

Duty to Report a Child in Need of Protections

[Section 125](#) of the Child and Family Services Act states that if a person, including a person who performs professional duties with respect to children under the age of 16, **has reasonable grounds to suspect a child may be in need of protection, that person has a duty to report suspicions of physical, sexual, and emotional abuse, neglect, and risk of harm, directly to the [Children's Aid Society \(CAS\)](#).**

FAQ:

1. What is the age of the children to whom the "duty to report" applies?

The duty to report applies to any child who is, or appears to be, under the age of 16 years.

On January 1, 2018, Ontario raised the age of protection from 16 to 18. A professional, or member of the public, who is concerned that a 16-or 17- year-old is or may be in need of protection may, but is not required to, make a report to a society and the society is required to assess the reported information. [CYFSA, s 125 (4)]

2. Do I need to include information in the Letter of Information/Consent Form (LOI/CF) about my duty to report?

In research projects that have a reasonable possibility of the disclosure of child abuse, neglect, or risk of harm, this duty to report should be communicated in the Letter of Information/Consent Form/assent form that confidentiality may be breached in those instances. Suggested language for the Letter of Information/Consent Form (LOI/CF) is outlined below:

"Members of the research team will receive and have access to confidential information about children and families. Except when required by law, such as when there are reasonable suspicions of child abuse, neglect, or risk of harm, this information will be kept confidential to the extent possible."