

## REPORTING CHILD ABUSE: WHY IS IT SO HARD TO PROTECT OUR CHILDREN?

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One phone call can save a child from serious harm, perhaps even death. It may be the most important intervention that can be done for a child, and yet, it is not done nearly enough.

Each province and territory in Canada has its own legislation with respect to child abuse, which addresses the age of a child who is entitled to protection under the law; the duty to report; confidentiality; and failing to report. Improved legislation is only one aspect of protecting children in our community. Essential to a system that succeeds in protecting children is a community where its members follow through on their legal and moral duty to report suspicions of abuse. Only by fulfilling this responsibility can the child protection system act in partnership with citizens and services within communities to investigate and protect children and support families.

As hundreds of thousands of children and youth across Canada head off to school, child care, recreation programs and a myriad of places with friends and family, parents hope that they will be safe. Although most people continue to hang on to the idea that children/youth are abused more often by strangers, the reality is that most children/youth are harmed by someone known and/or trusted. The number of children/youth who are abused in our communities is staggering\* and yet the numbers of individuals who would not report a suspicion of abuse is extremely worrisome.

The Ontario Association of Children's Aid Societies (OACAS, 2005) conducted a study in the province with respect to reporting and found that a significant barrier to protecting children is the large number of people who would not report a suspicion of abuse:

- 54% of individuals surveyed would not report suspected signs of child abuse.
- 55% of individuals said that they would find it difficult to report if the situation involved someone they knew well.
- While 48% of respondents said that it would be easier to report a casual acquaintance, more than 44% felt they would still be hesitant to make a report.

It is reasonable to assume that these numbers would be similar anywhere in the country, because of the hesitation to report suspicions of child abuse and children exposed to family violence. Many fears, concerns and issues are raised when someone is faced with reporting a suspicion of abuse or violence in the life of a child. An individual's own family, cultural and ethnic background, training, experience, beliefs and values all contribute significantly to the decision to report or not. Common barriers to reporting are highlighted below, together with a discussion in an effort to help overcome the

\*For more detail on the numbers of reported and investigated child abuse cases see Trocmé, N., et al. (2010). *Canadian Incidence Study of Reported Child Abuse and Neglect – 2008: Major Findings*. Ottawa, Ontario: Public Health Agency of Canada.

barriers that undoubtedly leave children in vulnerable situations (adapted from Huyer & Rimer, 2000).

Legislation often refers to reporting suspected abuse based on “reasonable grounds,” which is what an average person, given his/her training, background and experience, exercising normal and honest judgment, would suspect as being abuse. Reasonable grounds do not mean that one has to be sure that a child is being harmed. If an individual has concerns or doubts regarding a suspicion of abuse, the best option is to consult with a child protection worker/police officer who is in a legal position to decide if a formal report should be made. No one else is in this position, and therefore it is inappropriate to ask anyone else to help decide if a report should be made. The more people you speak to, the more confusing the situation can potentially become, and the more witnesses you create. Asking others for their opinion may result in the failure to report, contaminating or jeopardizing an investigation, or putting a child in danger. No one should ever advise another person not to report suspicions of abuse, or try and stop the person from reporting/consulting with a child protection agency/police. It is best that the person who suspects abuse call directly to limit potential inaccuracy in reporting. It also allows a child protection worker/police worker to ask clarifying questions directly to the person who is concerned about a child.

A prevalent fear is “*What if I’m wrong?*” Most people realize that if an investigation occurs as a result of a call to a child protection agency/police, a crisis will be created in the family. In reality, no one wants the end result of an investigation to be child abuse. Try and change your perspective and say to yourself, “*I hope I’m wrong. I hope it turns out to be something else and not child abuse, but I know that I have to make this phone call because I’m worried about the child.*” Waiting for [further] evidence to be sure about your concerns could result in devastating consequences for the child and family. If you have a gut feeling that “something isn’t right,” listen to that and consult with a child protection agency.

Consultation with a child protection agency/police should also occur before informing a parent/caregiver that a suspicion of child abuse has been reported, as such action could again jeopardize an investigation or put the child in danger. Everyone, including professionals, are responsible for reporting any suspicions of child abuse, not for proving whether or not child abuse has occurred. In fact, doing so could contaminate an investigation and have detrimental effects on the prosecution and court proceedings. It is the responsibility of a child protection agency to investigate, with police where necessary, gather evidence, assess the child and family’s situation, and respond appropriately.

Many individuals voice concerns that a parent will know who reported, and consequently ask, “*Do I have to leave my name?*” “*Will the child protection worker tell the parents who called?*” People are afraid of possible retaliation from a parent, or a scene. Although some jurisdictions do not require that the individual who reports leave his/her name (i.e., calls can be anonymous), the expectation is typically that professionals will – if you refuse, you are not acting in the best interests of the child: authorities cannot call you for more information; if the case goes to court, you may be a valuable witness that cannot be called upon to testify; and your program may be a safe place to interview the child – if you refuse to leave your name and the name of the agency, a child may end up going home to a potentially unsafe environment. Although anonymous calls may be made in your jurisdiction, it is more difficult for authorities to follow-up, gather information and

protect the child. It is in the best interest of the child to leave your identifying information, whether you are the neighbour, a concerned family member, or a professional.

When you make a report, the intake worker should ask you how you feel about the family knowing it was you who called. Discuss your options: “Yes, it’s fine” or “No, I don’t want you to tell them my name.” You may want to tell a parent yourself that you called – discuss this with the worker and s/he will tell you if you can do that. Even if you do not want your name revealed, a child protection worker has an obligation to tell the parent the nature of the allegation, and will usually identify the agency (e.g., “someone from the school called”). If you are concerned that your safety may be at risk, discuss this with the worker; s/he may then tell a parent that “someone from the community called.” It is not unusual for a parent to figure out who made the report. In many cases, the possibilities of who might have called are limited (e.g., the child is typically at child care or at home).

