



Family violence

32%
of Canadian adults
have reported
experiencing some
form of abuse
before age 16



**nearly
54,900**
child and youth
victims of
police-reported
violence in 2016

Children and
youth represent
1 in 6
victims in
violent crimes

Over 500 children under 18 are hospitalized a year due to assault, and 2 out of 3 hospitalizations are among boys

Mandatory Reporting (MR) of Child Sexual Abuse (CSA): *The Canadian Context*

Christine Wekerle, Ph.D.,

Associate Professor, Pediatrics, Offord Centre for Child Studies

McMaster University

Hamilton, Ontario, Canada

Editor-in-Chief, *Child Abuse & Neglect*

wekerc@mcmaster.ca



Rights Frameworks

- ❖ UN Convention on the Rights of the Child¹: Call for countries to develop legislation and implement services to protect the rights of children
- ❖ Canada and the UK are signatory countries
- ❖ **Article 19**: Protection from all forms of violence
- ❖ **Article 34**: Protection from all forms of sexual exploitation and abuse
- ❖ **Article 35**: Protection from abduction, sale, and trafficking (including child prostitution and pornography)
- ❖ Canadian Children's Charter²
- ❖ **Mandatory Reporting Laws for Child Abuse/Neglect exist in all provinces and territories of Canada**

Reporting Issues

- ❖ **What should the youth age cutoff be for MR?** Different provinces and territories define the age of majority differently
- ❖ **Which professionals?**
Every person who performs professional or official duties with respect to children (healthcare, education, child care, religious official, lawyer/mediator/arbitrator, government employee, police officer, peace officer)
- ❖ **Training programs?** - Lack of standardized training in identifying maltreatment and how to report^{3,4}
- ❖ **Assessment Supervision/Support?** Lack of comfort/experience performing and interpreting child sexual abuse (CSA) examinations⁵
- ❖ **Public Health Agency of Canada** has established guidelines for professionals in identifying and reporting CSA⁶
- ❖ Recent **WHO** Guidelines for Recognizing and Responding to CSA⁷

Ontario Child, Youth & Family Services Act(2017)⁸

- ❖ MR for both the public and professionals who work with children (0-16)
- ❖ For professionals, failure to report a suspicion can result in a fine of up to \$5000
- ❖ Individual or youth themselves can **choose to report** a 16- or 17-year old (no MR, but investigation and services may occur)
- ❖ “Child in need of protection” (CSA) "**has been sexually abused or exploited or is at risk of being so** by the caregiver or another person where the caregiver knows or should know the possibility of sexual abuse/exploitation and fails to protect the child”
- ❖ If there are “**reasonable grounds**” to suspect abuse or neglect, a report must be made with the expectation of good faith reporting
- ❖ A report must be made immediately to a **Children’s Aid Society** (24/7 availability); *the recipient of the information is the required reporter*
- ❖ **Police** must be called if there is **immediate danger** to the child
- ❖ “**Ongoing duty to report**” any additional information received, even if a report has already been made

Is Mandatory Reporting Beneficial?

Some key findings:

- ❖ In 2008, 68% of Canadian child maltreatment reports were made by professionals⁹
- ❖ Vulnerable victims (under age 6 years) seen regularly by physicians (vaccination schedules), but physicians are among the lowest reporters of professionals
- ❖ Most CSA victims do not have contact with child welfare agencies/authorities¹⁰
- ❖ Regardless of child welfare service termination, CSA 17-18 year olds maintained same levels of healthcare for mental health and increased healthcare for physical health, than general population youth¹¹
- ❖ Significant number of child welfare services youth do not have their CSA known to their workers¹²
- ❖ MR may act as a resilience process: (1) sets precedent for child safety (multiple victims, same perpetrator; multiple victimizations, same victim) and (2) services process for safety and well-being¹³
- ❖ *Strategic research program is needed across multiple areas*

Research Evidence on Impact



THANK YOU!



