



Queensland

# **Child Protection and Education Legislation (Reporting of Abuse) Amendment Bill 2017**





Queensland

# Child Protection and Education Legislation (Reporting of Abuse) Amendment Bill 2017

## Contents

---

		Page
<b>Part 1</b>	<b>Preliminary</b>	
1	Short title .....	4
<b>Part 2</b>	<b>Amendment of Child Protection Act 1999</b>	
2	Act amended .....	4
3	Amendment of s 13E (Mandatory reporting by persons engaged in particular work) .....	4
<b>Part 3</b>	<b>Amendment of Education (General Provisions) Act 2006</b>	
4	Act amended .....	5
5	Amendment of s 364 (Definitions for pt 10) .....	5
6	Amendment of s 365 (Obligation to report sexual abuse of person under 18 years at State school) .....	5
7	Amendment of s 365A (Obligation to report likely sexual abuse of person under 18 years at State school) .....	6
8	Amendment of s 366 (Obligation to report sexual abuse of person under 18 years at non-State school) .....	8
9	Amendment of s 366A (Obligation to report likely sexual abuse of person under 18 years at non-State school) .....	9
10	Amendment of sch 4 (Dictionary) .....	9



**2017**

---

**A Bill**

for

**An Act to amend the *Child Protection Act 1999* and the *Education (General Provisions) Act 2006* for particular purposes**

---

[s 1]

---

**The Parliament of Queensland enacts—** 1

**Part 1 Preliminary** 2

**Clause 1 Short title** 3

This Act may be cited as the *Child Protection and Education  
Legislation (Reporting of Abuse) Amendment Act 2017*. 4  
5

**Part 2 Amendment of Child Protection  
Act 1999** 6  
7

**Clause 2 Act amended** 8

This part amends the *Child Protection Act 1999*. 9

**Clause 3 Amendment of s 13E (Mandatory reporting by persons  
engaged in particular work)** 10  
11

Section 13E(1)— 12

*insert—* 13

(g) a minister of a religious denomination or 14  
society who performs work for, or has an 15  
association with, a school. 16

*Examples of a minister for paragraph (g)—* 17

priest, pastor, bishop, rabbi, imam 18

---

<b>Part 3</b>	<b>Amendment of Education (General Provisions) Act 2006</b>	1 2
<b>Clause 4</b>	<b>Act amended</b>	3
	This part amends the <i>Education (General Provisions) Act 2006</i> .	4 5
<b>Clause 5</b>	<b>Amendment of s 364 (Definitions for pt 10)</b>	6
	Section 364—	7
	<i>insert—</i>	8
	<i>religious representative</i> means a minister of a religious denomination or society.	9 10
	<i>Examples—</i>	11
	priest, pastor, bishop, rabbi, imam	12
<b>Clause 6</b>	<b>Amendment of s 365 (Obligation to report sexual abuse of person under 18 years at State school)</b>	13 14
	(1) Section 365(4A) to (7)—	15
	<i>renumber</i> as section 365(8) to (11).	16
	(2) Section 365—	17
	<i>insert—</i>	18
	(5) Subsection (6) applies if a religious representative, other than a person to whom subsection (2) or (2A) applies, becomes aware, or reasonably suspects, in the course of the representative's work for, or association with, a State school, that a person mentioned in subsection (1)(a) to (c) at the school has been sexually abused by another person.	19 20 21 22 23 24 25 26
	(6) The religious representative must give a written report about the abuse, or suspected abuse, to a police officer—	27 28 29

[s 7]

---

	(a) immediately; and	1
	(b) if a regulation is in force under subsection (7), as provided under the regulation.	2 3
	Maximum penalty—20 penalty units.	4
	(7) A regulation may prescribe the particulars the report must include.	5 6
(3)	Section 365(8) and (10), as renumbered, ‘(5)’— <i>omit, insert—</i>	7 8
	(9)	9
(4)	Section 365(8), as renumbered, ‘the report’— <i>omit, insert—</i>	10 11
	a report given under subsection (2), (2A) or (6)	12
(5)	Section 365(9), as renumbered, ‘or principal’s supervisor’— <i>omit, insert—</i>	13 14
	, principal’s supervisor or religious representative	15
(6)	Section 365(10), as renumbered, ‘or (2A)’— <i>omit, insert—</i>	16 17
	, (2A) or (6)	18
(7)	Section 365(11), as renumbered, ‘(6)’— <i>omit, insert—</i>	19 20
	(10)	21
<b>Clause 7</b>	<b>Amendment of s 365A (Obligation to report likely sexual abuse of person under 18 years at State school)</b>	22 23
(1)	Section 365A(6) to (10)— <i>renumber</i> as section 365A(9) to (13).	24 25
(2)	Section 365A— <i>insert—</i>	26 27



