

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

There are laws in Quebec under the *Youth 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

1. **A professional who provides care or assistance to children**, who believes that a child may have been abused or is at risk for abuse must immediately report the information to a director.¹
2. **Every person who believes that a child has been physically or sexually abused or is at risk of physical or sexual abuse** must immediately report the information to a director.
3. **Every person who believes that a child may have been neglected or is at risk of neglect, or has been abandoned or emotionally abused** may report the information to a director.

HOW OLD IS A CHILD IN QUEBEC?

In Quebec, a person is a child from birth until his/her 18th 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

A professional who fails to report to a director, and anyone who fails to report physical or sexual abuse to a director can be found guilty of an offence and fined between \$250 to \$2,500.

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 *Youth Protection Act* protects the identity of the person who reported to a director; the reporter's name may not be disclosed without his/her consent.

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