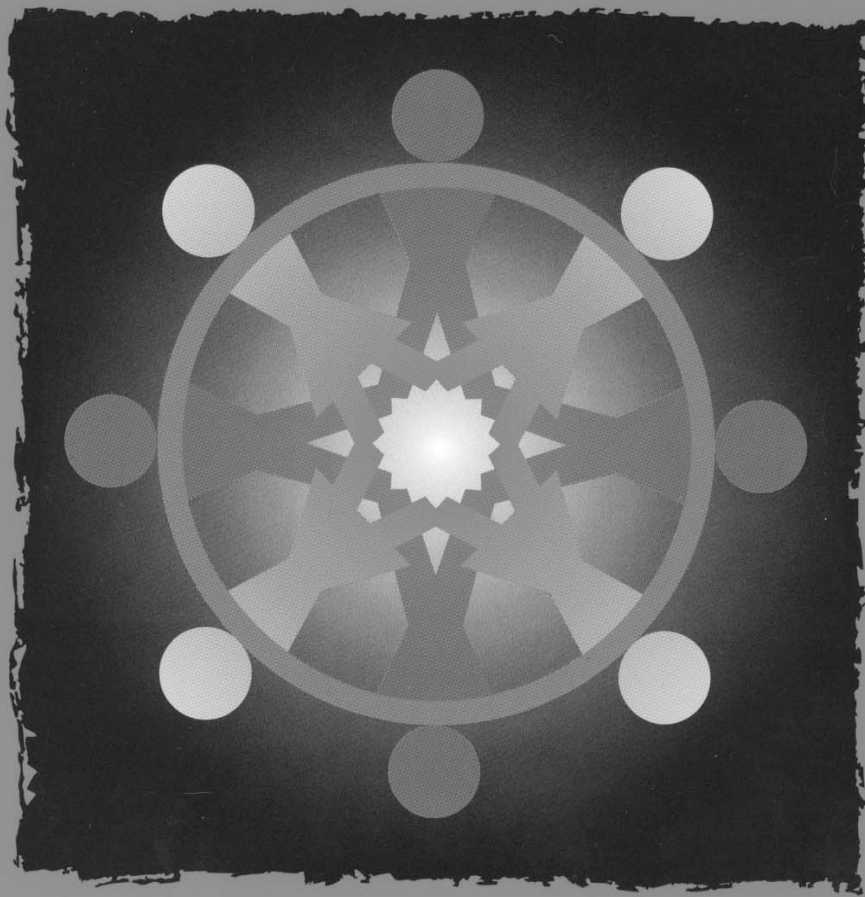


# **DEALING with CHILD ABUSE**



***A Handbook for School Personnel***



Education, Culture and Employment



Northwest Territories Education, Culture and Employment



# **DEALING WITH CHILD ABUSE**

**A Handbook For  
School Personnel**

**Department of Education, Culture and Employment  
2005 Revised Edition**



## Acknowledgements

### Steering Committee

A special acknowledgement must be made about the commitment, collaboration and cooperation of the members of the steering committee. Their dedication and concern for the welfare of children and youth have made this handbook possible.

Jim Gilbert, *NWTTA*

Wendy Hutchinson, *Department of Justice*

Doug Sage, *Department of Health and Social Services*

Marilyn Hurrell, *Department of Health and Social Services*

Eric LaFoy, *RCMP*

France Benoit, *Department of Education, Culture and Employment*

Barbara Hall, *Department of Education, Culture and Employment*

### Writing

Diana Barr

Gina Corvari

### Editor

Gina Corvari

Student Support Coordinator

Department of Education, Culture and Employment

### Project Coordinator

Barbara Hall

Director, Student Support

Department of Education, Culture and Employment



## Table of Contents

Foreword .....	iv
Introduction .....	v
The Problem of Child Abuse .....	vi
<b>Section 1: What is Child Abuse?</b>	
The Child and Family Services Act: Your Duty to Report .....	2
Being Alert to Child Abuse .....	3
Physical Abuse .....	3
Neglect .....	4
Emotional Abuse .....	4
Sexual Abuse .....	4
Elements of a Sexually Abusive Relationship .....	4
The Roles of Different Agencies in Child Abuse Cases .....	6
A Story of Child Abuse .....	6
<b>Section 2: Handling Disclosures</b>	
Disclosures of Abuse .....	10
Handling a Disclosure .....	10
Appropriate Questioning: Non-Leading or Open Questions and Comments .....	11
Inappropriate Questioning: Leading Questions and Comments .....	11
Types of Disclosures .....	12
Sample Responses to Disclosures of Child Abuse .....	12
<b>Section 3: How to Report Child Abuse</b>	
Four Main Steps In Reporting Abuse .....	16
Who Reports? .....	16
Who Do I Tell? .....	16
Making a Verbal Report of Child Abuse .....	16
Filing a Written Report .....	17
Informing the Superintendent of Child and Family Services .....	17
Informing the Principal .....	17
Interference with Investigations .....	17
Do's and Don'ts of Reporting .....	17
Principal's Responsibilities .....	18
<b>Section 4: Working With the Abused Child</b>	
The Abused Child after the Disclosure .....	22

