also report child abuse to the Child Protection Squad on **9492 5444** or email them on Child.Abuse.Investigation@police.wa.gov.au, or ring Crime Stoppers on **1800 333 000** or go to your local police station.

WA Police Cyber Predator Team can be contacted on 9492 5444 or complaints can be lodged on the WA Police Website www.police.wa.gov.au

The websites below contain information on cyber predators for both parents, teachers and students to use:

www.esafety.gov.au

www.thinkuknow.org.au

www.acma.gov.au

www.constablecare.org.au

www.netaalert.net.au

www.virtualglobaltaskforce.com

The National Association of the Prevention of Child Abuse and Neglect (NAPCAN)

NAPCAN is an Australian organisation that seeks to resource and network child welfare professionals and practitioners working to prevent child abuse and neglect from happening before it starts, through the provision of parenting brochures, training, support networks and information. www.napcan.org.au

CHILDSAFE ORGANISATIONS WA:

<https://www.cyp.wa.gov.au/our-work/resources/child-safe-organisations/>

Protective Behaviours WA (Inc) is a preventative life skills program that assists people of all ages to develop the skills to help them deal with difficult or hostile situations. The program has a voluntary committee made up of representatives from government and non-government agencies as well as interested members of the community. AISWA is a group member of Protective Behaviours and is able to purchase resources at a discount for interested schools.

Protective Behaviours can be contacted on (08) 9356 0514 or email: pbwainc@hotmail.com

The following support service is available for staff at schools who may experience personal issues resulting from making a report:

Prime Corporate Psychology Services

Offers an employee assistance program including counselling, management and referrals.
9492 8900/1800 674 188

Each school may already have an assistance program available to their staff to provide help in overcoming problems that may cause difficulties in their work or personal lives.

The following services and organisations can provide help, advice and support to the school, parents or children who are affected by the effects of abuse and to prevent abuse from recurring:

Department for Child Protection (see previous page for details)

Parenting Line

9272 1466/1800 654 432

Family Helpline is a free confidential telephone counselling and information service for families with relationship difficulties.

9223 1100/1800 643 000

Men's Domestic Violence Helpline provides a free telephone, referral and counselling service for men to help them change their violent behaviour toward female partners.

9223 1199/1800 000 599

Women's Domestic Violence Helpline provides a free 24 hour telephone support and counselling service for women experiencing family and domestic violence.

9223 1188/1800 007 339

Child Health and Community Health Services

Refer to the White Pages for contact details of local Child Health Centres

Child and Adolescent Mental Health Services

1800 220 400 – 24 hour mental health advice line

Princess Margaret Hospital for Children

9340 8222

State Child Development Centre

9481 2203

Disability Services Commission

9426 9200/1800 998 214

Kids Helpline is a free and confidential telephone counselling service for 5 to 25 year olds in Australia available 24 hours a day, 7 days a week.

1800 551 800

Sexual Assault Resource Centre Counselling Line offers a free, 24 hour emergency service for people aged 13 or over who have been sexually assaulted or sexually abused recently (within the last two weeks).

9340 1828/1800 199 888

Lifeline Australia offers a service 24 hours a day, 7 days a week and can provide information about other support services, if required. 13 11 14

The following sites can provide a wide range of background information on child abuse for schools that are interested.

Australian Institute of Family Studies

<http://www.aiifs.gov.au/nch/afsapubs.html>

This site lists recent publications relating to information on child abuse that have been updated on the web site of the National Child Protection Clearinghouse.

<http://www.aic.gov.au/publications>

This is the Australian Institute of Criminology site and has links to the criminal aspect of child abuse.

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