SUMMARY OF LEGAL REQUIREMENTS FOR REPORTING SUSPICIONS OF CHILD ABUSE: BRITISH COLUMBIA

There are laws in British Columbia under the Child, Family and Community Service Act about 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. You 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

A person in British Columbia who believes a child may have been abused or is at risk for abuse is required to immediately report the information to a director or a person designated by a director.

HOW OLD IS A CHILD IN BRITISH COLUMBIA?

In British Columbia, a person is a child from birth until his/her 19th 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 fails to report to a director, or knowingly reports false information, s/he can be charged with a fine of up to $10,000 or imprisonment of up to 6 months, or both.

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, a person must always follow through on the duty to report suspicions of child abuse. The only exception to this is the lawyer-client relationship.

1 A director refers to the child protection authorities in your province, and not to staff within your own program/agency.