



# CHILD ABUSE is wrong:

What can I do?



This is one in a series of Public Legal Education and Information publications produced under the Family Violence Initiative of the Department of Justice Canada.

Other publications in this series are:

- *Abuse is Wrong*
- *Abuse is Wrong in Any Language*
- *Elder Abuse is Wrong*
- *Abuse is Wrong in Any Culture (Inuit/First Nations and Métis People)*

To view any of these publications online, please go to [www.justice.gc.ca](http://www.justice.gc.ca), and enter the publication title under “Search”.

Aussi offert en français sous le titre :

***La maltraitance des enfants est inacceptable : Que puis-je faire?***

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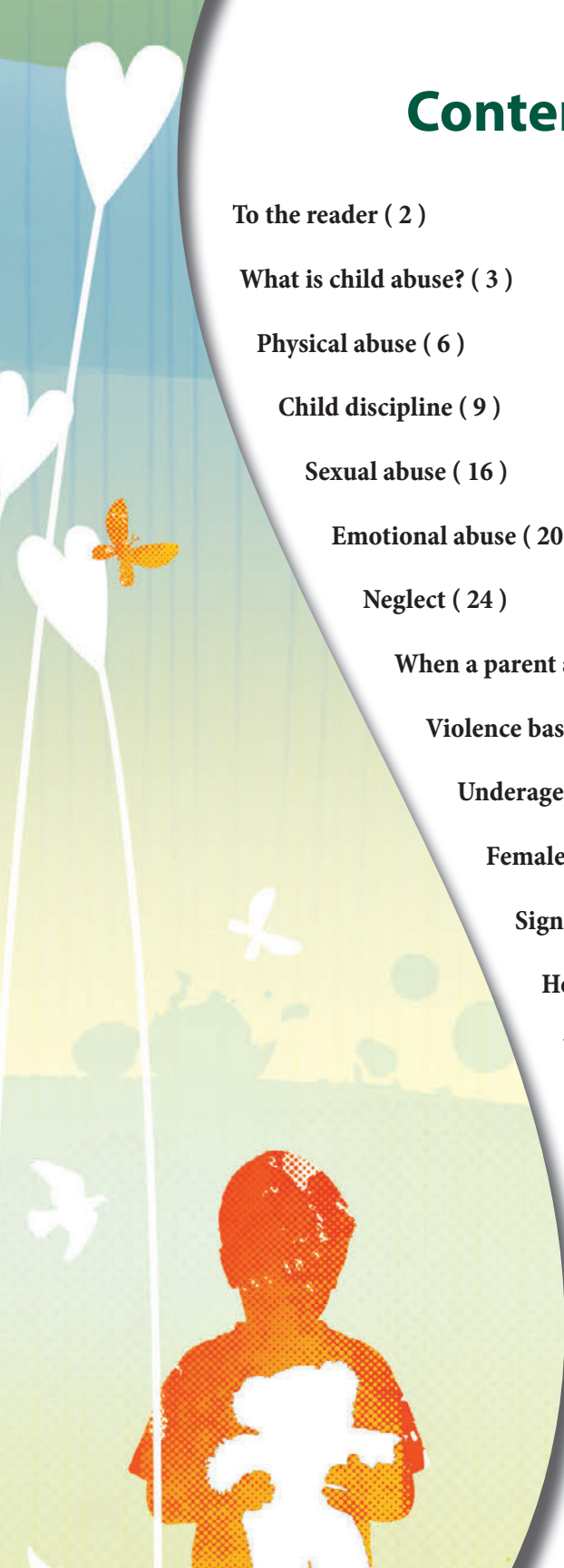
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# To the reader

This booklet is for the parents or guardians of children. It talks about child abuse in families. It answers questions about the law on child abuse in Canada.

This booklet may also be useful even if you are not a parent, but you believe a child you know is being abused.

Although laws in Canada related to children may use different ages, in this booklet, a child means a person less than 18 years old. This booklet answers questions like:

- What types of abuse can children go through?
- Where can you find help as a parent or guardian?
- What kind of discipline is okay to use with your children?
- When should you report suspected child abuse?

Parenting is a difficult job, even when things are going well. But sometimes parents find themselves under a lot of stress and it gets even harder.

You are responsible for the safety and well-being of your children. If you or your partner is struggling to be a good parent, but you think you could do better, or need to undo patterns you may have lived when you were young, ask for help. It is often impossible for abuse to stop by itself. Abuse is a choice – a bad choice – and the family may need counselling to break the patterns of violence and abuse.

Think of your children. Children who are abused or neglected may do poorly in school or in social situations. They may grow up to be abusive or to be victims of abuse. There can be long-term physical or mental health problems.

**Note:** Words marked by an asterisk ( \* ) are defined in the back of this book under “Words used in this booklet”.

**Disclaimer:** Please note that this publication is not a legal document. It contains only general information. For legal advice about your situation, you may wish to speak to a lawyer.

# What is child abuse?



Jack wrapped his fingers tighter around his granddaughter's small hand as they entered the old medical centre. It took courage to make this appointment, but Jack knew they needed the social worker's help. Little Ella and her brother had come to stay with her grandparents for a few weeks over the summer. They had all looked forward to the special visit, thinking it would be great for the kids to have lots of room to run and play. But the two children seemed distant and mostly played their computer games. Ella's frequent nightmares quickly became a concern. Every loud noise seemed to make the little girl jump. Jack had set about earning Ella's trust, bit by bit. When the vacation had come to an end, she had hid in the closet and refused to leave. Through Ella's tears, Jack had learned that her parents

were always fighting. Her father often pushed her mother and she in turn often threw things at him. There was lots of yelling. Ella thought it was all her fault and that if she went back something bad would happen. Jack's heart ached at the thought of his daughter and his grandchildren enduring this kind of life. He didn't like the idea of interfering, but he knew the children's safety and well-being had to come first. He hoped it wasn't too late for some counselling to help. Maybe his daughter and her husband could still turn things around and make a better home for the kids.



