

SUMMARY OF LEGAL REQUIREMENTS FOR REPORTING SUSPICIONS OF CHILD ABUSE

There are laws in the Northwest Territories 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 any 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 person** in the Northwest Territories who suspects that a child may have been abused or is at risk for abuse must immediately report the matter to a Child Protection Worker; or if a Child Protection Worker is unavailable, to a peace officer or an authorized person.¹
2. The person who suspects that a child may have been abused or is at risk for abuse **must report to a Child Protection Worker, and cannot ask anyone else to report for him/her.**

HOW OLD IS A CHILD IN THE NORTHWEST TERRITORIES?

In the Northwest Territories, 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 suspected child abuse, there is a possibility of a charge and fine up to \$5,000 or a prison term 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, one must always follow through on the duty to report suspicions of child abuse. The only exception to this is the lawyer-client relationship.

¹ An **authorized person** refers to a person appointed by the Director of Child and Family Services.