

SUMMARY OF LEGAL REQUIREMENTS FOR REPORTING SUSPICIONS OF CHILD ABUSE: NEW BRUNSWICK

There are laws in New Brunswick under the *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

Every person in New Brunswick, including a person who works with children, who suspects that a child may have been abused or is at risk for abuse must immediately report that suspicion to the Minister.¹

HOW OLD IS A CHILD IN NEW BRUNSWICK?

In New Brunswick, 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 who works with children fails to report a suspicion of child abuse, the Minister may require any professional society, association or other organization authorized under the laws of the Province to regulate the professional activities of that person, in order to conduct an investigation.

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 *Family Services Act* protects the identity of the person who reported to the Minister. The reporter's name may be disclosed only during judicial proceedings or with that person's written consent.

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