

SUMMARY OF LEGAL REQUIREMENTS FOR REPORTING SUSPICIONS OF CHILD ABUSE: MANITOBA

There are laws in Manitoba under the *Child and Family Services 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

1. **Every person in Manitoba, including a person who works with children**, who believes that a child may have been abused or is at risk for abuse must immediately report the information to a child and family services agency or to a parent or guardian of the child.
2. If a person does not know the parent/guardian, or believes the parent/guardian is responsible for the abuse or risk of abuse, or is unable or unwilling to protect the child, then the report should be made directly to a child and family service agency.

HOW OLD IS A CHILD IN MANITOBA?

In Manitoba, a person is a child from birth until his/her 18th birthday.

PROTECTION FROM LIABILITY

If a person reports a belief of 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 an agency, that person can be held guilty of an offence and may be liable to a fine up to \$50,000 or imprisonment of up to 24 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, one must always follow through on the duty to report suspicions of child abuse. The only exception to this is the lawyer-client relationship.

The *Child and Family Services Act* protects the identity of the person who reported to an agency.