The Child's Feelings after Disclosing .....	22
How Can I Help an Abused Child in the Classroom? .....	22
Reaching and Teaching Abused Children .....	23
Behaving Aggressively .....	23
Hurting Others Without Seeming to Care .....	24
Deliberately Annoying Others .....	25
Being Hypervigilant .....	25
Disassociating Themselves .....	26
Fearing Failure .....	26
<b>Section 5: Charges of Child Abuse Against School Personnel or Against A Student</b>	
Protection of School Personnel .....	30
Crisis Intervention .....	30
If an NWTTA Member is Accused of Child Abuse .....	30
Alleged Abuse by a Student .....	31
Reporting a Fellow NWTTA Member Suspected of Child Abuse .....	31
Sexual Harassment of Students by School Personnel .....	31
If Union of Northern Workers/United Steelworkers of America Members are Accused of Child Abuse .....	32
<b>Section 6: Child Abuse and the Justice System</b>	
In the Courtroom .....	36
When One Child Abuse Case Results in Two Court Cases .....	36
School Personnel as Witnesses .....	36
Witness for the Prosecution .....	36
Going to Court as a Witness .....	37
<b>Section 7: Taking Care of Yourself</b>	
The Difficulties of Coping with Child Abuse .....	40
Taking Care of Yourself .....	41
<b>Section 8: Resources</b>	
Glossary .....	44
Resources .....	46
Written Report of Suspected Child Abuse .....	50

## Foreword

We wrote this book because we wanted to make a difficult issue easier to deal with, but we had to accept the reality that responding to child abuse is difficult, and often unclear for people who work in schools. For those who want hard and fast, black and white answers, there aren't any except for the obligation to report known or suspected abuse. We hope this book will help with the many grey areas and judgement calls.

People who work in schools often have no specific training in responding to child abuse and may not feel ready, able or even willing to "get involved". Yet it is a tribute to school personnel that students do tell them about abuse, or that they suspect it even if they are not told directly. We hope that this book will help them respond effectively.

As a "human act" teaching is very dependent on positive relationships between learner and teacher. We don't want people to be so concerned with protecting themselves from accusations of abuse that they lose what is central to the humanness of teaching. Being professional, while maintaining rewarding and nurturing relationships with students, may sometimes be a fine line, not always clear or stationary. Hopefully this book will help.

We don't wish to be alarmist, or for people to see abuse where it doesn't exist. But if abuse is part of a young person's life, we hope you can recognize it and begin the start of positive changes for that child; abused children can't rescue themselves. All adults have a role in helping to confront and eliminate child abuse.



Eric Colbourne  
Assistant Deputy Minister  
Department of Education, Culture and Employment

### About This Handbook

#### Who is This Book For?

Teachers, secretaries, principals, janitors, assistants, volunteers, counselors, consultants, anyone who works in schools to be referred to as 'school personnel' in this handbook.

#### Why Is It Needed?

- Abuse can damage a child for a lifetime, and numbers of reported and confirmed cases of child abuse are rising. This book is intended to help school personnel:
  - identify signs of possible abuse
  - understand how to listen and respond to a child speaking about possible abuse... know the kinds of things to say and what not to say
  - know how to make a complete and accurate report of known or suspected abuse to the Department of Health and Social Services
  - support an abused child in your school or classroom
- By law, you have to report known or suspected child abuse or be subject to legal action (Child and Family Services Act, section 8). If you are charged with abuse, you need to know what actions to take and what support your union can offer you.
- You may be working with both victims and abusers in your class or school. This handbook may help you to be the start of positive change in their lives.
- This handbook may be used for professional development in a variety of ways:
  - section by section review and discussion at a series of staff meetings
  - part of an annual orientation of all staff, and particularly new staff members
  - presentation and discussion at parent meetings

#### Pronouns

We have tried to use masculine and feminine pronouns alternately. When you read the words "he", "she", "him", or "her", please understand that in this text they can either apply to male or female children, or male or female adults.

#### Glossary

Terms explained in the glossary, Section 8, are indicated with an asterisk (\*) the first time they appear in the text.

## The Problem of Child Abuse

### How Serious is the Problem of Child Abuse?

The physical, sexual, or emotional damage inflicted upon an abused child can remain with that child all his life. It can appear weeks, months or years later in difficulties getting along with others, problems taking care of himself and others, drug and alcohol abuse, suicide, and in continuing the cycle of abuse. Without intervention\* or help, boys who have been abused are more likely to become abusers; girls who have been abused are more likely to become involved in abusive relationships. In each case, the next generation of children is at risk of being abused.

### Some Alarming Statistics

- The number of reported cases of child sexual assault doubles every two years in the Northwest Territories.<sup>1</sup>
- One in four girls, and one in seven boys, are victims of forced sexual experiences (Badgely, 1984)<sup>2</sup>. Experts today feel that the numbers of victims are even higher.
- In 85-90% of child sexual assaults, the abused child knows the offender; in about 50% of the cases, the abuser is a relative.<sup>2</sup>
- In a recent NWT School Health study, 21% of Grade 9-10 female students reported that they have been forced to have sexual intercourse.<sup>3</sup>

### A Secret and Hidden Problem

Child abuse continues because it is secret and hidden. One of the problems in dealing with child abuse is that you often cannot tell by looking at a child that she is being abused. Children do not always show bruises or visible signs of the abuse. Caring adults who come in contact with children should watch for a number of the signs of possible abuse which are described in Section I.

You cannot tell if a person is an abuser by appearance, race, gender, occupation, level of wealth or education. Child abusers are found in all walks of life.