- 
- (6) Subsection (7) applies if a religious representative, other than a person to whom subsection (2) or (3) applies, reasonably suspects, in the course of the representative's work for, or association with, a State school, that a person mentioned in subsection (1)(a) to (c) at the school is likely to be sexually abused by another person.
- (7) The religious representative must give a written report about the suspicion to a police officer—
- (a) immediately; and
- (b) if a regulation is in force under subsection (8), as provided under the regulation.
- Maximum penalty—20 penalty units.
- (8) A regulation may prescribe the particulars the report must include.
- (3) Section 365A(9) and (11), as renumbered, '(7)'—  
*omit, insert—*  
(10)
- (4) Section 365A(9), as renumbered, 'the report'—  
*omit, insert—*  
a report given under subsection (2), (3) or (7)
- (5) Section 365A(10), as renumbered, 'or principal's supervisor'—  
*omit, insert—*  
, principal's supervisor or religious representative
- (6) Section 365A(11), as renumbered, 'or (3)'—  
*omit, insert—*  
, (3) or (7)
- (7) Section 365A(12), as renumbered, '(8)'—  
*omit, insert—*  
(11)
-

[s 8]

---

<b>Clause 8</b>	<b>Amendment of s 366 (Obligation to report sexual abuse of person under 18 years at non-State school)</b>	1 2
(1)	Section 366(5) and (6)— <i>renumber</i> as section 366(8) and (9).	3 4
(2)	Section 366— <i>insert</i> —	5 6
(5)	Subsection (6) applies if a religious representative, other than a person to whom subsection (2) or (2A) applies, becomes aware, or reasonably suspects, in the course of the representative’s work for, or association with, a non-State school, that a person mentioned in subsection (1)(a) to (c) at the school has been sexually abused by another person.	7 8 9 10 11 12 13 14
(6)	The religious representative must give a written report about the abuse, or suspected abuse, to a police officer—	15 16 17
(a)	immediately; and	18
(b)	if a regulation is in force under subsection (7), as provided under the regulation.	19 20
	Maximum penalty—20 penalty units.	21
(7)	A regulation may prescribe the particulars the report must include.	22 23
(3)	Section 366(8), as renumbered, ‘or (2A)’— <i>omit, insert</i> — , (2A) or (6)	24 25 26
(4)	Section 366(9), as renumbered, ‘(5)’— <i>omit, insert</i> — (8)	27 28 29

<b>Clause 9</b>	<b>Amendment of s 366A (Obligation to report likely sexual abuse of person under 18 years at non-State school)</b>	1
		2
(1)	Section 366A(7) to (9)—	3
	<i>renumber</i> as section 366A(10) to (12).	4
(2)	Section 366A—	5
	<i>insert</i> —	6
	(7) Subsection (8) applies if a religious representative, other than a person to whom subsection (2) or (3) applies, reasonably suspects, in the course of the representative’s work for, or association with, a non-State school, that a person mentioned in subsection (1)(a) to (c) at the school is likely to be sexually abused by another person.	7 8 9 10 11 12 13
	(8) The religious representative must give a written report about the suspicion to a police officer—	14 15
	(a) immediately; and	16
	(b) if a regulation is in force under subsection (9), as provided under the regulation.	17 18
	Maximum penalty—20 penalty units.	19
	(9) A regulation may prescribe the particulars the report must include.	20 21
(3)	Section 366A(10), as renumbered, ‘or (3)’—	22
	<i>omit, insert</i> —	23
	, (3) or (8)	24
(4)	Section 366A(11), as renumbered, ‘(7)’—	25
	<i>omit, insert</i> —	26
	(10)	27
<b>Clause 10</b>	<b>Amendment of sch 4 (Dictionary)</b>	28
	Schedule 4—	29
	<i>insert</i> —	30

[s 10]

---

*religious representative*, for chapter 12, part 10,  
see section 364.

1  
2