



Child Abuse

RECOGNIZE IT,
REPORT IT,
PREVENT IT!



Public Legal Education
and Information Service
of New Brunswick

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Public Legal Education and Information Service of New Brunswick (PLEIS-NB) is a non-profit organization which provides information about the law to New Brunswickers. It receives funding and in-kind support from the Department of Justice Canada, the New Brunswick Law Foundation and the New Brunswick Department of Justice and Consumer Affairs.

This booklet does not contain a complete statement of the law in this area and laws continue to change. Anyone needing specific legal advice should contact a lawyer.

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**DR. DAVID STEPHEN
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"It shouldn't hurt to be a child"

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**Child & Youth
Advocate
Défenseur
des enfants et de la jeunesse**

Introduction

All children have a right to live free from abuse. Unfortunately, every year in New Brunswick child protection officials must help hundreds of ill-treated or neglected children. Some of these children will carry the scars for the rest of their lives. The abuser could be anyone including a parent, family member, babysitter, teacher, clergy, coach, or even a stranger.

Children depend on their parents to love, nurture and protect them. Parents have a duty to provide for the emotional and physical well-being of their children. They are also responsible for controlling and supervising their children. Others too have a special duty to help keep children safe. This includes professionals who care for children, work or volunteer with them, or come into contact with children as part of their work. Some examples are teachers, social workers, police, dentists, doctors, nurses, coaches, counsellors, caregivers and staff of a recreational facility.

We can all play a role in protecting children from harm and reporting suspicions of abuse. This booklet will help parents and the public alike in:

- *Defining Child Abuse and Neglect*
 - *Recognizing Signs of Abuse and Neglect*
 - *Reporting Abuse and Neglect*
 - *Responding to a Child who Tells of Abuse*
 - *Preventing Child Abuse and Neglect*
 - *Protecting Children on the Internet*
 - *Some questions about reporting*
 - *Other Resources*



Defining CHILD ABUSE AND NEGLECT

Child abuse happens when somebody or some situation threatens the development, security and survival of a child. Many forms of abuse are criminal in nature. In New Brunswick, the **Family Services Act** and the **Child Victims of Abuse and Neglect Protocols** outline a variety of situations in which abuse and neglect may happen

Physical abuse - The use of unreasonable force against a child. What is considered reasonable will depend on the age of the child, the severity of the actions and its lack of healthy corrective purpose regarding the child's behaviour. This might include, for example, hitting, slapping, shaking, choking, kicking or burning a child. It also includes any conduct by a caregiver that might put the child's life, health or well-being at risk.

Emotional maltreatment – Refers to both emotional abuse and emotional neglect. This might include repeated attacks on a child's sense of self-worth, insults, isolation, rejection, unrealistic expectations or constant criticism. It might also involve terrorizing a child such as threatening to kill the family pet. The law also considers children at risk of emotional abuse if they live in situations of family violence.

Sexual abuse - Any sexual act involving a child and an adult or another older child. This might include fondling, touching, intercourse or exploiting the child sexually such as taking pornographic pictures or putting the child at risk of exploitation. This can also include non-physical forms of abuse such as exhibitionism, exposure to pornography and voyeurism.

Physical Neglect - When parents or caregivers fail to provide a child's basic needs. Physical neglect might include failing to provide children with proper food, clothing, or shelter. It may also involve lack of attention to, or refusal to provide, proper healthcare treatment. Neglect also happens when a person caring for a child does not, or cannot, control and supervise the child. This includes failing to make the child go to school, or stopping the child from harming himself or others.

Passive Abuse - When an individual recognizes a child as being abused and/or neglected and fails to report the abuse to the proper authorities. This may include an individual who takes no action when he or she suspects that a child is being sexually molested, thereby allowing the abuse to continue.

Who is a child?

Most people easily identify babies and youngsters as children. However, people may not know whether to consider older youth and teens to be children. Under the New Brunswick **Family Services Act** a child is defined as anyone under the age of 16, or a person with disabilities under the age of 19. Under the **Criminal Code of Canada** a child is generally defined as being under 18 years of age. If you are unsure about the victim's age, be cautious and assume that he or she is a child.

