

SUMMARY OF LEGAL REQUIREMENTS FOR REPORTING SUSPICIONS OF CHILD ABUSE

There are laws in Ontario under the *Child and Family Services Act* which tell us what must happen when a person suspects that a child may have been abused or is at risk for abuse. Below is a summary of these laws. ***People working with children are responsible for reporting suspicions of child abuse, not for proving whether or not child abuse has occurred. It is the responsibility of a child protection agency to investigate, with police where necessary, and decide on the best plan for the child.***

DUTY TO REPORT

1. **Every person in Ontario, including someone who works with children**, must call a child protection agency **immediately** to report his/her suspicion that a child may have been abused or is at risk for abuse.
2. The person who suspects that a child may have been abused or is at risk for abuse **must report to a child protection agency, and cannot ask anyone else to report for him/her.**
3. If a person has more suspicions or information about a child, then a child protection agency must be contacted again, even if other reports have been made before.

HOW OLD IS A CHILD IN ONTARIO?

In Ontario a person is a child from birth until his/her 16th birthday.

PROTECTION FROM LIABILITY

If a person reports suspected child abuse, s/he cannot be sued if it is proven that the report was made in good faith and not to cause trouble for anyone.

FAILURE TO REPORT

If a person who has professional or official duties in his/her work with children does not report a suspicion of child abuse, then this person can be charged and fined up to \$1,000. This shows that a child's safety is the most important thing.

CONFIDENTIALITY

There are some relationships that are considered confidential, for example between a doctor and patient, or between clergy and members of the congregation. However, a confidence cannot be kept if child abuse is suspected. No matter what the relationship between people, one must always follow through on the duty to report suspicions of child abuse. (The only exception to this is the lawyer-client relationship.)