

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

There are laws in Newfoundland under the *Children and Youth Care and Protection 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 Newfoundland, 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 the information to a manager, social worker, or peace officer.¹

HOW OLD IS A CHILD IN NEWFOUNDLAND?

In Newfoundland, 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 fails to report to a manager, social worker, or peace officer, s/he may be charged with an offence and may be given a fine of up to \$10,000, or imprisonment of up to 6 months, or to 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.

¹ A **manager/social worker/peace officer** refers to the child protection authorities in your province, and not to staff within your own program/agency.