### Your Role

Because children spend so much of their time in school, it is likely that signs of abuse will be noticed in the school environment. When you report known or suspected abuse, you are taking the first and most important step in getting help for the child.

If you're concerned about a child, but you are not sure why, pay closer attention to the child and her circumstances. Listen to your intuition; trust your instincts. Never assume that a child is "OK", or that you are meddling. An abused child needs concerned adults to provide the protection that they can not give themselves. You are in a position to seek help for a child who may be caught in a desperate situation.

***Please remember, you do not need proof of abuse before making a report. Once you suspect\* abuse, report it without further investigation. Investigation is the job of the child protection worker (Department of Health and Social Services) and the RCMP.***

1 Department of Health and Social Services, GNWT.

2 Badgely, R.F. and Committee. Sexual Offenses Against Children, Vols. I and II. Ottawa: Health and Welfare Canada, 1984

3 Department of Education, Culture and Employment, GNWT, 1995

Section I  
**WHAT IS CHILD ABUSE?**

---

**Highlights**



- If you know about or suspect child abuse, you must report it directly to a child protection worker (the local or regional Department of Health and Social Services).
- The main types of child abuse are: physical abuse, sexual abuse, emotional abuse and neglect.
- There are signs and behaviours which let you know that a child may be a victim of abuse.
- The Department of Health and Social Services, the RCMP, and the Federal and Territorial Departments of Justice have specific responsibilities in child abuse cases.

**The Child and Family Services Act: Your Duty to Report**

*The Northwest Territories Child and Family Services Act requires you to report any child abuse (physical, sexual, emotional abuse or neglect) that you know about or suspect to a Child Protection Worker.*

*Under the Child and Family Services Act, "child" means a person who is, or in the absence of evidence to the contrary, appears to be under sixteen years of age.*

**In Summary:**

You have to report known or suspected abuse to a child protection worker (Department of Health and Social Services) as soon as you become aware of it. Except for the sharing of information with the Department of Health and Social Services or the RCMP, you must keep the matter confidential\*. When you make a report in good faith and without malice, you are protected from any possible legal action against you. Details of how to report are on pages 16 and 17.

**What the Act Says**

Duty to report child needing protection  
 8. (1) A person who has information of the need of protection of a child shall, without delay, report the matter(a) to a Child Protection Worker; or(b) if a Child Protection Worker is not available, to a peace officer or an authorized person.

Duty may not be delegated  
 (2) For greater certainty, a person may not delegate the duty to report a matter under subsection (1) to another person.

Confidentiality and privilege  
 (3) Subsection (1) applies(a) notwithstanding any other Act; and(b) notwithstanding that the information is confidential or privileged.

Civil liability  
 (4) No action shall be commenced against a person for reporting information in accordance with this section unless it is done maliciously.

Offense and punishment  
 (6) Every person who contravenes subsection (1) is guilty of an offense and liable on summary conviction to a fine not exceeding \$5,000, to imprisonment for a term not exceeding six months or to both.

Investigation  
 9. (1) A person to whom a report is made under section 8 shall investigate the child's need for protection.

**What This Means**

You have a duty to report a child that has been, is, or may be in danger of abandonment, neglect, physical, sexual or emotional ill-treatment. You must report ASAP.

You must not ask or allow another person to make the report for you.

You must report information about child abuse even when it has been told to you in confidence, and the child asks you not to tell.

When you make a report in good faith and without malice, you are protected by law from any legal action.

To not report a child in need of protection is an offense and can be punishable with a fine, imprisonment or both.

Your duty is to report. It is not your duty to confirm or investigate a disclosure.

Following are the types of child abuse and the signs you might notice that could lead you to suspect child abuse.

## Physical Abuse

Physical abuse is any physical injury of a child which is not accidental.

### Possible Signs of Physical Abuse

#### Physical Signs:

- The child may have unexplained bruises, welts or cuts on any part of the body, often on the lips, mouth, legs, back, buttocks or genitals.
- The child's injuries (e.g. bruising, welts, burns) may form a shape or pattern such as teeth marks or hand prints. The injury may look like the shape of the object used to make the injury (e.g. iron, stove element).
- The child may have unexplained burns, including small circular burns (as from a cigarette); these are often found on the soles of the feet, palms, back.
- The child may have unexplained fractures and dislocations, especially of the shoulders and hips, in various stages of healing.
- There may be bald patches on the child's scalp where hair has been pulled out.

#### Behavioural Signs:

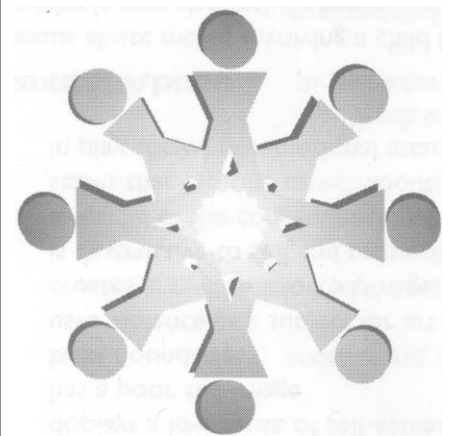
Be watchful for drastic changes in a child's behaviour (either drastic improvement or very worse behaviour). An abused child often shows behaviours that are extreme. You might expect to see an abused child display one or many of the following behaviours:

