



Reporting Suspicions of Child Abuse

Newfoundland and Labrador

The following information is derived from provincial legislation and Child Protection Services websites. It is current as of April 2020 and is provided for informational purposes only, not as legal advice.

Provincial Legislation:

Children, Youth, and Families Act (2018) [the “Act”]

Important Links:

- **Legislation:** [Children, Youth, and Families Act](#)
- **Government of Newfoundland and Labrador: Reporting Child and Youth Abuse and Neglect:** [Reporting Child and Youth Abuse](#)

Who is considered a child in Newfoundland and Labrador?

According to the Act:

- A **child** is a person who is actually or apparently under 16 years of age.
- A **youth** is a person who is at least 16 years of age but under 18 years of age.

When do I have a legal duty to report?

The Act [see s. 11] states that if a person has information indicating that a child or youth is or may be in need of protective intervention, they must **immediately** report it.

This duty applies to **all individuals**, including those performing professional or official duties involving children or youth (e.g., healthcare workers, educators, law enforcement officers, and solicitors). The reporting obligation exists **even if the information is confidential or privileged**. Unlike some other provinces, Newfoundland and Labrador's legislation does not explicitly exclude solicitor-client privilege.

When is a child considered to be in need of protection/intervention?

Section 10(1) of the Act states that a child requires protective intervention when:

- The child is being, or is at risk of being, **physically harmed, emotionally harmed, sexually abused, or sexually exploited** by a parent's actions or omissions. This



- includes situations where a parent fails to protect the child from such harm by another person.
- The child is in the custody of a parent who refuses or fails to obtain or permit **essential medical treatment or care**.
- The child is **abandoned** or has no living parent, and no adequate care arrangements have been made.
- The child **has no parent willing or able** to provide care.
- The child lives in a situation involving or at risk of **violence**, or where a parent or guardian has displayed violent behavior or has allegedly caused serious injury or death to another person.
- The child is left **without adequate supervision** for their developmental level.
- The child is under 12 years old and has committed a **serious crime** or has repeatedly threatened or harmed another person or living being, either with parental encouragement or due to a lack of appropriate parental response.

Definition of a "Parent" [s. 2(1) of the Act]:

A parent includes:

- A **custodial** mother or father.
- A **custodial** stepmother or stepfather.
- A **non-custodial** mother or father who regularly exercises or attempts to exercise rights of access.
- A person granted custody by a **written agreement or court order**.
- A person responsible for the child's care and residence, **except a foster parent**.

How do I report, and who should I contact?

To report suspicions of child abuse, you should:

- Call your **local Children, Seniors, and Social Development (CSSD) office** or **local police**.
- If the child is in **immediate danger**, call **911**.

Contact Information:

- **St. John's Metro Area:** Call the CSSD office at **(709) 729-4612** during business hours. For after-hours and weekends, call **(709) 729-4775**.
- **Central West or Labrador Regions:** [Click here](#) for a list of community CSSD offices, including contact numbers for reporting during business hours, after hours, and on weekends.
- **Online Reporting:** As of April 2020, there is no option to report abuse online.

I am a child in need of help. What should I do?

- If it is an **emergency**, call **911**.



- If you are being abused or know of another child being abused, **call the child protective services number in your province** and report what you know.
- If you are worried about a **sexual picture or video** being shared online (or the possibility of it being shared), or if you are experiencing **online sexual victimization**, you can:
 - Report it to [Cybertip.ca](https://www.cybertip.ca).
 - Visit [NeedHelpNow.ca](https://www.needhelpnow.ca).
 - Contact **Kids Help Phone** at **1-800-668-6868** or text **CONNECT** to **686868**.

Can I report anonymously?

Yes. According to the Act [s. 59], a person's identity will **not** be disclosed unless they consent or a judge orders the disclosure.

The **Government of Newfoundland and Labrador** recommends providing your **name, phone number, and relationship to the child** when reporting, but you **can remain anonymous** if you prefer.

What if I am wrong? Will I face consequences?

No. Under the Act [s. 11(7)], you **cannot be sued or charged** for making a report unless it was done **maliciously or without reasonable cause**.

Is there a penalty for failing to report?

Yes. Failing to report suspected child abuse is an **offense**. Upon conviction, the person may face:

- **A fine of up to \$10,000.**
- **Imprisonment for up to 6 months.**
- **Or both** [s. 11(9) of the Act].

All information is based on legislation and other information made publicly available by provincial and territorial legislatures and child protection authorities as of April 2020. It is provided solely for personal use and it is not intended as legal advice. Consult with your local authority and/or an attorney authorized to practice in your jurisdiction should you have questions about the legal duty to report.