Recognizing SIGNS OF ABUSE

Children show many different signs of abuse or neglect. While all children have scrapes, bruises and birthmarks, you should know the common signs of abuse and neglect. Take them seriously and act quickly if they are happening to a child you know.

Signs of Physical Abuse

- *child has welts, bite marks, unexplained bruises, scars, burns, fractures or head injuries*
- *child runs away from home or will not go home*
- *child has repetitive injuries or unattended injuries*

Signs of Sexual Abuse

- *young child has an unusual interest in or knowledge of sexual behaviour*
- *promiscuity, juvenile prostitution, pregnancy or sexually transmitted infections.*
- *child has difficulty walking or sitting or says it hurts to go to the bathroom*
- *child has a change in behaviour patterns or acts extremely aggressive or extremely withdrawn*
- *child makes inappropriate sexual drawings for their age*

Signs of Emotional Abuse

- *child is often alone (at home and around the school)*
- *child is passive or acts out aggressively*
- *child has low self-esteem*
- *child is depressed or talks of suicide*

Signs of Neglect

- *child often comes to school or daycare hungry*
- *child is not dressed for the weather*
- *child looks unkempt and unwashed*
- *child is kept outside for long periods without appropriate supervision*
- *child has chronic untreated illnesses*

Reporting ABUSE AND NEGLECT

If you suspect a child is a victim of abuse or neglect, report your concerns to Child Protection at the Department of Family and Community Services as soon as possible. You do not need proof. It is not your role to look for evidence or interview the child. Do not notify the parents. In an emergency call the police - 911.

The abuse of a child is a serious problem. Everyone has a duty to report a suspicion of child abuse. If you suspect a child in New Brunswick is being abused, please phone:

Child Protection Services Toll Free 1-888-992-2873 (A B U S E)
(Emergency after hours toll free 1-800-442-9799)

Why don't children tell somebody about the abuse?

Depending on their age, children may not tell about abuse, because they are:

- *too young to tell*
- *afraid someone will call them a liar*
- *ashamed*
- *dependant on abuser*
- *unaware it's wrong*
- *afraid police will take them away*
- *have mixed emotions*
- *threatened with harm*



Responding TO A CHILD WHO TELLS OF ABUSE

Some children may decide to talk about abuse with an adult they trust. For example, they may tell a parent, coach, counsellor, teacher, or youth group leader. If this happens, it is important to

- *Stay calm*
- *Listen carefully*
- *Don't act shocked or upset*
- *Don't blame or be judgmental*

Be sure to tell the child that

- *You believe him or her*
- *He or she did the right thing in telling you*
- *He or she is not to blame for what happened*
- *You must tell someone who can stop the abuse*



DO NOT	DO
<ul style="list-style-type: none">• <i>probe for details</i>• <i>promise the parents will understand</i>• <i>make promises you can't keep</i>• <i>say you won't tell anybody</i>	<ul style="list-style-type: none">• <i>report the disclosure immediately to Family & Community Services</i>• <i>offer your support</i>• <i>tell about helpful services *</i>

* **Kids Help Phone** (1-800-688-6868), hospital, public health, crisis centres, mental health, counselling, police, suicide prevention, child protection, victim services.

Preventing CHILD ABUSE

Tips for Parents

1. Be active in your child's activities

Try to participate in your child's activities, clubs, organizations or sports teams. Find out about the abuse policies of these organizations. Youth serving organizations can require a worker or volunteer to consent to a criminal record check. Insist on background checks and take part in the process of finding coaches, assistants, leaders or volunteers.

Talk to the people who work or volunteer with your child. Tell them what you expect of them and your child. Drop in on practices or meetings. If you are not happy with something, tell them immediately. If the club plans trips, especially over night ones, be sure there are enough chaperons. Adults should have separate rooms. Be sure your child does not spend unexplained time with someone outside of practices, meetings and events. **The more time you put into your child's activities, the better you can detect and prevent situations where abuse can occur.**

Your children depend on you to help them grow up safely. When your child joins a club or sports team, or participates in any activity, always....

