

11.1.23 The Research Director
Health and Community Services
Parliament House
George Street
Brisbane 4000

Child Protection Reform Amendment Bill 2014

Submission 024

21st April 2014

Dear Research Director,

Re: Child Protection Reform Amendment Bill 2014

I am writing this submission as an individual in the community, not as a representative of my organisation. I am a professional who works with children and families in the health field. I am currently required to report when I reasonably suspect a child has suffered significant harm as a result of physical, emotional or sexual abuse or neglect.

I am aware that various submissions regarding the current Child Protection Reform Amendment Bill have raised concerns regarding the omission of emotional abuse and neglect to Clause 6 Section 13E (2)(a) which relates to mandatory reporters. I also find it difficult to understand why my mandatory reporting obligations should be different if I believe a child has suffered significant harm from sexual or physical abuse, compared with emotional abuse or neglect. I am hopeful that due consideration will be given to returning these categories to mandatory reporting requirements.

Whilst I acknowledge that the new legislation would still allow me to report any concerns of significant harm from emotional abuse or neglect, I will have lost a great benefit that I have appreciated under current legislation when dealing with children in need. I have frequently found it invaluable in maintaining my professional relationship with the families I work with by being able to disclose to them my mandated requirement to make a report. When I discuss my concerns with them, they are able to understand that my failure to maintain confidentiality is because it would be an offence for me to not report. This allows me to continue to have a positive working relationship with the families of children that I have made mandatory reports about, thereby contributing to the healthcare of vulnerable children. Whilst removing this legal requirement will not change my ethical obligation to report as a duty of care, it will change my legal obligation from "having to report" to "deciding to report" in instances of emotional abuse and neglect. "Deciding to" could also allow "deciding not to" which could be allowing further abuse or neglect to continue, increasing the cumulative harm on the child. Isn't that why we have mandatory reporting?

Thank you for considering my perspective.

Yours sincerely



Dr Erica O'Neill



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