#CIHRTeamSV Project:

<https://www.researchgate.net/project/Understanding-health-risks-and-promoting-resilience-in-male-youth-with-sexual-violence-experience-CIHR-Team-Grant-TE3-138302>

International Journal of Child and Adolescent Resilience (open access):

www.in-car.ca

References

1. https://www.unicef.org/crc/files/Rights_overview.pdf
2. <https://www.childrenfirstcanada.com/>
3. Pietrantonio, A. M., Wright, E., Gibson, K. N., Alldred, T., Jacobson, D., & Niec, A. (2013). Mandatory reporting of child abuse and neglect: Crafting a positive process for health professionals and caregivers. *Child Abuse & Neglect*, 37(2-3), 102-109. doi:10.1016/j.chiabu.2012.12.007
4. Ward, M. G. K., Bennett, S., Plint, A. C., King, W. J., Jabbour, M., & Gaboury, I. (2004). Child protection: A neglected area of pediatric residency training. *Child Abuse & Neglect*, 28(10), 1113-1122. doi:10.1016/j.chiabu.2004.05.002
5. Starling, S. P., Heisler, K. W., Paulson, J. F., & Youmans, E. (2009). Child abuse training and knowledge: A national survey of emergency medicine, family medicine, and pediatric residents and program directors. *Pediatrics*, 123(4), e595-e602. doi:10.1542/peds.2008-2938
6. <https://www.canada.ca/en/public-health/services/health-promotion/stop-family-violence/prevention-re-source-centre/children/child-maltreatment-what-guide-professionals-who-work-children.html>
7. <http://www.who.int/reproductivehealth/publications/violence/clinical-response-csa/en/>
8. <https://www.ontario.ca/laws/statute/17c14#BK167>
9. Public Health Agency of Canada. Canadian Incidence Study of Reported Child Abuse and Neglect – 2008: Major Findings. Ottawa, 2010. Retrieved from: <http://cwrp.ca/sites/default/files/publications/en/CIS-2008-rprt-eng.pdf>
10. MacMillan, H. L., Tanaka, M., Duku, E., Vaillancourt, T., & Boyle, M. H. (2013). Child physical and sexual abuse in a community sample of young adults: Results from the Ontario Child Health Study. *Child Abuse & Neglect*, 37(1), 14-21. doi:10.1016/j.chiabu.2012.06.005
11. Daigneault, I., Esposito, T., Bourgeois, C., Hébert, M., Delaye, A., & Frappier, J. Y. (2017). Health service use of sexually abused adolescents aging out of care: A matched-cohort study. *Journal of Child and Adolescent Resilience*, 5(1), 53-66. Retrieved from: http://in-car.ca/ijcar/issues/vol5/2017/4-Daigneault_et_al_pp.53-66.pdf
12. Wekerle, C., Goldstein, A. L., Tanaka, M., & Tonmyr, L. (2017). Childhood sexual abuse, sexual motives, and adolescent risk-taking among males and females receiving child welfare services. *Child Abuse & Neglect*, 66, 101-111. doi:10.1016/j.chiabu.2017.01.013
13. Wekerle, C. (2013). Resilience in the context of child maltreatment: Connections to the practice of mandatory reporting. *Child Abuse & Neglect*, 37(2-3), 93-101. doi:10.1016/j.chiabu.2012.11.005

Additional Resources

<https://www.researchgate.net/project/Understanding-health-risks-and-promoting-resilience-in-male-youth-with-sexual-violence-experience-CIHR-Team-Grant-TE3-138302>

Afifi, O. T., McTavish, T., Turner, S., MacMillan, H. L., & Wathen, C. N. (2018). The relationship between child protection contact and mental health outcomes among Canadian adults with a child abuse history. *Child Abuse & Neglect*, 79, 22-30. <https://doi.org/10.1016/j.chiabu.2018.01.019>

Carradine, J., Milne, B., Fallon, B., Black, T., & King, B. (2017). Schools reporting child welfare concerns in Ontario. *Journal of Child and Adolescent Resilience*, 5(1), 40-52. Retrieved from: [http://in-car.ca/ijcar/issues/vol5/2017/3-Carradine et al pp.40-52.pdf](http://in-car.ca/ijcar/issues/vol5/2017/3-Carradine%20et%20al%20pp.40-52.pdf)