- *Ask for details if you don't understand something or want to know more.*
- *Be wary of situations you don't feel are right.*
- *Speak out if you see something you don't like or are unhappy about.*

2. Talk to your child

Talk to your children and encourage them to tell you about anything that happens to them. Tell them about good touching and bad touching. Encourage them to tell someone if something doesn't feel right. Suggest other people they can talk to if something is wrong. Make sure they learn their telephone number and know how to call home or their parents' place of work.

3. Support your child

Let your child know how much you care about his or her well-being. Find ways to build your child's self-confidence. Children who respect themselves are more likely to trust their judgment when they feel something is wrong. If your child tells you someone is abusing him or her, remember to stay calm. Call Family and Community Services immediately. Keep the child away from the abusive person.

4. Watch for changes in behaviour

Know the signs of abuse. If you notice changes in your child's moods and habits, this may be a sign of abuse. Remember you only have to suspect child abuse to make a report.

5. Help yourself

Never hit your child. Learn about alternative ways to discipline and manage your child. If you feel you could harm your child, look for help. You may be able to find programs for anger management, family support, child care alternatives and life skills training. Admitting you need help and getting that help is important for yourself and your child.

(Contact Family and Community Services to find out about programs for parenting programs. Call mental health or a support group for more information.)

Tips for People who Work or Volunteer with Children

1. Know and watch for signs of abuse

You have a duty to protect the children in your care from harm. Be familiar with the signs of child abuse and know the abuse policies of your organization. Keep a close eye on high risk children. High risk children might include infants whose parents have poor parenting skills, children from homes with family violence, alcohol and drug problems, or children with disabilities or communication difficulties. Know how to react and report if

(a) you suspect a child is at risk, or

(b) a child tells you about abuse.

Remember, by law you **MUST** report suspicions of child abuse to Family and Community Services. Act quickly. Do not interview the child or contact the parents or guardians until social workers or police give you permission to. You do not want to influence what the child says or put the child in any further danger.

2. Be supportive of the children

Make prevention education a part of your interaction with the children. Let the children know you respect them and they can tell you if something doesn't feel right.

3. Make sure the organization you work or volunteer for has child abuse prevention policies

- *Work or volunteer with organizations that have a good reputation in the community.*
- *Commit yourself and your group to protecting children from harm. Your group should take steps to protect itself and children from risky situations.*
- *Be sure your organization interviews all potential volunteers and employees and, if possible, does a security or background check. Check references.*
- *Make sure all volunteers and staff know the group's abuse policies. If there aren't any, or you think they are weak, help create better ones.*
- *Agree to security checks and screening procedures and any measures your organization follows to protect the children in its care.*

4. Protect yourself

People who work or volunteer with children should ALWAYS avoid risky situations.

How to Avoid Risky Situations

- Show affection and warmth to children by touching them in safe areas like on the shoulder, head or back.
- Avoid being alone with children. When possible,
 - *examine a sick or injured child with another adult present.*
 - *talk to a child privately by staying where others can see but not hear you.*
 - *keep the door open when a child is with you.*
 - *tell parents about situations where you can't help being alone with a child.*
 - *inform parents of trips, have enough chaperons and make appropriate sleeping arrangements.*
- Respect the child's integrity. Let children back away from well intentioned affection.
- Meet with parents often and keep them up to date on their child's activities.
- Know your job, sport or activity and be professional.

Protecting CHILDREN ON THE INTERNET

The internet can be a great resource for children, however, parents may not realize the many dangers that children face online. Internet abduction, intimidation, luring and sexual exploitation are very real risks.

While parents would like to believe that their teens are aware of the dangers online the Canada Safety Council reports that:

- ❑ “Forty-three percent of teens ages 15 to 17 have been asked by someone they have met on the Net to meet in person. Of those, one in five accepted; and of that group, one out five went alone.”
- ❑ “One in five 11-12 year-olds reported receiving e-mail messages that have bothered or frightened them. Of those, only 20 percent told an adult.”

Canada Safety Council, www.safety-council.org.