Child abuse includes physical, sexual and emotional abuse. It also includes neglect, and any violence that children see or hear in their families. The person who abuses the child can be:

- a parent;
- a brother or sister;
- another relative;
- a caregiver;
- a guardian;
- a teacher; or
- another professional or volunteer who works with children (for example, a doctor or coach).

Abuse may take place in a child's home, or it may happen in other places, like other people's homes, schools, community centres or places of worship. Sometimes the child's parents lived abuse as a child, such as in the residential schools many Indigenous peoples were forced to attend. Abuse that someone lived as a child, whether it happened in their home or outside of it, may change the way they parent their own children as abuse is often a learned behaviour.

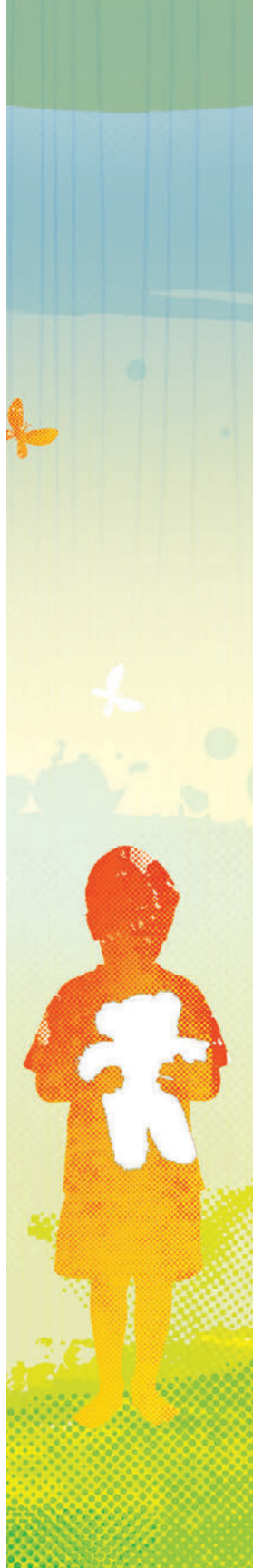
This booklet deals with child abuse in the family.

In Canada, there are federal, provincial and territorial laws to protect children from abuse. Some types of abuse are crimes and are listed in the *Criminal Code*,\* which is a federal law. Federal laws are laws that apply across Canada.

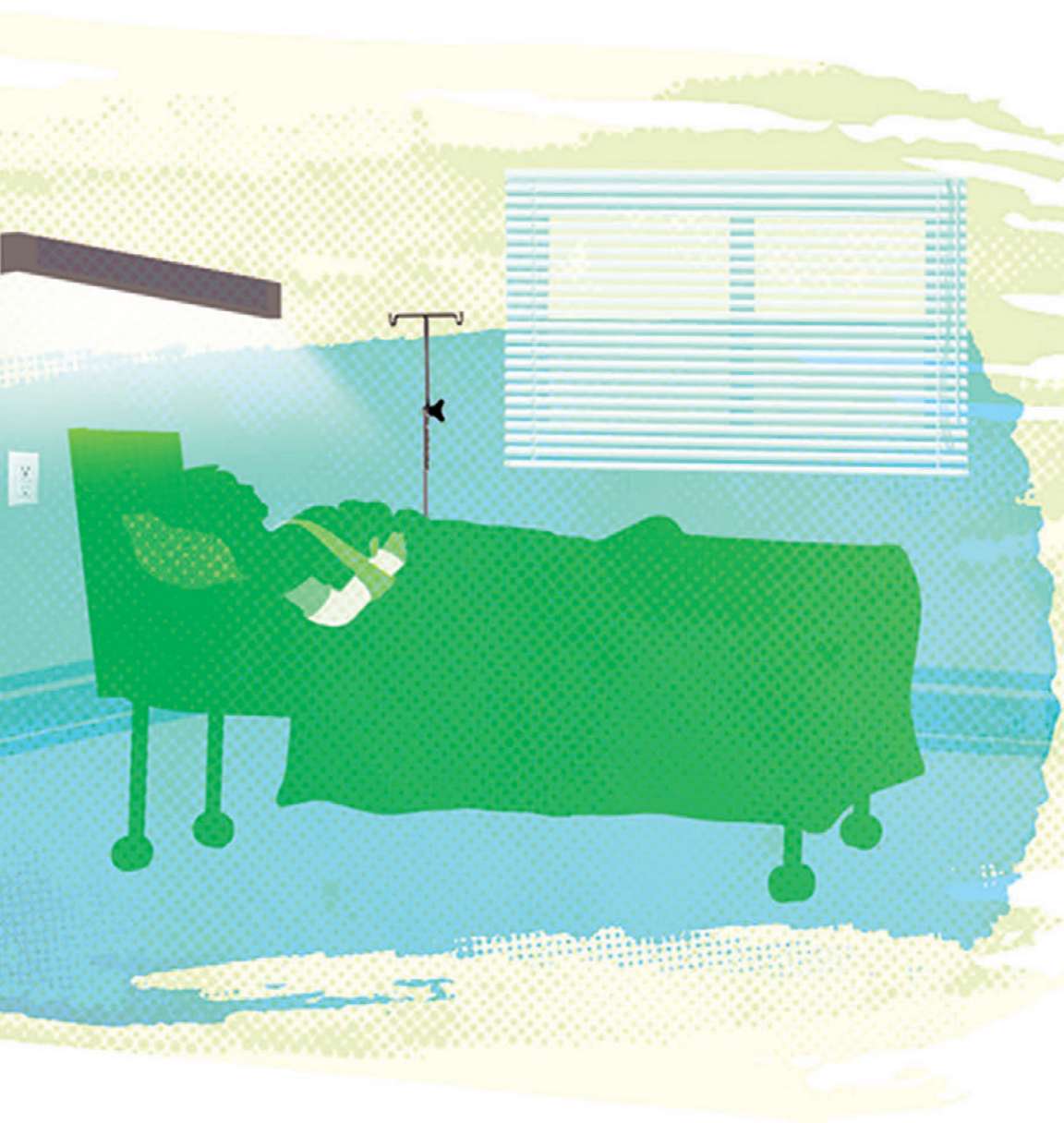
Even if the abuse is not a crime under the *Criminal Code*, provincial and territorial laws could be used to stop the abuse.

