

The text below is an excerpt from THE B.C. HANDBOOK FOR *ACTION* ON CHILD ABUSE AND NEGLECT. Full copy of this text and other relevant child protection information can be found at http://www.mcf.gov.bc.ca/pubs/child_protection.htm

Legal Duty to Report

Everyone who has a reason to believe that a child has been or is likely to be physically harmed, sexually abused or sexually exploited, or needs protection due to the specific circumstances outlined in the *Child, Family and Community Service Act*, is legally responsible under that act to report the matter to a child protection social worker. In British Columbia, a child is anyone under the age of 19.

The duty to report applies to everyone, including service providers, family members and the general public in short, anyone who is aware of circumstances that should be reported.

- It doesn't matter if you believe someone else is reporting the situation, you still have to report.
- It doesn't matter if you're aware that a child protection social worker is already involved with the child, you still have to report the matter. All new incidents must be reported as well.
- The legal duty to report overrides any duty of confidentiality, except a solicitor-client relationship.
- Time is of the essence in ensuring the safety and well-being of children. Report immediately.
- If you have reason to believe that a child has been or is likely to be abused or neglected, then the responsibility for making a report to a child protection social worker legally rests with you.
- Do not contact the alleged perpetrator. This is the responsibility of the police, or the child protection social worker.
- If an employer needs to contact the alleged perpetrator in order to protect children under their authority, this should be coordinated with the police and child protection social worker.

Many agencies and ministries have developed internal reporting procedures requiring that reports be made to supervisory personnel as well as to a child protection social worker. All internal reporting procedures must conform with the legal duty to report to a child protection social worker.

Reporting Child Abuse or Neglect

CALL HELPLINE: 310-1234 (no area code needed)

Tell children help is just a phone call away. They can reach the Helpline for Children by dialing 310-1234 (no area code needed). It doesn't cost anything to call, and a child protection social worker is always there to listen and help, 24 hours a day, seven days a week. For more information see the reporting summary inside the front cover of this handbook.

In some ways, this is the simplest yet the most urgent aspect of responding to child abuse or neglect. If you have reason to believe a child has been or is likely to be abused, neglected, or in need of protection, you must report the matter immediately to a child protection social worker. The law is set out in legislation called the *Child, Family and Community Service Act*.

Report to a child protection social worker in either a Ministry for Children and Families office, or a First Nations child welfare agency that provides child protection services.

- **After Hours Lines** (Monday to Friday 4:30 p.m. to 8:30 a.m., and all day Saturday, Sunday and statutory holidays). For Vancouver, North Shore, Richmond call 660-4927. For Lower Mainland (Burnaby and Delta in the west to Maple Ridge and Langley in the east) call 660-8180

If a child is in immediate danger, police should be called. Dial 911, or call the operator and ask for police assistance.

When to Report that a Child Needs Protection

The *Child, Family and Community Service Act* sets out the circumstances under which you must report - that is, when you have reason to believe that a child "has been, or is likely to be, physically harmed, sexually abused or sexually exploited by a parent or by another person, or if the child has been or is likely to be physically harmed because of neglect by the child's parent," or if:

- the child is emotionally harmed by the parent's conduct;
- the child is deprived of necessary health care;
- the child's development is likely to be seriously impaired by a treatable condition and the child's parent refuses to provide or consent to treatment;
- the child's parent is unable or unwilling to care for the child and has not made adequate provision for the child's care;
- the child is or has been absent from home in circumstances that endanger the child's safety or well-being;
- the child's parent is dead and adequate provision has not been made for the child's care; and
- the child has been abandoned and adequate provision has not been made for the child's care.

How to Report

All child abuse and neglect concerns must be reported to a Ministry for Children and Families child protection social worker or a First Nations child welfare agency that provides child protection services. This applies even if a report has been made to the police.

There are three ways to reach a Ministry for Children and Families child protection social worker:

- **Ministry for Children and Families local district office**, Monday to Friday 8:30 a.m. to 4:30 p.m. (listed in the blue pages of your phone book).
- **After Hours Lines (Monday to Friday 4:30 p.m. to 8:30 a.m., and all day Saturday, Sunday, and statutory holidays)** for Vancouver, North Shore, Richmond: 604-660-4927 Lower Mainland (Burnaby and Delta in the west to Maple Ridge and Langley in the east): 604-660-8180 Anywhere else in B.C.: 1-800-663-9122
- **Helpline for Children** dial 310-1234 (no area code needed). This toll-free service operates 24 hours a day.

What to Report

In most circumstances, the identity of the person who makes a report will not be revealed without consent unless the child protection social worker is required to give their name for the purposes of a court hearing.

The report should include the reporter's name, telephone number and relationship to the child. It should also provide as much of the following information as possible:

- the name and location of the child;
- any immediate concerns about the child's safety;
- any information as to why you believe the child is at risk;
- any statements or disclosures made by the child;
- the age and vulnerability of the child;
- information on the family, parents and alleged offenders;
- information on siblings or other children who may be at risk;
- knowledge of any previous incidents or concerns regarding the child;
- information about other persons or agencies closely involved with the child and/or family;
- information about other persons who may be witnesses or may have information about the child;
- information on the nature of the child's disabilities, if any, his or her mode of communication, and the name of a key support person;
- any other relevant information concerning the child and/or family, such as language or culture.

Don't delay making a report just because you don't have all this information. Contact the child protection social worker immediately with the information you do have. You don't have to report when it is clear that an injury or other harm is accidental and is a result of circumstances outside the control of the parent or other person responsible for the child in, for example, a playground injury.

Informing the police

Police play an important role in protecting children. They can respond quickly to protect children in immediate danger.

- If a child is in immediate danger, every person aware of it must call the police right away, then report to a child protection social worker as soon as possible.
- If a child is not in immediate danger, report to a child protection social worker. They will call police if they believe a criminal offence is occurring or may have occurred.

Child protection social workers understand the need to involve police immediately where it is evident that a criminal offence has occurred or is occurring. This is particularly important in matters such as sexual assault where it is critical to the investigation that evidence be obtained immediately. *Prompt action can prevent further harm and help police catch the perpetrator.* Police are responsible for conducting a criminal investigation which can include obtaining witness statements, arranging to obtain medical forensic evidence where appropriate, protecting the crime scene and maintaining the continuity of evidence.