- is very wary or distrustful of adults; or, is overly friendly to adults (is not aware of social boundaries\*)
- has a low frustration level, becomes upset very easily; or, is far too tolerant or patient
- does not initiate contact with others or approach others; or, is very attention seeking
- does not like physical contact, may 'shrink back' when touched or when personal space is invaded; or, encourages or begins inappropriate touching, (e.g. resting a hand on your thigh)
- inappropriately dressed, (e.g. wears jacket in school, long sleeves in hot weather); or, wears suggestive or provocative clothing
- vacant stare; or, unusually attentive and watchful
- extreme anger, rage; or an unusually passive, unconcerned attitude
- may not want to participate in gym, change clothes, wear shorts
- afraid to go home, stays late, arrives at school early
- behaves in extremes very well behaved or out of control
- moves awkwardly
- feels she is bad and deserves punishment
- aggression against other children
- runaway behaviour, especially in adolescents
- flinching, easily startled

## Being Alert to Child Abuse

*Physical, sexual, emotional abuse and neglect are described in this section along with signs or indicators\* of how abused children might look or act. These indicators or signs often happen in combinations or as dramatic changes from the child's normal behaviour. They are the child's reaction to the abuse, and can be a way of communicating that he has been, or is being abused.*

*No one sign is proof of abuse. Even when many of these signs are present, it doesn't mean that abuse is **definitely** taking place; however, they would let you know that the child needs some kind of help, and that you must be even more watchful of that child.*



## Section I: WHAT IS CHILD ABUSE?

### Neglect

Physical Neglect means that basic needs such as clothing, food, shelter, health care and protection from harm are not being provided.

Emotional Neglect means that the child's deeper needs for love and affection, a sense of belonging, guidance and stability are not being met.

### Possible Signs of Neglect

#### Physical Signs:

- dirty clothes or appearance
- poor hygiene, persistent body odour
- weight loss
- skin rashes
- dull and inactive

#### Behavioural Signs:

- depression (sadness, no interest in usual activities)
- is often absent without explanations or notes from home
- shows poor impulse control, (e.g. child acts without thinking; little self control over behaviours)
- is hyperactive
- lacks boundaries (e.g. child has difficulty separating personal concerns from the concerns of others)
- begs or steals food
- complains about hunger

### Emotional Abuse

Emotional abuse is anything that seriously hurts a child mentally or emotionally. This could include being exposed to constant 'put-downs' and verbal attacks, repeated rejection, or violence in the home.

### Possible Signs of Emotional Abuse

- shows poor social skills
- insults or 'puts down' peers
- displays a low sense of self-esteem
- has a poor self-image
- lacks boundaries
- uses violence as a subject for art or writing
- creates art with distorted images
- is destructive to self and property
- is fearful of the consequences of his actions
- states that "no one cares" about her
- in play, shows no emotional attachment to toys, other children, pets

### Sexual Abuse

Sexual Abuse means involving a child in sexual touching or any form of sexual activity. It may also include forcing or allowing a child to watch or look at sexual activity, pornographic materials, or books, magazines or videos containing sexual material that is inappropriate or unsuitable for a child.

## Elements of a Sexually Abusive Relationship

Abusers follow no single pattern in the abuse of children, but having access to a child and making sure that the child does not tell are part of abusive relationships involving children.

### The Beginning of the Relationship

Before sexual abuse occurs, the abuser must find a way to create a relationship with the child. These two conditions must be met; access to the child and power over the child.

### Secrecy

The abuser must make sure the secret is kept. This could be through threats, bribery (promises of treats, gifts, toys), an agreement of secrecy, or withdrawal of affection.

### Sexual Interacting

This is the stage at which the actual abuse takes place. The abuser will generally introduce the child to sexual touching or fondling, often explaining the touching as affection or as part of their "special" relationship.

### The Disclosure\* (if the child tells someone)

When children tell about or 'disclose' child abuse, it may happen in a number of ways and for a number of reasons. The child may want the abuse to end or they may want to become free of the abuser. They may disclose or tell about the abuse directly to someone they trust, they may drop hints about abuse or they may talk about it indirectly, as if it were happening to a friend of theirs.

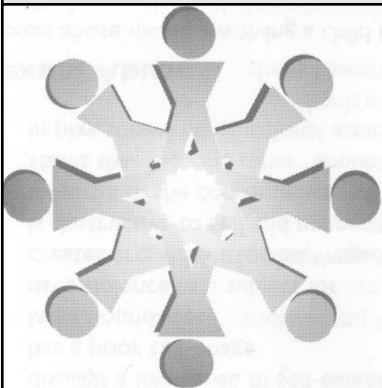
## After the Disclosure

The child may want to deny that the abuse took place or may want to make it seem small or unimportant. The child may do this as a way of dealing with his feelings about the abuse or the abuser. The child may also want to deny the abuse because he feels responsible for upsetting his otherwise normal home life. After a disclosure of abuse, there is likely to be some upheaval within the family, even if the abuser was not a family member.

After a disclosure, abused children may feel very guilty for many possible reasons:

- they may have enjoyed some aspects of the abusive relationship, (e.g. the attention, special treats)
- they may feel they started the relationship
- they may feel they are getting the abuser into trouble with the child protection worker or the RCMP

These feelings may cause children to be very angry with the person they told. Do not take the child's anger personally and do not let it keep you from being supportive.