Child abuse can cause long-term health problems.

Every child deserves protection from abuse.




# Physical abuse





Rick sat alone in the hospital coffee shop. He needed some time alone to calm his nerves. He had just made the call to Child Protection Services.\* He couldn't believe he had taken this step. But his son Jason was waiting for an X-ray upstairs in the children's section of the hospital to see if his arm was broken. And the doctor was clearly worried about how Jason had gotten his injuries. She had asked a lot of questions about the bruises on Jason's wrists and face. Jason wouldn't say much about what had happened at his mother's place, except that his stepfather had locked him in his room for a long time. The boy's new stepfather didn't seem to like the boy very much. Rick felt his stomach clench. He knew that there was a lot at stake here. Rick's ex-wife, Cathy, had mostly ignored her son Jason the first few years after the divorce. When she had

finally started to take Jason for the weekends after she re-married, it had seemed like a new start for all of them. However, before long, Jason had stopped wanting to go over to his mother's. Rick had thought it was just part of adjusting to the new family situation. He had felt sure that Cathy would never let any harm come to their son. Now that Rick knew that Cathy's husband was abusing Jason, he knew he needed to protect his son. Also, there were other children living in that home. They must have witnessed the violence—they must be afraid that this could happen to them too. Everyone deserves a chance to get some help. 



## What does it look like?

Physical abuse is the intentional use of force against a child. It can cause physical pain, injury, or injury that may last a lifetime. This type of abuse includes:

- pushing or shoving;
- hitting, slapping or kicking;
- strangling or choking;
- pinching or punching;
- biting;
- burning;
- throwing an object at a child; and
- excessive or violent shaking.

All of these acts are crimes in Canada.

## What can I do?

Every province and territory has a law that says that any person who believes a child is being abused must report it. You will not get in trouble for making the report if you have reason to believe a child is being abused, even if it turns out you were wrong.

For more information about the child protection laws in your province or territory, see Child Protection Services under “Who can help?” at the back of this booklet.

If you know a child who is being physically abused, call your local police. In an emergency, call 9-1-1.

If you have harmed your child, or think you might harm your child, get help. Here are some things you can do:

- Call your local child protection services.
- Talk to a social worker, counselor or teacher.
- Call your local help line.\*
- Call the police.
- In an emergency, call 9-1-1.

# Child discipline



Lori quietly wept over the sink, just staring at the afternoon dishes. Her hands were still shaking. She couldn't believe how close she had just come to total disaster. She had only asked Kaila to pick up her toys! But when Kaila had thrown them all down the stairs, Lori had spun out of control. She was just so tired of the toddler's tantrums. Lori knows Kaila is still young, but why can't she learn to pick up things like her friends already do? It was seeing the cell phone in pieces among the broken toys that had made her start yelling. Where were they going to get the money to replace that? In an instant, she had slapped Kaila really hard. And the next thing she knew, Kaila had lost her balance at the top of the stairs. What was she thinking when she did that? Was she crazy? If Lori hadn't grabbed her, Kaila would have fallen all the way down,

just like her dolls. Lori began to sob. She loved Kaila, but everything seemed so hard these days with Roy out of work. She always feels like she's failing, especially when it comes to Kaila. She's got to stop doing things like this before something really bad happens. Kaila could have been seriously hurt! And she supposed that hitting Kaila like that could be considered an assault.\* Maybe she could check the Internet to find a parenting class or support group: there must be others like her going through this.



## What does it look like?

All children need their parents to teach them how to behave. Children need time to learn what they should and should not do. They learn to behave by:

- watching their parents and other people;
- getting clear instructions; and
- being praised and encouraged for their efforts.

The right kind of discipline teaches children responsibility, self-control, and right from wrong. It raises the child's self-esteem, encourages the child to do better and strengthens the parent-child bond. Parents should never discipline children until the children are old enough to understand it.

**Babies never need discipline.**



**Spanking doesn't work—for you or your child.**

## Why doesn't spanking work?

Experts say that spanking is not an effective form of discipline. Spanking can make children angry and resentful. It can cause them to lose trust in their parents. It teaches children that hitting others is okay. In the long run, spanking can make children's behaviour worse.

## What does work?

What does work is to build your child's confidence and problem-solving skills. It is important to figure out the reasons for your child's behaviour. When you understand the reason for your child's behaviour, it may be easier to handle the situation without losing your temper.

Ways to help your child behave well:

- Create a loving and respectful home.
- Be a good role model.
- Focus on prevention.
- Decide what is truly important and have a few clear and consistent rules.
- Tell your child what you expect.
- Praise your child's efforts, even if they're not perfect.
- Respect your child's need to express their emotions.
- Listen to your child's thoughts, ideas and concerns.
- Watch your child closely so you can redirect behaviour before it gets worse.
- Make sure that you both get enough sleep.
- Make sure that you both eat nutritious food regularly and exercise.
- Last but not least, try to have fun with your child.

## The law on assault in the *Criminal Code*

The *Criminal Code* outlines most crimes in Canada. It says that assaulting someone or threatening to assault someone is a crime. Touching someone without their consent can be an assault, even if it doesn't harm them. Under the law, assault can include:

- slapping;
- punching;
- pinching;
- kicking;
- confining;
- restraining; or
- unwanted touching.

However, not every action where one person hits another person is assault. And not every threat of contact is assault. People may give their consent to contact. For example, hockey players may body check each other without it being a crime. This is because they have given their consent to physical contact within the rules of the sport.

Also, section 43 of the *Criminal Code* can give parents and caregivers a defence to a charge of assault in limited cases if they use reasonable force.