Child, Youth and Family Services Act, 2017, S.O. 2017, c. 14, Sched. 1. Retrieved from: <https://www.ontario.ca/laws/statute/17c14#BK167>

Criminal Code of Canada, 1985, R.S.C., 1985, c. C-46. Retrieved from: <http://laws-lois.justice.gc.ca/eng/acts/C-46/page-34.html#docCont>

Fallon, B., Collin-Vezina, D., King, B., & Joh-Carnella, N. (2017). Clinical Differences and Outcomes of Sexual Abuse Investigations by Gender: Implications for Policy and Practice. *Journal of Child & Adolescent Trauma*, 10(1), 77-86. doi:10.1007/s40653-016-0121-0

Fallon, B., Ma, J., Allen, K., Trocmé, N., & Jud, A. (2013). Child maltreatment-related investigations involving infants: Opportunities for resilience? *Journal of Child and Adolescent Resilience*, 1(1), 35-47. Retrieved from: [http://in-car.ca/ijcar/issues/vol1/spring2013/Fallon and Ma et al pp 35-47.pdf](http://in-car.ca/ijcar/issues/vol1/spring2013/Fallon%20and%20Ma%20et%20al%20pp%2035-47.pdf)

King, C. B., & Scott, K. L. (2014). Why are suspected cases of child maltreatment referred by educators so often unsubstantiated? *Child Abuse & Neglect*, 38(1), 1-10. doi:10.1016/j.chiabu.2013.06.002

- Mathews, B., Lee, X. J., & Norman, R. E. (2016). Impact of a new mandatory reporting law on reporting and identification of child sexual abuse: A seven year time trend analysis. *Child Abuse & Neglect*, 56, 62-79. doi:10.1016/j.chiabu.2016.04.009
- Mathews, B., Yang, C., Lehman, E. B., Mincemoyer, C., Verdiglione, N., & Levi, B. H. (2017). Educating early childhood care and education providers to improve knowledge and attitudes about reporting child maltreatment: A randomized controlled trial. *PLoS ONE*, 12(5), 1-19. doi:10.1371/journal.pone.0177777
- McTavish, J. R., Kimber, M., Devries, K., Colombini, M., MacGregor, J. C.D., Wathen, C. N., ..., & MacMillan, H. L. (2017). Mandated reporters' experiences with reporting child maltreatment: a meta-synthesis of qualitative studies. *BMJ Open*, 7(10), e013942. doi:10.1136/bmjopen-2016-013942
- McTavish, J., Sverdlinchenko, I., MacMillan, H., & Wekerle, C. (Article submitted for publication). Child sexual abuse, disclosure, and PTSD: A systematic and critical review.
- Ontario Association of Children's Aid Societies. (2015). Duty to Report. Retrieved August 16, 2017, from <http://www.oacas.org/childrens-aid-child-protection/duty-to-report/>
- Romano, E., Lyons, J., & St. John, E. (2015). Male childhood sexual abuse, self-compassion, and trauma symptoms. *International Journal of Child and Adolescent Resilience*, 3(1), 34-51. Retrieved from: http://in-car.ca/ijcar/issues/vol3/2015/Romano_et_al_pp_34-51.pdf
- Tonmyr, L., & Gonzalez, A. (2015). Correlates of joint child protection and police child sexual abuse investigations: results from the Canadian Incidence Study of Reported Child Abuse and Neglect-2008. *Health Promotion and Chronic Disease Prevention in Canada: Research, policy, and practise*, 35(8-9), 130-137. Retrieved from: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4911132/>
- Tonmyr, L., Mathews, B., Shields, M. E., Hovdestad, W. E., & Afifi, T. O. (2018). Does mandatory reporting legislation increase contact with child protection?-A legal doctrinal review and an analytical examination. *BMC Public Health*, 18(1021), 1-12. doi: 10.1186/s12889-018-5864-0
- Tonmyr, L., Li, Y. A., Williams, G., Scott, D., Nurs, G. D., & Jack, S. M. (2010). Patterns of reporting by health care and nonhealth care professionals to child protection services in Canada. *Paediatrics & Child Health*, Volume 15(8), 25-32. doi: <https://doi.org/10.1093/pch/15.8.e25>