## Possible Signs of Sexual Abuse

### Physical Signs:

- a sexually transmitted disease. (e.g. the child might make comments about soreness, pain or genital itching)
- sudden weight changes
- cuts or sores made by the child on the arms, particularly the outside of the arm
- difficulty in walking or sitting

### Behavioural Signs in a Young Child:

- depression
- anger or hostility
- urinating or defecating in clothes
- low frustration level; gets upset very easily
- art showing abuse
- masturbating in the classroom or other public places
- acting out in a sexual manner
- hints about sexual activity through actions or comments
- sexualized play with peers, toys or themselves
- very aggressive sexual behaviour with others
- not wanting to participate in school activities
- regressive\* behaviour: baby talk, thumb sucking
- arrives at school early and leaves late
- truancy or arriving at school late
- difficulty concentrating, withdrawn, overly obedient
- excessive nail biting or other nervous habits
- poor social boundaries, (e.g. overly involved with concerns of peers; acts too 'familiar' with adults)
- very impulsive behaviour; seems unable to control behaviour; acts without thinking
- starting fires
- destroying property; hurting or mutilating animals
- unusual knowledge of sexual language for the age range

### Behavioural Signs in an Older Child:

- depression, anger or hostility
- hurting self, destroying own work or possessions
- running away, delinquency
- refusing to undress for gym; often wears layers of clothing
- writing stories or poems about abuse
- artwork showing abuse
- unable to show affection in usual ways
- suicidal feelings or suicide attempts
- expresses thoughts like "I wish I were dead."
- poor peer relationships, inability to make friends
- fascination with setting fires
- destroying property; hurting or mutilating animals
- unusual knowledge of sexual language for the age range
- often involved in accidents (accident-prone)

### The Roles of Different Agencies in Child Abuse Cases

**1. Department of Health and Social Services: Child Protection Workers:** *In child abuse cases, child protection workers are responsible for protecting the child. They investigate and gather evidence to decide if the child needs protection. Protection might include placing the child in foster care.*

**2. Health Care Workers:** *Health care workers may provide additional evidence through medical examinations of the child.*

**3. RCMP:** *The police investigate offenses under the Criminal Code of Canada. Child abuse is one of these offenses. The RCMP are responsible for collecting evidence and laying charges against the offender.*

*Many child abuse cases involve both child protection workers and the RCMP.*

**4. Department of Justice (GNWT):** *When a child abuse case goes to court, lawyers representing the Director of Child and Family Services act to protect the well-being of the child in the Child and Family Services trial. Decisions might include placing the child in temporary or permanent foster care.*

**5. Justice Canada (Federal):** *The lawyers who work for Justice Canada are called the Crown Prosecutors. They are involved in court cases where child abuse laws have been broken. Decisions made in the Criminal Court trial might include sentencing the offender to a term in jail.*

### A Story of Child Abuse

The following story outline traces the events that might take place following a report of suspected child abuse and shows how the different agencies work together in child abuse cases.

1. George's attendance at school was poor, and he had few friends.
2. During gym class, his teacher noticed bruises on George's arms that look like belt marks.
3. George's teacher called the local child protection worker and described the bruises. She then wrote a report about George's condition, including the information she had given to the child protection worker by phone. She sent the original written report to the child protection worker she had spoken to and mailed a copy of the report to the Director of Child and Family Services.
4. That afternoon, the child protection worker came to the school to talk to George.
5. George was taken to the police station where the RCMP interviewed him. They photographed the bruises on his arms and also on his back.
6. As there was a lot of bruising, George was later taken to the health centre to be examined by a nurse or doctor.
7. The investigation by the child protection worker showed that George's mother would do little to stop the beatings, and that George was afraid of his father. As George was not safe at home, he was apprehended\* and placed in a foster home.
8. The RCMP had the task of finding evidence to explain George's bruises. Once there was enough evidence, the police were able to charge George's father with assault. He would be tried in Criminal Court.  
  
George, his teacher, and several other witnesses might have to testify in this case. George's lawyer, the Crown Prosecutor for Justice Canada, would try to prove that George's father had committed a crime.
9. Months later, the Criminal Court trial was held, and George's father told the court that he was guilty of assaulting his son. Because his father confessed, George and the other witnesses did not have to testify\*.
10. George's father was put on probation, and the judge recommended that he get treatment for alcohol abuse and family violence. The Department of Health and Social Services would arrange for him to go to a drug and alcohol treatment centre in Yellowknife. Besides working on his addiction to alcohol at the treatment centre, George's father would learn how to deal with his feelings of anger in healthy ways.

11. The Child protection trial was held a few weeks later to see if it was safe for George to return home. It was decided that George would stay in foster care until his father went for treatment, and that his family could have supervised visits with him at the foster home.

12. When George did return to his family, the child protection worker visited them on a regular basis to be sure that George was safe.

### Questions and Answers...About George's Story

1. Why wouldn't the child protection worker and the RCMP officer interview George together?

A combined interview may take place if it is in the best interests of the child. However, if a child protection worker takes notes at an interview that is also part of an RCMP criminal investigation, he may have to disclose or hand over as evidence, all of the information recorded at that time to the Crown. It also becomes available to the Defense who is working to protect the alleged offender. Defense lawyers are likely to use this information in cross-examining the child on the witness stand, an experience that can be traumatic for a child.