Section 43 of the *Criminal Code* says that parents and caregivers who use reasonable force to correct a child's behaviour may not be found guilty of assault. But section 43 is not a defence for every use of force against a child. Parents or caregivers may only use reasonable force to correct or protect the child. For example, a parent may use reasonable force to put a child in their room for a time out or to pull a child away from traffic. A person who has physically or sexually abused a child cannot use section 43 as a defence.





## The Supreme Court of Canada decision

In 2004, the Supreme Court of Canada looked at section 43. The Court decided that a parent or guardian who uses force to correct a child can only use it in the following ways:

- The person may only use force to correct a child if it will help the child learn. The person can never use force in anger.
- The child must be between two-years old and twelve-years old. (This means that section 43 is not a defence if the child is younger than two or older than twelve).
- The person can only use reasonable force and its impact can only be “transitory and trifling.” (This means that the force causes little or no pain, and does not leave marks on the child).
- The person must not use an object, such as a ruler or belt, to apply the force.
- The person must not hit or slap the child’s face or head.
- The seriousness of what happened or what the child did is not relevant to how much force is used in discipline.

It may be acceptable for a person to use reasonable force to restrain a child in some circumstances. For example, you may need to hold your child down to put them in a car seat.

It is not considered reasonable for you to hit a child in anger or to get back at the child for something the child did. It is against the law to hit a child in anger.

## The use of force when managing children’s behaviour

There are times when you may have to use force to control a child and keep the child, or other children, safe. For example, you may need to touch or restrain a child to keep the child from running across the street. Or you may need to carry a screaming three-year-old out of a store.

Without section 43, parents and caregivers could face criminal charges and might have to go to court to defend their actions whenever they use force to respond to a child’s behaviour.

If you are angry, however, find some way to cool down before you manage your child’s behaviour.



## Provincial and territorial child protection laws

Even if the way you discipline your child is not a crime, it could still be abuse. The provinces and territories also have laws to protect children from abuse. These laws allow the provincial or territorial government to step in when a child needs to be protected from abuse or neglect.

### What can I do?

Every province and territory has a law that says any person who believes a child is being abused must report it. You will not get in trouble for making the report if you have reason to believe a child is being abused, even if it turns out you were wrong.

Depending on where you live, this could be your local child protection office or the police.

If you have harmed your child, or think you might harm your child, get help. Here are some places you can go for help:

- your family doctor or public health nurse;
- family resource centres;
- local child protection services;
- local public health department;
- parenting programs;
- parenting resources, like booklets; or
- organizations that help immigrants and newcomers.

For more information on child discipline, please see resources at the back of this book under “Who can help?”.



# Sexual abuse



Kate watched the kids climb the play structure in the late autumn sunshine. It was good to see Michael laughing again and joining in the games. Her heart went out to him. The last year had been so difficult. When he had first come to her pre-school daycare, she had thought of Michael as shy and quiet. However, after a while, she had started to wonder if something was going on. Little remarks he had made suggested he knew more about sex than most kids his age. When some of the children had told her that Michael was touching their private parts, she had started to worry. But when Michael also complained that it hurt to go to the bathroom, she had quickly put two and two together. Kate had known right away that she had a duty to report the situation, even if she was worried about where it might all lead. What would it mean for Michael?

And for his family? Even for her business? In the end, the authorities had discovered Michael's uncle had sexually abused both Michael and his older brother. The investigation was hard for the family and for everyone involved. But the children were safe now and receiving counselling. She feels a lot of hope for Michael. She believes that he will learn to feel good about himself again and build a new sense of trust.



## What does it look like?

All sexual contact with anyone without consent is a crime called sexual assault. This includes sexual touching.

The *Criminal Code* contains many offences that protect children from sexual abuse, which happens when a person takes advantage of a child for sexual purposes. It does not always involve physical contact with a child. For example, it could happen when an adult invites a child to touch herself or himself sexually or attempts to lure a child over the Internet for sexual purposes.

Sexual contact between an adult and a child under 16 is a crime. In Canada, the general age of consent to sexual activity is 16 years, but there are some exceptions if the other person is close in age to the child. For more information on the age of consent and teenage relationships, visit the Department of Justice links found in “Who can help?” at the back of this booklet. The age of consent is 18 years in some circumstances, for example, where the sexual activity takes place in a relationship of trust, dependency or authority or where the relationship is exploitative of the child. A person of authority or trust could be a parent, step-parent, grandparent, older sibling, teacher or coach.

## What can I do?

If you know a child who is being sexually abused, report it to the police immediately. In an emergency, call 9-1-1.

Teach your children about personal safety and how they can stay safe. For more information, please see “Who can help?” at the back of this booklet.

Every province and territory has a law that says that any person who believes a child is being abused must report it. You will not get in trouble for making the report if you have reason to believe a child is being abused, even if it turns out you were wrong.

If you have questions about how to recognize child sexual abuse, here are some things you can do:

- Call your local child protection services.
- Talk to a nurse, social worker, doctor or teacher.
- Call the police.



# Emotional abuse



Nora knew she had to speak to her sister, Irene, again. She could see that Irene's son Patrick was always on edge. His father, Sean, showed little interest in Patrick, except to criticize him. When it came to Patrick, the words "stupid" and "weakling" slid easily off Sean's tongue. Nothing Patrick could do would meet his father's standards. His school grades weren't high enough, his hockey game was poor, and his friends were lazy. On the other hand, their older son, Ryan, received nothing but praise. Nora wondered why her sister went along with this. Maybe Irene was too busy trying to meet her husband's expectations herself to see what was going on with her son. Patrick was either invisible or a problem. No wonder he was still wetting the bed! Nora had spoken to Irene, but her sister had quickly changed the subject. "It's not that serious," she had said.

"Patrick needs to be tougher." Nora wondered how she could find the right words to break through to Irene. She had picked up some pamphlets about child abuse at the community centre. Perhaps she could use them to start a conversation about their own father's harsh behaviour. Maybe if Irene could remember the pain of that old abuse, she could find the strength to get some help for herself and for Patrick.