Tips for Parents

1. Be aware of the dangers

Many parents are aware that there are dangers involved in allowing their children to use the internet but few adults realize the extent to which children and youth have access to the internet and how little they confide in their parents.

Learn more about what your children the website they visit, what they use the internet for and the people they are talking to. Access to the internet is available in many places, while children and youth may be practicing internet safety at home under their parents' supervision, they may be less careful when using the messaging services on cell phones, in school computer labs and friends' homes.



2. Talk to your child about internet safety

Encourage open and honest discussion about your children's online activity. Explain your concerns, tell your child why it is important that you know who they are talking to and what they are doing on the internet. Be sure they know how dangerous it is to meet face-to-face with people they have met through the internet.

There are many online resources to help parents and children learn about online safety. Take advantage of the fact sheets, videos and activities to discuss these important issues with you children.

The RCMP's online toolkit, **www.Internet101.ca**, has resources for educators, parents and children. An internet safety contract is available on the Internet 101 site. It is an agreement between children and parents on what is expected to protect children from the risks and dangers online.

Check the resources section at the back of this book for other helpful sites.

3. Provide a safe environment for computer use

Limit computer access and ensure that an adult is able to supervise. Keep your home computer in family room, kitchen or another open area instead of the bedroom or office.

Pay special attention if your children use webcams, digital cameras and cell phones.

4. Use software and technology to protect children and limit access.

There are many easy to use programs to help you:

- *keep track of your children's computer use*
- *block inappropriate sites*
- *use passwords and locks to limit access*

5. Report any inappropriate or suspicious activity

Report online sexual exploitation of children to the national tip line at www.Cybertip.ca, or by calling the toll-free line at 1-866-658-9022. This includes pictures, webcams and emails.

If you think a child is in immediate danger or risk contact your local police.

Questions

ABOUT REPORTING

If I suspect someone is abusing a neighbourhood child, should I leave it up to a professional to report it?

We all have a **DUTY** to report concerns about the well-being of a child. A child that you feel is being abused may not come into contact with professionals until it is too late. Call Family and Community Services and tell them your suspicions.

What if I see one instance of abuse, like a parent hitting a child in a grocery store?

If you do not know the identity of the parent and child, you may not be able to report your concern. However, you can help diffuse the situation by saying something supportive to the parent while encouraging him or her to stop the abusive behaviour.

What happens after I make a report?

The Department of Family and Community Services assesses all reports of abuse and neglect. If social workers suspect that the security and development of the child could be in danger, they will investigate. Where the matter involves criminal offences, the police will join in the investigation. Criminal offences include sexual abuse, serious physical abuse or physical neglect.

The investigation could involve separate interviews with the person who reported the abuse, the child, the suspected abuser and other family members if necessary. If the parents prevent the investigation, the Department can apply to Family Court for an order to conduct the investigation or take the child into custody. The police will consult with the Crown Prosecutor to decide if there is enough evidence to lay criminal charges against the accused.

Can somebody sue me for reporting if it turns out no one has abused the child?

The law protects people who report child abuse in good faith. A law suit would not likely be successful unless you purposefully made a false or malicious report.

If I report my concerns, will the Department release my identity to the family?

The Department will not release your identity without your permission. However, if there is a hearing or trial you may have to testify in court as a witness.

What happens if the child's safety is at risk?

If the Department has good reason to suspect a child's safety is in immediate harm, they can remove the child from the home without waiting for a court order.

What happens in court?

At a hearing for a child protection order or a criminal trial, each side presents evidence to the judge. In criminal proceedings, the judge will listen to the evidence and then rule on the guilt of the accused. In a hearing for a child protection order, the judge will decide what is in the "best interests" of the child and make the proper order. This order could be taking the child from parents' custody, observing the family for a time, preventing the abuser from contacting the child, or protecting the child from himself.

For more information, see PLEIS-NB's pamphlet **What Parents Should Know About Child Protection**. After the hearing or trial, social workers will help the family and child deal with the abuse.

Will the child have to testify in court?

Whether a child will be required to testify in court will depend on factors such as the child's age or maturity, the nature of the offence, and the availability of other evidence against the accused. If a child is required to give evidence in court parents or guardians should contact Victims Services through the Department of Public Safety. Court support workers may be able accompany the child to court and can explain what help is available to vulnerable victims.

