

New laws to protect children

The Queensland Government recently strengthened laws to protect children from the risk of sexual abuse by targeting behaviour that ignores or hides the sexual abuse of children.



As a student who is 18 or older, what does this mean for you?

Under section 229BC of the *Criminal Code Act 1899*, it is a criminal offence when any adult in Queensland, including students who are 18 years or older, fails to report to the Queensland Police Service (Police) a reasonable belief that a child sexual offence is being, or has been, committed against a child by another adult.

This means that as an adult, you must report to the Police if you reasonably believe (or should reasonably believe) that a child is being, or has been, the victim of sexual abuse, unless you have a reasonable excuse.

A child is considered anyone who is under 16 years of age, or a person under 18 with an impairment of the mind.

The maximum penalty for *failing* to report is 3 years imprisonment.

What is a *reasonable belief*?

A *reasonable belief* is a belief that a reasonable person would form in the same position with the same information. For example, a reasonable belief could be formed when a child tells you they have been sexually abused or if the child shows signs of sexual abuse.

What is a *reasonable excuse*?

A *reasonable excuse* may include if you:

- have already reported the offence to the Police or you know another person has or will report it.
- receive information that the victim, who is now an adult, does not want the offence reported.
- believe reporting the offence would endanger you or another person (other than the alleged offender).

This is not an exhaustive list and there may be other scenarios when you have a reasonable excuse not to report.

How do you make a report?

To report an offence, contact PoliceLink on 131 444. If it is an emergency, call Triple Zero (000).

Example scenario 1

Your partner, who is also 18, confides in you they were sexually abused by an adult neighbour when they were 7. Your partner tells you they do not want to make a complaint to the Police. What should you do?

As your partner is now an adult and they have told you that they do not want to report the offence, you do not have to report the offence as you have a reasonable excuse not to report.

Example scenario 2

Your sister's friend, who is 14, tells you that at a recent party, an 18-year-old took them into a bedroom and got them to pose for a nude photograph. What should you do? You must report this information to the Police even if your sister's friend tells you not to.

The 18-year-old may have committed an offence of making child exploitation material or indecent treatment of a child.

Who can you talk to for advice and support?

You can talk to a trusted adult such as your teacher or school guidance officer for advice and support