## What does it look like?

Emotional abuse happens when a person uses words or actions to control, frighten, isolate, or take away a child's self-respect and sense of worth. Emotional abuse is sometimes called psychological abuse. It can include:

- putting a child down or humiliating a child;
- constantly criticizing a child;
- constantly yelling at a child;
- threatening to harm a child or others;
- keeping a child from seeing their family or friends without good reason; or
- threatening to move a child out of their home.

Some forms of emotional abuse are crimes in Canada, including:

- threatening to harm a child;
- threatening to harm another person;
- threatening to destroy the child's personal property;
- threatening to hurt the child's pet;
- harassing the child on the telephone;
- deliberately intimidating a child; and
- advising a child to commit suicide.

Other forms of emotional abuse are not crimes, but they are still very serious. The provinces and territories also have laws that protect children from emotional abuse. These laws protect children even if the type of abuse is not a crime.

**Emotional abuse is serious. Inner wounds can take a long time to heal.**





## Children who see or hear family violence

Children can also suffer emotional abuse from seeing or hearing violence between other family members.

Even if they don't see or hear the violence, they can be affected by seeing the results of the violence. It can be very hard for children to see or hear family violence even if they are not being physically hurt themselves.

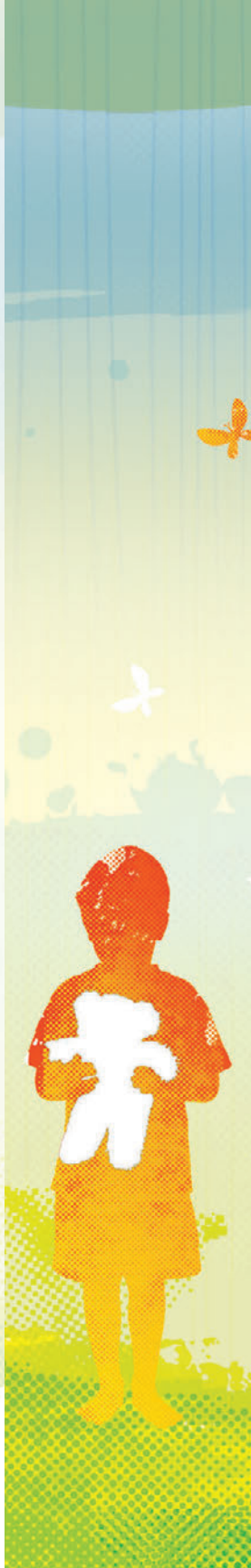
They will probably feel scared and insecure.

### What can I do?

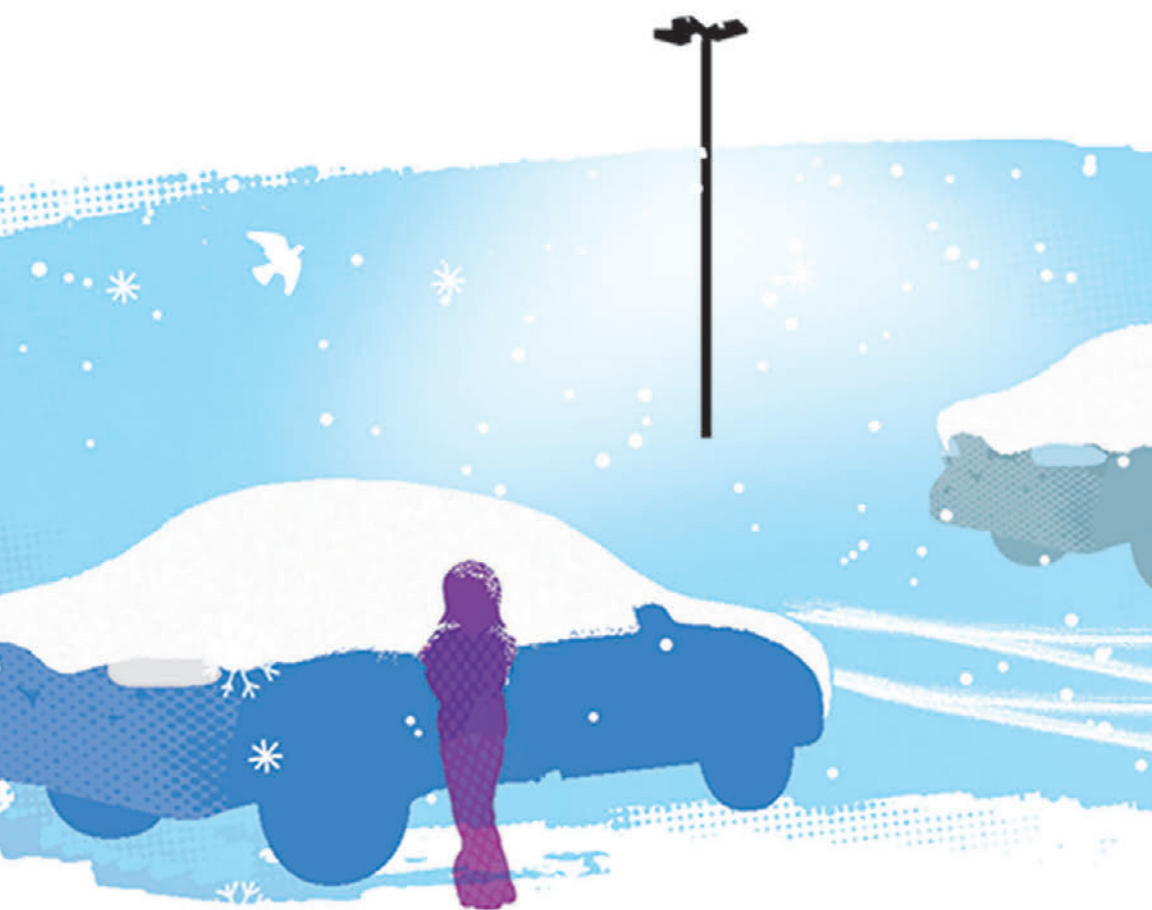
Every province and territory has a law that says that any person who believes a child is being abused must report it. You will not get in trouble for making the report if you have reason to believe a child is being abused, even if it turns out you were wrong.