We can all help prevent child abuse.

Act quickly if you suspect a child is at risk.

Call 1-888-992-2873

Child & Youth Advocate, Office of the Ombudsman

The Province of New Brunswick has appointed a Child and Youth Advocate to ensure that children's rights and interests are protected in government policy, programs and services.

The Advocate is responsible for

- *Ensuring the rights and interests of children and youth are protected;*
- *Ensuring the views of children and youth are heard and considered where those views might not otherwise be advanced;*
- *Ensuring children and youth have access to approved services and that complaints about these services receive appropriate attention;*
- *Providing information and advice to government, government agencies and communities about the availability, effectiveness, responsiveness and relevance of services to children and youth; and*
- *Acting as an advocate for the rights and interests of children and youth in general.*

The Child and Youth Advocate does not provide legal advice. However, if you feel a provincial government agency, program or policy has not adequately protected children you can contact the Office of the Ombudsman at:

1-888-465-1100 www.gnb.ca/ombudsman



Resources

Child & Family Canada

This website was created in partnership with over 60 non-profit organizations to educate the public by providing credible resources on children and families.

The online library contains over 1300 documents.

www.cfc-efc.ca

Child & Youth Advocate, Office of the Ombudsman

The role of the Child and Youth Advocate is to ensure that children's rights and interests are protected in government policy, programs and services.

1-888-465-1100

www.gnb.ca/ombudsman



Child Victims of Abuse and Neglect Protocols

These protocols have been developed to ensure that programs and services in New Brunswick to protect children from abuse and neglect are effective and sensitive to the needs of children. It is primarily intended for use by government service providers.

www.gnb.ca/0017/protection/Child/index-e.asp

Cybertip.ca

This website is home to Canada's National Tipline for reporting sexual exploitation of children on the internet. They receive and analyze tips from the public and refer leads to the appropriate law enforcement agencies. The website contains helpful information for protecting children from online predators.

www.cybertip.ca

CyberWise.ca

An initiative of Industry Canada, the National Strategy for the Protection of Children from Sexual Exploitation website contains information for youth and adults about online safety.

www.cyberwise.ca

Dr. David Stephens Memorial Foundation Inc.

The mandate of this foundation is to heighten public awareness of child abuse, and its effects by educating the general public. The Foundation funds research programs, youth services and programs, and sponsors educational seminars on child abuse and the legal process.

For more information on the foundation's work contact.

Gregory D. Zed, President, 506-847-4158

Internet 101: Surfing Safely

Founded by the RCMP and local police forces, this website contains tools for educating the public about online safety. It contains videos, songs and resources approved by law enforcement for teaching youth and adults about "safe surfing".

www.internet101.ca

Kids Help Phone

The Kids Help Phone provides access to counselling for children and youth over the phone. Their website also contains fact sheets and links to other helpful resources.

1-800-668-6868

www.kidshelpphone.ca

New Brunswick Department of Family & Community Services

Child Protection Services

1-888-992-2873 - Toll Free number for reporting or general inquires.

1-800-442-9799 - Emergency after hours toll free number

www.gnb.ca/0017/



Public Legal Education and Information Service of New Brunswick (PLEIS-NB)

For more information about laws that deal with the protection of children, family violence issues or the legal process contact PLEIS-NB. You can access many of our free publications and resources from our website.

www.legal-info-legale.nb.ca

Stopping Child Abuse

The RCMP have created a fact sheet with tips for recognizing and responding to child abuse.

www.rcmp.ca/ccaps/child_e.htm

The Secret of the Silver Horse

This storybook teaches children the difference between a good secret and a secret about sexual abuse, it is published by Justice Canada.

www.phac-aspc.gc.ca/ncfv-cnivf/familyviolence/html/nfntsxsecret_e.html

Violence Prevention Information and Resources for Children & Youth

Women's Issues Branch, Executive Council Office, has compiled links to a number of resources for parents and service providers working with children and youth.

www.gnb.ca/0012/violence/children-e.asp

