

Clinical Tips: Mandatory Reporting

“Assessment of all young people needs to include the potential for abuse, coercion or exploitation. The younger the person the more carefully these possibilities need to be considered. *The situation of a young person under the age of 14 being sexually active should present a ‘red flag’ requiring careful assessment and documentation.*”

Approximately one quarter of sexually active school students reported an experience of unwanted sex http://www.redaware.org.au/wp-content/uploads/2014/10/31631-ARCSHS_NSASSSH_FINAL-A-3.pdf (page 9).

The following table outlines the issues to consider when deciding whether to make a mandatory report.

Table1: Themes and issues to consider regarding the need for mandatory reporting

Theme	Issue to consider
Was the sexual activity CONSENSUAL ?	Was the young person willing? Did they have enough maturity (if under 16), knowledge to protect themselves, and understanding to consent? Were they affected by alcohol or drugs? Is the young person intellectually disabled or developmentally delayed?
Were the people involved EQUALS ?	Was there equal maturity (if under 16), and intellectual development between both parties? Was one person in a position of power?
Was the sexual activity free of COERCION , pressure, or force?	Did sex occur because of violence, fear, pressure, or bribery to gain goods or support substance addiction? Was there bullying by peers?