If you believe that a child you know is being emotionally abused, you can:

- Call your local child protection services.
- Talk to a public health nurse, doctor, social worker or teacher.
- Call your local help line.



# Neglect



**N**ikhita shivered as she removed her winter coat and wrapped it around little Olivia. She turned the car heater to high as she helped the seven year-old into her car and called 9-1-1 on her cell phone. Nikhita had stayed into the evening at the school to mark exams. It had been snowing for hours when she came out, so she was shocked to find her young student huddled beside her car in the parking lot. The girl's hair and sweater were glistening with snow. Her voice was barely a whisper when she told Nikhita that no one was at home and her house was locked. No, she didn't know where her parents were. Olivia had only been at the school for a month, but Nikhita had already expressed her concern about the girl to the principal. She looked tired all the time and rarely brought a lunch to school. Now that it was winter, it was clear that

she didn't have a winter coat or winter boots. The other kids had sensed Olivia was unprotected and taken to teasing her. Nikhita knew the principal had tried calling the girl's parents, but hadn't got through. Clearly, the time had come for stronger measures. It would be up to the police to figure out what was going on at home. This kind of neglect was too much. Olivia and her family needed help. Nikhita put her arm around the little girl to keep them both warm as they waited for the ambulance to arrive.



## What does it look like?

Neglect happens when a parent or guardian fails to meet a child's basic needs. Sometimes parents neglect their children on purpose. Sometimes parents don't mean to neglect their children, but they have so many problems themselves that they can't look after their children properly. Neglect can include:

- not giving a child proper food or warm clothing;
- not providing a child with a safe and warm place to live;
- not making sure a child washes regularly;
- not providing enough health care or medicine;
- not paying any attention to a child's emotional needs;
- not preventing physical harm; and
- not making sure a child is supervised properly.

Sometimes, neglect can hurt just as much as physical abuse.

Some forms of neglect are crimes in Canada. For example, failing to provide the necessities of life\* and child abandonment\* are crimes. The provinces and territories also have laws to protect children from neglect. These laws protect children even if the type of abuse is not a crime.

For more information on neglect, visit the Public Health Agency of Canada's website found in "Who can help?" at the back of this booklet. Search for "child neglect".

## What can I do?

Every province and territory has a law that says that any person who believes a child is being abused must report it. You will not get in trouble for making the report if you have reason to believe a child is being abused, even if it turns out you were wrong.

If you believe that a child you know is being neglected you can:

- Call your local child protection services.
- Call the police.
- Talk to a public health nurse, doctor, social worker or teacher.
- Call your local help line.
- In an emergency, call 9-1-1.

# When a parent abducts their child

Most abducted children are taken by someone the child knows. The person who takes them is most often a parent.

Parental child abduction happens when one parent takes a child without either the legal right or the permission of the other parent. Parental child abduction is a crime in Canada. An exception may apply when a parent takes the child to protect them from immediate harm.

## **What to do if you are afraid the other parent may abduct your child:**

- Contact a lawyer.
- Contact your local police.
- Keep records of all important information about your child and store it in a safe place.
- Keep a copy of your parenting or custody order\* or agreement with you.
- Ask your local passport office to add your child's name to the Passport Control List. If your children are citizens of another country, contact that embassy or consulate to ask them to refuse passports for your children.
- Talk to your child about using the phone and explain how your parenting or custody order or agreement works if you are separated or divorced.
- If it is safe to do so, try to maintain good relations with the other parent and any extended family.
- Keep photos, recordings or other proof of the family violence.





### **If your child is abducted:**

- Contact your local police immediately.
- If you are out of the country, make sure to report the disappearance to the federal government’s Consular Services at 613-996-8885. You may call collect, where available.
- If you are inside Canada and you think your child is outside Canada, call the federal government’s Consular Services at 1-800-387-3124 (TTY 613-944-1310 or 1-800-394-3472) or go to <https://travel.gc.ca/>.
- Contact a child search organization in your province or territory and register your child as missing.

### **What can I do?**

#### **For more information:**

- Visit the Royal Canadian Mounted Police (RCMP) site at [www.rcmp-grc.gc.ca](http://www.rcmp-grc.gc.ca) and search for “Our Missing Children.”
- Visit the Global Affairs Canada website at <https://travel.gc.ca>, and look under “Publications” for a booklet called “International Child Abduction: A Guidebook for Left-Behind Parents” or access the booklet at the following link: <https://travel.gc.ca/travelling/publications/international-child-abductions>.

## **Violence based on so-called honour**

Violence based on “honour” happens when family members use violence to protect family honour. The victim is usually female. The victim has behaved in ways that the family believes will bring shame or dishonour. For example, the family might not approve of:

- dating or talking to boys;
- having sexual relationships outside of marriage;
- wearing what they believe is the wrong clothing; or
- refusing a forced marriage.

The family members believe that using violence will bring back the family's reputation. The types of violence the family uses can include:

- beatings;
- forced confinement;
- threats;
- counselling suicide; and
- killing.

These actions are crimes.

If you know a child who is afraid for their safety because of family honour, contact the police.

## Underage and forced marriage

### Marriage in Canada

Canadian requirements for a valid marriage include that:


- Both people getting married must give their free and enlightened consent to the marriage.
- Both must be at least 16 years old.
- Neither of them can be married to anyone else.

### Forced marriage

A forced marriage occurs when a person does not want to marry, but is made to marry by someone else. It is not the same as an arranged marriage, where both people consent to the marriage.

Family members might believe that the marriage is the right thing for the person and for the family. Sometimes they will even use physical violence, threats of violence, abduction, forced confinement or emotional abuse to force someone to marry. But forcing someone to marry against their will is a crime in Canada. It is also a crime to take a person under 18 years of age out of Canada to force them to marry in another country. Some tactics used to force a person to marry are also crimes – for example, threats and violence.