Parents may express many emotions, including shock, confusion, anger, fear, disgust and denial. People are often anxious about a parent(s) confronting them about reporting, and wonder, “*What do I do if a parent(s) confronts me about reporting?*” There is often the worry that a parent might try to get revenge and/or come to their house or agency very upset, perhaps making a scene. Reinforce that it is your moral and legal duty to call a child protection agency if you are worried about the safety or well-being of a child; try not to use trigger words like abuse. A child protection worker/police officer informs you about who contacts the family and when. If you asked the worker if you could tell the family yourself, and the answer was “no,” you can share this information afterwards with the parent, reinforcing that you are expected to cooperate with the authorities. It also emphasizes the respect and consideration you have for your relationship with that person. However, if ever threatened, or faced with an angry or violent person and you feel that your safety or the safety of anyone else is at risk, call for police assistance.

Maintaining a positive client relationship where there is a suspicion of abuse is often a concern for staff. It is helpful if the Parent Handbook includes a section that clarifies for families that reporting to a child protection agency/police is a binding legal requirement where there are concerns for the safety, well-being or protection of a child. It is also pertinent to include information on the limits of confidentiality, and that informing parents of any calls to a child protection agency/police are done in consultation with authorities. Always reinforce to families that their confidentiality is taken very seriously. It is important that staff fulfill their obligation to a family’s confidentiality by discussing with a child protection worker the appropriate sharing of any information related to a suspicion of abuse with any staff members, staff in training, members of the Board of Directors, volunteers, and other clients. Discussing the details of any incident violates the privacy of children and families. Once a report has been made, it is recommended that the involved staff and the child protection agency plan together for how to most effectively respond to the situation in a way that will support the child/youth and family, reduce the potential for additional trauma and meet all legal requirements.

Despite all the considerations an agency may have made in a situation where authorities have been called, a parent may respond by threatening to remove the child(ren) from the program. Staff may ask, “*What can I say to a parent to try and convince them to stay?*” Once a report of suspected abuse has been made, many parents are embarrassed and feel that they are being judged. It is helpful to say, “I am not judging you as a parent. I know that it is difficult to raise children in this day and age, and I know you are doing the best you can. If you take your child out of our program, no matter where s/he is enrolled,

anyone who is worried about his/her safety will call a child protection agency. That means your child is in a safe environment where staff do not shy away from concerns, but an environment that protects the health, well-being and safety of the children in their care. Your child has made friends here, and is doing well. It will be very difficult for him/her to start over again. Please stay, and let us help and support you.” If you know that a family has an open file with a child protection agency, you may want to also add, “If you tell us what the Children’s Aid Society wants you to do, let us help you get your file closed.”

There is often great uneasiness surrounding the fear and guilt if a child is apprehended (i.e., removed to a place of safety). A pervasive myth continues that child protection workers/police apprehend children first, and ask questions later. Children are only apprehended when there is no other safe option, and the child is judged to be in imminent danger. Only a small minority of investigations result in apprehension, and many of these children are returned to their families within a short period of time.

Lastly, people sometimes do not want to report because of past [negative] experiences with the child protection and/or police systems. These systems are under stress and may not be ideal; however media focus and discussion among coworkers typically highlight poor outcomes in the system, not the successes despite all the positive interventions with families. People often go on past experiences, without knowledge and appreciation of how the systems have improved over the years. There is also concern that child protection workers and police officers will not understand or appreciate families from culturally diverse backgrounds. Although these systems may not always be perfect, there is ongoing training and specialized teams in many jurisdictions in an effort to meet the needs of families represented in their communities. The fact remains that child protection agencies and police services are legally mandated for evaluating and responding to possible child abuse. It is critical to follow through on legal requirements in order to protect children. Someone who does not do so can put him/herself and an entire agency in a position of liability. Anyone who feels that s/he would not call a child protection agency should not be working with children and families.

It is common for people to have difficulty believing that child abuse or violence exists in a family where there has been a positive ongoing relationship, or where no obvious indicators or risk factors are present. It must be remembered that child abuse occurs among all socioeconomic groups and family structures. In fact, it is not uncommon that abuse is discovered in families where the possibility of such would not have been considered. Remember, you only know what you see and hear, and what people choose to tell you.

There are many fears about reporting suspected child abuse that may plague someone, but doubts should never prevent anyone from consulting or reporting. In some cases, there are no physical injuries indicative of abuse or a child has not given a clear disclosure of maltreatment. Waiting for further evidence to clarify concerns may have devastating consequences for the child and family. Child protection agencies and police provide service every day, 24 hours a day, 7 days a week. Consulting/reporting to a child protection agency/police may be the catalyst whereby the family receives the intervention necessary to stop the violence, and support that facilitates change before long-term consequences occur.

Although the fears and hesitations to reporting are understandable and valid, they do not outweigh our legal and moral duty to protect children, and the risk of harm to any child. Remember that in the majority of cases when something terrible happens to a child, someone knew or suspected abuse, and did not follow through on reporting suspicions. If you are anxious, think about how the child may feel – as an adult, you have options and resources available to you – children have limited, if any, options for protection and must depend on others to speak for them. If child abuse or family violence are suspected and not reported, the child(ren) may be at further risk. The individual(s) who suspects abuse and does not report is colluding with the family and/or alleged abuser in continuing to keep it a secret.

It is essential that everyone approach reporting decisions from the child's perspective remembering that although it is difficult to grapple with a suspicion of child abuse, if abuse is happening, it is unlikely to stop without outside intervention.

### References

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