

When protection is needed - CFCSA

s.13(1) A child needs protection in the following circumstances:

- (a) if the child has been, or is likely to be, physically harmed by the child's parent;
- (b) if the child has been, or is likely to be, sexually abused or exploited by the child's parent;
- (c) if the child has been, or is likely to be, physically harmed, sexually abused or sexually exploited by another person and if the child's parent is unwilling or unable to protect the child;
- (d) if the child has been, or is likely to be, physically harmed because of neglect by the child's parent;
- (e) (i) if the child is emotionally harmed by the parent's conduct;
- (ii) living in a situation where there is domestic violence by or towards a person with whom the child resides;
- (f) if the child is deprived of necessary health care;
- (g) if 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;
- (h) if the child's parent is unable or unwilling to care for the child and has not made adequate provision for the child's care;

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(i) if the child is or has been absent from home in circumstances that endanger the child's safety or well-being;

- (j) if the child's parent is dead and adequate provision has not been made for the child's care;
- (k) if the child has been abandoned and adequate provision has not been made for the child's care;
- (l) if the child is in the care of a director or another person by agreement and the child's parent is unwilling or unable to resume care when the agreement is no longer in force.

(1.1) For the purpose of subsection (1) (b) and (c) and section 14 (1) (a) but without limiting the meaning of "sexually abused" or "sexually exploited", a child has been or is likely to be sexually abused or sexually exploited if the child has been, or is likely to be,

- (a) encouraged or helped to engage in prostitution, or
- (b) coerced or inveigled into engaging in prostitution.

(2) For the purpose of subsection (1) (e), a child is emotionally harmed if the child demonstrates severe

- (a) anxiety,
- (b) depression,
- (c) withdrawal, or
- (d) self-destructive or aggressive behaviour.

Duty to Report



The Act creates a "Duty to Report" (s.14)

A person has reason to believe that a child or youth has or likely to be abused or neglected must report the concern promptly to a child welfare worker



What is "reason to believe"?

You do not need to be certain

You don't need proof



It does not matter if you think someone else has reported or a child welfare worker is already involved, you still must report



What Links should I Know?

The Handbook:

- http://www.mcf.gov.bc.ca/child_protection/pdf/child_welfare_your_role.pdf

MCFD External Website

- <http://www2.gov.bc.ca/gov/content/governments/organizational-structure/ministries-organizations/ministries/children-and-family-development>

DAA in BC

- http://www.mcf.gov.bc.ca/about_us/aboriginal/delegated/pdf/agency_list.pdf