If you or someone you know is being forced to marry, tell someone you trust or contact the police or a social worker. You may want to ask them about applying for a peace bond\* to prevent the marriage from taking place. You can also call the police if you suspect that you or someone you know will be taken out of Canada and forced to marry in another country. You can find more information on steps you can take to protect yourself from being forced into marriage on Global Affairs Canada's forced marriage webpage or by calling 1-800-387-3124. That webpage also has a directory of services that may include places to get help in your province or territory.

### **Underage marriage**

Canadian law requires anyone getting married to be 16 years old or over. This minimum age also applies to anyone who is ordinarily resident in Canada where the marriage takes place outside Canada, in person or by telephone or proxy. It is a crime in Canada to celebrate, aid or participate in the marriage of a child who is under 16 years of age, even if the child agrees to be married. It is also a crime to take a child under 16 who ordinarily lives in Canada, to another country to be married. If you know a child under 16 who will be married in Canada or taken to another country to be married, call the police or a social worker.

### **Polygamy**

Canadian law permits two people to marry each other. It is a crime in Canada to marry a person while you or they are married to someone else. If you are married to one person, you cannot marry another person until you take legal steps to end your marriage through divorce or are widowed. Practising polygamy, which means knowing that you are involved in a form of marriage that involves more than two persons at the same time, including a religious marriage, is a crime in Canada.



# Female genital mutilation

Female genital mutilation, sometimes called female genital cutting, is any procedure that injures or removes all or part of the external female genital organs for non-medical reasons. It can cause pain and serious long-term health problems. Female genital mutilation of a child is a crime in Canada.

Any person who helps mutilate a female child's genitals could be charged with a crime. This includes parents, doctors or nurses. Even a person who arranges for someone else to do this to a child commits a crime. It is also against the law to take a child out of Canada to have this procedure done in another country.

Female genital mutilation of a child is child abuse and should be reported to the authorities.

If you suspect that a child you know might be at risk of female genital mutilation, contact the police.

## Signs of abuse

Do you think that a child you know is being abused? Some signs to watch for include:

- unexplained bruises, cuts, burns, scars, sprains or broken bones;
- frequent "accidents" with questionable explanations;
- major changes in behaviour;
- exposure to family violence;
- running away from home and not wanting to return;
- repeatedly sick;
- sudden weight loss or weight gain;
- increased social problems at school; and
- unusual knowledge of sexual behaviour for the child's age.

These things can have other causes, but they may be signs of child abuse. If you have reason to believe that a child is being abused, you have a duty to report it.





# How do I report abuse?

Every province and territory has a law that says any person who believes a child is being abused must report it. You can call the police or your local child protection office. We all have a role to play in stopping child abuse. We need to be alert to the signs of abuse. Friends, family and professionals all need to do their part.

## Call the police

You can call the police if you believe a child is being abused. The police will come and help. Many police officers are trained to deal with abuse in families or relationships. Some have special training to deal with child abuse. **Call 9-1-1 in an emergency.**

The police may arrest the person who abused the child if they believe that person has broken the law. If this happens, the abuser may stay in jail for a few hours before a bail hearing.\* It's possible they may stay longer, if the judge decides that would be better.

If you are afraid for your safety or a child's safety, ask the police or victim services to let you know before the person is let go. Be sure the police know how to contact you.

For more information on what a crime victim needs to know about the criminal justice system, visit the Government of Canada's website at <http://www.victimsmatter.gc.ca>.

## Contact your local child protection office

You can call your local child protection office if you believe a child is being abused. You will not get in trouble for making the report if you have reason to believe a child is being abused, even if it turns out you were wrong.

# Who can help?

You are responsible for the safety of your children. If you or your partner is struggling to be a good parent, but you think you could do better, ask for help.

You might want to make a list of places where you can ask for help. The list below can help you find people or groups that might be able to help you with information, support or emergency assistance.

These numbers or links may change. Remember to keep them up-to-date.

## **Child protection services**

For more information about the child protection laws in your province or territory, see *Child Protection Services in Canada* on the Department of Justice site for children and youth at <http://familyviolencehurts.gc.ca>. Your local child protection services office can also give you information about laws in your province or territory.

## **Global Affairs Canada**

For more information about parental child abduction, visit the Global Affairs Canada website at <https://travel.gc.ca>. Look under “Publications” for a booklet called “International Child Abduction: A Guidebook for Left-Behind Parents”.

## **Department of Justice Canada**

Provides links to information about the law in Canada: <http://canada.justice.gc.ca/eng/index.html>.

Provides information for kids on family violence and the law in Canada: <http://familyviolencehurts.gc.ca>.



## **Help lines for children and parents**

May be able to provide information and refer you to the appropriate services for children. For example, see [www.KidsHelpPhone.ca](http://www.KidsHelpPhone.ca).

## **Legal services**

Legal help may be available from a lawyer or a legal aid office.\* Contact a lawyer referral service, a legal aid office or a public legal education and information association to find out where you can get legal help and if you can get help free of charge.

## **Medical services**

Your local hospital, doctor, nurse, health clinic or medical help line may be able to help you with your child's medical or health needs.

## **Multicultural and immigrant serving organizations**

May be able to give you information and refer you to helpful services. See also, the Immigration, Refugees and Citizenship Canada Directory of Newcomer Services at: <http://www.servicesfornewcomers.cic.gc.ca/>.

## **Police**

Many police officers are trained to respond to child abuse. The police can help you assess a child's safety and take action against someone committing a crime in non-emergency situations. Check the first few pages of your telephone book for the phone number.

**Call 9-1-1 in an emergency.**

## **Provincial and territorial youth advocates**

Most of the provinces and territories have created independent children's commissioners, advocates or ombudspersons.