2. Why were photographs taken of the bruises? Wouldn't the report made by the teacher and the nurse/doctor describe the bruises?

The photographs provide evidence of the bruising long after the bruises fade. Photographs support the reports made by the teacher and the doctor/nurse by providing information about what was actually seen at the time of reporting.

3. What happened to George's father after he was charged with the assault? Wouldn't he go to jail until the trial, making it safe for George to return home?

Unless the offender has an extensive criminal record or is on parole or probation, he will usually be released after being charged.

4. Would the school be notified of George's placement in a foster home?

The child protection worker should tell the school where the child is staying and if it is in the best interests of the child, will tell why the child is in a foster home.

5. Shouldn't the teacher have checked the bruises herself first and talked to George about how he got them? What if they were from playing?

The teacher noticed much patterned bruising (see page 3). As her first suspicion\* was abuse, her duty was to report her suspicions to the child protection worker. Her role was not to investigate or ask questions about the injuries.

6. How can George's teacher best support him in the classroom? If the abuse happened a long time ago, does he still need help?

George's physical hurts might heal before long, but the emotional damage of abuse can last a lifetime. School personnel can help by being patient, supportive and understanding. This does not mean being lenient or allowing unacceptable behaviour. Practical suggestions for supporting an abused child in the classroom, can be found on pages 23 to 26.

### Section I... Questions and Answers

1. How often do children lie about cases of abuse?

*False reports of abuse by children are not common. When a child discloses, consider the report to be true.*

2. If I suspect abuse, do I have to check it out to be sure or get proof before making a report?

*No. The law is very clear on this. Once you have reasonable suspicions, your job is to report, and that is all. It is the job of the child protection worker and the RCMP to investigate.*

3. You said there is no typical abuser or typical victim. Are not some children more easily victimized than others?

*While there are no typical victims, there is a greater possibility of some children being victims than others. These are children who are less able to defend themselves ( e.g. children with sensory deficits such as poor vision or hearing, or children who are mentally challenged. Children who 'stand out' from the crowd by being different in some way are also among the 'group' with a greater possibility of being abused. Some examples are the loner or the child who is taller or fatter. Any child who lacks confidence and/or credibility\* is a target for abuse.)*



## Section 2 **HANDLING DISCLOSURES**

---

(hearing a child's story of abuse)

### **Highlights**



- Sometimes children will tell you directly that they are being abused. Sometimes they use indirect ways to tell you - through art, writing, or hints. These are both known as “disclosures”.



- School personnel need to know how to handle disclosures. It is important to use *Non-leading* or *Open* comments or questions when talking to a child about possible abuse.



- School personnel should make notes of all comments made by the child about abuse, using the child's exact words where possible. Keep drawings or journal pages which cause you to suspect abuse. Sign and date them.

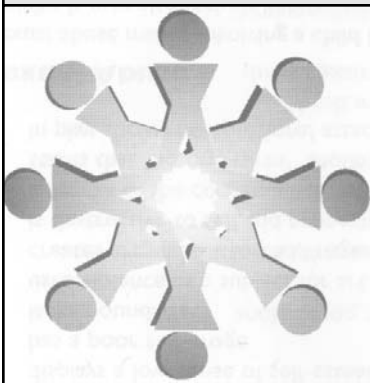


- Following a disclosure, do not probe and ask for details. This is the job of the child protection worker and/or the RCMP. If you interfere with the case by questioning the child, it could cause serious problems with the investigation.

### Disclosures of Abuse

A "disclosure" occurs when a child tells you or lets you know in some other way that he has been, or is being abused. Sometimes children will tell you directly that they are being abused. Often they use indirect ways to let you know, for example, drawing pictures about hitting or inappropriate touching, writing about abuse in journal stories, or play-acting frightening scenes. These may be a child's way of hinting about abuse.

Children may disclose abuse which is ongoing, or abuse which happened weeks, months or years ago, abuse which took place in another location (community or province), or abuse that is happening to someone else. You need to report all stories of abuse, no matter where or when they happened.



### Handling a Disclosure

1. Listen to disclosures in a caring and calm manner. Let the child tell her story in her own way, do not ask leading questions about the disclosure. (See page 11 for appropriate questioning methods). Make sure the child knows that you believe her and that what happened to her was not her fault. Let her know that telling someone was the right thing to do and that now you are going to contact the child protection worker to try to get some help for her. The child may receive some comfort in hearing that she is not alone and that other children have gone through this. Do not judge the events, circumstances or individuals involved, and do not express to the child what you think she might be feeling, (e.g. "You must hate him for what he did to you.")

When the child has finished what she has to say and has disclosed enough so that you suspect abuse, tell the child that you are not allowed to hear any more because it is important that she share her disclosure with a child protection worker. It is very important to end the disclosure without "closing down" the child (e.g. the child must continue to think that what she has to say is important, and she must feel safe enough so that she can relate the complete disclosure to the child protection worker).

2. Do not make promises to the child that you have no way of keeping. For example, telling a child that "everything is alright" or "now you will get the help you need" are promises that can not be guaranteed.

3. Once a disclosure has been made or enough information has been given to you so that you suspect child abuse, do not continue with questioning. It is the role of the child protection worker and/or the RCMP to question the child about the details of abuse. They will then be able to document this information first-hand and present it in court if needed. If you question the child for details, it could cause serious problems with the investigation.

