



CHILD SAFEGUARDING AND THE LAW

REPORTING TO POLICE

Fact Sheet
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INTRODUCTION

This fact sheet contains information about reporting to police, and key criminal offences that apply in NSW.

This document covers the following areas:

1. Failure to Report offence
2. Failure to Protect offence
3. Child Grooming
4. Reporting to Police



NSW Police Force

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1. KEY CHILD PROTECTION OFFENCES

Failure to Report	<p>The 'failure to report' offence imposes criminal liability on all adults who know, believe, or reasonably ought to know that a child abuse offence has been committed against a child (under 18 years), and the person fails to report this information to the police.</p> <p>Maximum Penalty: Imprisonment for 5 years. Relevant Legislation: Crimes Act 1900 (NSW) s 316A.</p>
Failure to Protect	<p>The 'failure to protect' offence applies to adults engaged in child-related work who know that another adult working in that organisation poses a serious risk of abusing a child, have the power to reduce or remove this risk, and negligently fail to do so.</p> <p>Maximum Penalty: Imprisonment for 2 years. Relevant Legislation: Crimes Act 1900 (NSW) s 43B.</p>
Child Grooming	<p>It is an offence if an adult engages in conduct with a child, with the intention of making it easier to procure the child for unlawful sexual activity.</p> <p>Relevant Legislation: Crimes Act 1900 (NSW) s 66EB(3).</p>

2. RESOURCES

NSW Police - Reporting the crime

- police.nsw.gov.au/crime/are_you_a_victim_of_crime/victims_of_crime/reporting_the_crime

NSW Police - Child Abuse Squad (CAS)

- police.nsw.gov.au/crime/child_abuse_and_sex_crimes/child_abuse

Legislation

- [Crimes Act 1900 \(NSW\)](#)