### *Alberta*

The Office of the Child and Youth Advocate  
<http://www.advocate.gov.ab.ca>

### *British Columbia*

Representative for Children and Youth  
<http://www.rcybc.ca>

### *Manitoba*

The Office of the Children's Advocate  
<http://www.childrensadvocate.mb.ca>

### *Newfoundland and Labrador*

Office of the Child and Youth Advocate  
<http://www.childandyouthadvocate.nl.ca>

### *New Brunswick*

Child and Youth Advocate  
<http://www.gnb.ca/0073/Child-YouthAdvocate>

### *Nova Scotia*

Office of the Ombudsman, Youth Services  
<http://www.gov.ns.ca/ombu/youth.htm>

### *Nunavut*

Representative for Children and Youth  
<http://rcynu.ca/>

### *Ontario*

The Office of the Provincial Advocate for Children and Youth  
<http://provincialadvocate.on.ca/>

### *Québec*

Commission des droits de la personne et des droits de la jeunesse  
<http://www.cdpdj.qc.ca>

### *Saskatchewan*

Advocate for Children and Youth  
<http://www.saskcao.ca>

### *Yukon*

Yukon Child and Youth Advocate  
<http://ycao.ca/>

## **Public health and social services**

Call your provincial or territorial government for information about health and social support services in your community or ask your local community centre for advice. They may be able to offer information, counselling and provide referrals to social workers.





## **Public Health Agency of Canada**

Provides links to information and resources on child abuse at:  
<http://www.phac-aspc.gc.ca/sfv-avf/index-eng.php>.

## **Public legal education and information programs**

Can provide general information about the law, the legal system, and the rights of an abused child. See more information on family violence and child abuse on the Department of Justice Canada's Family Violence Initiative Website: <http://www.justice.gc.ca/eng/rp-pr/cj-jp/fv-vf/index.html>.

## **RCMP**

The RCMP website at [www.rcmp-grc.gc.ca](http://www.rcmp-grc.gc.ca) also has information on child abuse.

For information on child abuse, go to “Publications” and look under “Crime Prevention” for “Stopping Child Abuse—Protecting Our Future”.

For information on parental child abduction, search for “Our Missing Children”.

## **Victim services**

Victim services organizations work with the police to help victims of crime. They can refer you to counselling and tell you about programs and services for child victims of crime. See the *Victim Services Directory* on the Policy Centre for Victim Issues website to find services across Canada, at: <http://www.justice.gc.ca/eng/rp-pr/cj-jp/victim/index.html>.

## **Other**

Look for other sources of help. You may find help from a local community centre, your doctor's office, public health nurse, a teacher or religious leader. Organizations that work to prevent child abuse might also be able to give you more information. See, for example, the Canadian Centre for Child Protection at <http://www.protectchildren.ca>.

# Words used in this booklet

**Please note: These definitions may help you understand legal terms. They are not legal definitions. For a legal definition of these terms, you may wish to consult a lawyer.**

## **Assault**

Assault is a crime. It happens when a person uses force or threatens to use force on another person without their consent.

It doesn't matter if the person makes the threat directly or indirectly. A person does not give true consent if someone uses force to get their consent, or if they consent out of fear or deception.

## **Bail hearing**

A bail hearing takes place in court after a person has been arrested and charged. The judge decides whether that person should be released or held in jail until the court hears the case. The judge might release the person with conditions that the person must follow. For example, the judge may order that the person cannot contact the victim. Bail is also called *judicial interim release*.

## **Child abandonment**

Child abandonment is a crime in Canada. It happens when a person deliberately abandons or exposes a child under the age of 10 in a way that could endanger the child's life or could permanently injure the child's health.

## **Child protection services**

Every province and territory has child protection services that look into cases of child abuse and neglect that are reported to them. Child protection services are often called child welfare or children's aid.

If child protection services decide that a child needs protection, they can:

- provide counselling and support for the family; or
- remove the child from the home for a short time or a longer period.



### **Criminal Code**

The *Criminal Code* outlines most criminal offences in Canada. Criminal offences are also called crimes. The *Criminal Code* applies across Canada.

### **Failing to provide the necessities of life**

It is a crime for a parent, foster parent, guardian or head of a family to fail to provide the things a child under 16 needs to live. This may include not giving a child the food, shelter, or medical aid they need to survive.

### **Help line**

A help line is a free telephone service you can call for information and advice. You don't have to tell anyone your name or phone number when you call. Someone will answer the phone and will listen to you. They will try to answer your questions. They can also refer you to places that can help you. Different kinds of help lines are listed in the phone book or on the Internet and are sometimes advertised on buses, clinics and other places. For more information, see "Who can help?" in this booklet.

### **Legal aid office**

These offices provide legal representation and public legal education and information services to low-income individuals and groups.

### **Parenting or custody order**

A parenting or custody order is a court document that assigns parental responsibilities. In some cases, only one parent will have the responsibility to make major decisions about their children. This arrangement is sometimes referred to as sole custody. In these cases, your children usually live with you, but will likely visit the other parent. If parents share decision-making authority, an arrangement sometimes called joint custody, they are expected to make major decisions together. A parenting order may also set out how the child's time is shared between the parents. Parenting and custody orders are made based on the best interests of the child.



## Peace bond

If you are afraid for your safety, you may be able to get a peace bond. This is an order made by a court under the authority of the *Criminal Code* that sets conditions on the person who behaved abusively. For example, a judge can forbid that person from contacting you. They can also be forbidden from forcing you to marry. If the person disobeys the order, the police can arrest them. If you want to know more about peace bonds you can ask a lawyer.

## Sexual assault

Sexual assault is any form of sexual contact or touching with another person without their consent. Sexual assault can range from fondling to forced sexual intercourse. A person cannot give true consent if the consent is forced, or if it is given out of fear or deception. Silence is not consent. A person who is asleep or unconscious cannot give consent. The age of consent for sexual activity is 16, but there are some exceptions if the person is close in age to the child.

## Victim services

Victim services and programs can provide support and resources to victims of crime. They can respond to any safety concerns you may have after a crime. They can also give you information about the court system.

Each province and territory offers its own programs and services to victims of crime.



# Notes



A series of horizontal lines for writing notes, starting from the top right and extending to the bottom right of the page.



### **Heart and Teardrop**

The “x” symbol placed between the heart and the teardrop connects them and shows the relationship between hope, love and help (the heart) and the pain and suffering of abuse (the teardrop). The “x” represents the scars of abuse, but also the efforts to eliminate violence and abuse.

