

Duty to Report Child and Youth Abuse and Neglect



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The Children, Youth and Families Act (CYFA) promotes the safety and well-being of children and youth who are in need of protective intervention by offering, where available and appropriate, services that are designed to maintain, support and preserve the family where it is in the best interests of the child or youth.

The Department of Children, Seniors and Social Development (CSSD) provides services for children and youth who are, or who are believed to be, in need of protective intervention. For children, services are available through the **Protective Intervention Program**. For youth, services are available through the **Youth Services Program**.

While parents are primarily responsible for their child's well-being, the **CYFA** requires you to report a concern if you believe a child or youth is or may be in need of protective intervention. We all have a role to play in keeping children and youth safe.

Who has a Duty to Report?

- In accordance with Section 11 of the CYFA, **every person** in the province of Newfoundland and Labrador has a legal obligation to immediately report suspected abuse and neglect for **children** (under age 16) and **youth** (ages 16 and 17) to ensure children and youth are protected from harm.
- If the information is not reported, the individual is liable to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 6 months, or to both a fine and imprisonment.

If a child is in immediate danger, call 911 or your local police. A social worker may be contacted to determine whether the child or youth is in need of protection.

When is a child or youth in need of protective intervention?

A child or youth is in need of protective intervention if they have experienced, or are at risk of experiencing, abuse or neglect due to an action or lack of action by a parent. A social worker will consider the child's age, developmental status, and other vulnerabilities when assessing reports of abuse or neglect.

Under the CYFA, children and youth are defined as follows:

Child: a person actually or apparently under 16 years of age

Youth: a person who is at least 16 years of age but under 18 years of age

The Department of CSSD defines abuse and neglect as follows:

- 1. Physical Abuse:** action on the part of the parent in which a child/youth sustained or is likely to sustain a physical injury. Injury to the child/youth may be current or may have occurred in the past.
- 2. Emotional Abuse:** a **pattern** of negative behaviour, **repeated destructive** interpersonal interactions or a single, significant destructive interaction by an individual toward the child/youth (including exposure to violence in the home or between parents). The impact on the child/youth of being exposed to these emotionally harmful behaviours may include depression, significant anxiety or withdrawal, self-destructive or aggressive behaviour, or delayed development.
- 3. Sexual Abuse:** includes any sexual contact between an individual and a child/youth regardless of whether the sexual contact occurs by force, coercion, duress, and deception or whether the child/youth understands the sexual nature of the activity. Sexual contact includes sexual penetration, touching, harassment, invitation to sexual touching, sexual acts such as exposure, voyeurism, or sexually exploiting the child/youth by involving the child/youth in the sex trade or pornography.
- 4. Neglect:** the lack of action by a parent in providing for the adequate care and attention of the child/youth's needs, resulting in harm to the child/youth or substantial risk of harm to the child/youth.

What do I do if a child or youth tells me about abuse or neglect?

What you say and do are important to helping the child or youth feel safe and supported.

If they tell you they are being neglected or abused, make sure you:

- Stay calm and react without shock, disbelief, anger, judgment or fear
- Let the child or youth tell you what happened in their own words without interruption
- Listen carefully without asking questions
- Reassure them that telling someone what happened is the right thing and that what happened is not their fault
- Acknowledge how they are feeling (e.g. scared, angry, embarrassed, hurt, sad)
- Help them feel comforted and supported by saying things like:
 - I'm glad you told me
 - You did the right thing
 - I believe you and I will support you
 - It's not your fault
 - It's okay to feel scared, angry and hurt
 - I will try to help you figure out what happens next

Following the disclosure, write down the information and immediately report to CSSD by calling toll-free 1-833-552-2368 or by calling your local police.

How do I report abuse and neglect?

When making a report, it is helpful to include your name, phone number and relationship to the child or youth, however, you can make an anonymous call if you prefer.

During the call, you will be asked questions about the child or youth and their life. It is okay to call even if you do not have all of this information. Some of the questions you may be asked include:

- Your immediate concerns about the child or youth's safety
- The child or youth's location
- The child or youth's name
- The child or youth's age and gender
- Information about the family and alleged abuser
- Other children who may be at risk because of the situation; and
- Any other relevant information.

To report concerns of suspected child abuse and/or neglect of a child (under age 16) and/or a youth (ages 16 & 17), please call toll-free 1-833-552-2368 or contact your local police.

What happens after I make a report about a child?

- CSSD is required by law to investigate whether a child is in need of protective intervention.
- When a report is made, a social worker will complete an assessment using comprehensive guidelines.
- The social worker will take the necessary steps to protect the child as a result of the investigation.

What happens after I make a report about a youth?

- CSSD will contact the youth to ask whether they would like to engage in an assessment to determine their need for protective intervention.
- The youth must be a voluntary participant for the assessment to occur.

Will I find out what happens after I make my report?

- CSSD takes each call very seriously and will assess all information received. For reasons of privacy and confidentiality, you will not be notified regarding the outcome of the assessment.