4. Immediately after a disclosure you should write down (document \*) and date any comments or statements made by the child during the disclosure. Try to use the child's exact words. Keep notes about the child's behaviour and emotional state, as well as the circumstances at the time of the disclosure, (e.g. "Child stayed in her desk with her face hidden after all the other children went home. She cried for 15 minutes.")

5. Call and make a report of child abuse to a child protection worker (Department of Health and Social Services).

6. Follow up this verbal report with a written report to the child protection worker who hears your verbal report. Photocopy the form "Written Report of Child Abuse" which can be found on pages 50 and 51. Complete the required information.

7. Make two copies of the completed written report and of all your written notes about the disclosure, as well as any of the child's drawings, writing or artwork which form part of the disclosure. Give the originals to the child protection worker who hears your verbal report. Mail a copy of the written report and all supporting documents to the Director of Child and Family Services in Yellowknife. Keep a copy for yourself in a secure place, but not in the student's cumulative or special needs file.

8. Maintain confidentiality. Don't discuss the disclosure with other staff members.

9. Recognize and respect the child's feelings in the days following the disclosure. These may include:

- feelings of guilt for having told
- fear and anxiety about what will happen next
- anger or withdrawal, including anger at, or withdrawal from you
- uncertainty
- feelings of being blamed
- feelings of low self-esteem
- feelings of shame

10. Be aware of your own feelings about the disclosure. See Section 7 for more information on "Taking Care of Yourself".

11. Practice using non-leading or open questions and comments, as discussed below.

### **Appropriate Questioning: Non-Leading or Open Questions and Comments**

*Use non-leading, open questions and comments when responding to a child who is disclosing or talking about abuse. This type of questioning does not make assumptions about what may have happened to the child. It does not put words in the child's mouth. Non-leading comments describe the child's behaviour or condition in a factual way. They open up a chance for the child to respond and describe what has happened.*

#### **Examples of Non-Leading Questions and Comments:**

*"Do you want to tell me about what you had to eat this week?"*

*"You look as though things aren't going well."*

*"Do you want to tell me about your home?" (In response to a child who says that he doesn't want to go home after school because it's not nice there.)*

*"Do you want to tell me a bit more about that?" (In response to a child who says that if someone hits them with a belt, then kids won't grow up to do bad things.)*

### **Avoid Leading Questions and Comments (Inappropriate\* Questioning)**

*Leading questions can often be answered by a "yes" or "no". Avoid leading questions or comments, they direct the child and hint at how the child is to respond. Leading questions or comments often label the child's feelings, threaten the child's sense of privacy, or put words in the child's mouth. They often make assumptions about what may have happened and do not allow the child to describe what has taken place entirely in her own words. This type of questioning or commenting is not helpful to the child, as the court will consider the child's evidence to be tainted or spoiled.*

#### **Examples of Inappropriate Questioning (Leading Questions):**

*"Has your dad been beating you up at home? How does he hit you?" (In response to a child who says that someone is hurting him.)*

*"Is someone sexually abusing you?" (In response to a child who says that someone at home is bothering her.)*

## Section 2: HANDLING DISCLOSURES

### Types of Disclosures

**1. Direct Disclosures:** *Verbal or written statements by the child.*

**2. Indirect Disclosures:** *Verbal, written or graphic hints, (e.g. journal writing, drawings, artwork) that appear to be about abuse.*

**3. Disclosures with Conditions:** *The child says that he will tell you about something that is happening to him only if certain conditions are met.*

**4. Disguised Disclosures:** *The child is not ready to tell you that she is being abused, and so pretends that it is happening to someone else.*

**5. Third Party Disclosures:** *The child tells you about abuse which is happening to another child.*

### Sample Responses to Disclosures of Child Abuse

#### I. Direct Disclosure

Verbal or written statements by the child. (e.g. "I am being abused")

#### Circumstances

*Teacher wants young child to remove his gloves in school.*

#### Child's Statement

*"I don't want to. My hands hurt because someone burned me with cigarettes last night. He said I took some money from him."*

#### Leading Response (wrong)

*"This is terrible. Did your dad do this? Has he done this before?"*

#### Non-leading Response (right)

*"May I look at your hands to see if they need taking care of? After we do that I'll call the social worker to let her know what happened to you. She'll want to talk to you about what happened so that she can try to help you."*

#### I. Indirect Disclosure ("He bothers me.")

##### Child's Indirect Disclosure

*Example 1*  
"I don't like the way that \_\_\_\_\_ bugs me all the time."

*Example 2*  
"\_\_\_\_\_ doesn't let me sleep at night."

*Example 3*  
"I don't like it when \_\_\_\_\_ does those things to me."

##### Leading Response (wrong)

*Is someone abusing you?*

*Does \_\_\_\_\_ come into your room and touch you or do things like that?*

*Are you talking about being sexually or physically abused?*

##### Non-Leading Response (Right)

*What do you mean by bugging you?*

*How does \_\_\_\_\_ disturb your sleep?*

*Do you want to tell me more about that?*

This child might or might not have been talking about abuse. She could have been talking about a brother who plays loud music or plays jokes on her. Leading responses suggest that abuse has taken place - this is not the correct way to respond as it might or might not be true and it might make the child feel uncomfortable so that she does not continue her story.

Because there is a possibility that she is hinting about abuse, use non-leading questions to show that you are listening and to give her a chance to share more if she wants to.

### 3. Disclosures with Conditions

**("You must promise not to tell.")** The child says that he will tell you about something that is happening to him only if certain conditions are met.

Children will sometimes want to talk about something that is happening to them or to someone else only if certain promises or

conditions are met. The child might want you to promise that:

- no one will be told about the secret
- the child protection worker or the police will not be involved
- the family will not be broken up
- no one will get into trouble

**Do not make these promises.**

Try to convince the child that the problem cannot be taken care of unless people are allowed to help. If something is happening to the child that is harmful in any way, it is a secret that cannot be kept. You can reassure the child that the child protection worker and RCMP will do their best to try to keep him safe and to prevent the abuse from happening again.

#### Child's Disclosure with Conditions

*"I want to tell you something, but you have to promise not to tell anyone else or I'll get into big trouble."*

#### Leading Response (Wrong)

*"Is someone in your family abusing you? If so, I'll have to tell the social worker."*

#### Non-Leading Response (Right)

*"There are some secrets that shouldn't be kept. If I do have to tell someone else about your problem, it will be someone who will try to help you"*

The child may not be ready to talk about the problem without conditions. Let the child know that you are concerned for his safety and will be available if he would like to come back and talk another time. Make a written note of the comments that the child has made up to this point.

If older students have difficulty talking about the problem, suggest that they try writing it down first. Then you could both talk together about ways to get help.

---

### 4. Disguised Disclosure

**("I'm not ready to tell you it's me.")**

#### The Child pretending that the abuse is happening to someone else

*"I have a friend who says that her grandfather hurts her all the time. He gets mad and hits her a lot. She doesn't know what to do."*

#### Leading Response (Wrong)

*"A you trying to tell me that this is really happening to you? Does your grandfather beat you?"*

#### Non-Leading Response (Right)

*"It's important for your friend to talk to someone who will try to help. Tell her that I'll be available if she wants to come and talk to me. It would be difficult for her to deal with these things by herself. There are other children who have gone through the same thing as your friend, and talking to someone is the first step in trying to get some help."*

## Section 2: HANDLING DISCLOSURES

### 5. Third Party Disclosure

("I know someone who is being abused.")

If possible, get the name of the child involved and report to a child protection worker immediately following the guidelines on pages 16

and 17. Don't try to get more details about what happened or to talk to the child who was named.

**The Child pretending that the abuse is happening to someone else**

*"My friend and I were at a sleep-over, and we were telling secrets. He told me that his uncle has been abusing him since he was four. He says that it has stopped now."*

**Leading Response (Wrong)**

*"Is this your friend Jimmy who lives with his uncle Fred?"*

**Non-Leading Response (Right)**

*"Do you want to tell me your friend's name and anything that he said about this? Your friend trusts you and so he has told you about this. I'm glad that you trust me as well."*

## Section 2... Questions And Answers

1. I have recently received a couple of 'family picture' drawings from a child, in which one person is always scribbled all over and has both hands missing. This is unusual for this child. What should I do?

*If you suspect child abuse, report your concerns to a child protection worker following the procedures on page 16 and 17. If you need more information, ask the child to tell you about the pictures.*

2. A student disclosed that his neighbor abused him. Since the abuser was not his parent I called and told them what the child said. Was this wrong?

*Your first responsibility is to report the matter to a child protection worker*

*following the procedure on pages 16 and 17. It's the role of the child protection worker to inform the parents of the abused child. This prevents any interference with the investigation. In this case, the parents might become very angry and confront the abuser who could then destroy evidence or make up alibis.*

3. A child in my class made a disclosure of abuse to me. Can I remain with her for support during her interview with the child protection worker?

*If a child asks you to go with her to the interview, you may. Children who must undergo an interview investigating abuse are encouraged to take a support person with them. The*

*support person is there to help reduce the child's anxiety and to debrief the child - make sure the child understands what is happening and what is being said. The support person may not take notes or participate in interviewing the child. (Anything written during the interview could be subpoenaed and provided to the lawyer defending the alleged abuser.) If a child is in the care of the Department of Health and social services, the child protection worker can veto the child's choice of support person when she feels it is not in the best interest of the child. A support person may be subpoenaed as a witness if the case goes to court.*

## Section 3

# HOW TO REPORT CHILD ABUSE

---

### Highlights



- If you know about or suspect child abuse you must report it. This is the law.



- The most important steps in reporting child abuse are: telling a child protection worker (Department of Health and Social Services), giving a written report to the child protection worker, and mailing a copy of the written report to the Director of Child and Family Services.



- A sample written report is included on page 18.

- The social worker or the RCMP may conduct interviews at the school or at other locations without permission of the parent or school authorities



- You must keep a report of child abuse confidential\*; discuss it only with the child protection worker (Department of Health and Social Services) or the RCMP; tell your principal that you have made the report.

### Four Main Steps in Reporting Abuse

1. *Make a verbal report.*
2. *Do a written report.*
3. *Mail a copy of the report to the Director of Child and Family Services.*
4. *Tell the principal you have made a report of suspected abuse.*

The law states that every person who knows about or suspects child abuse must report it immediately to a child protection worker (Department of Health and Social Services).

### Who Reports?

It is the duty of the person who receives the disclosure, or who knows about or suspects abuse, to report. The principal can not make the report on behalf of someone else. One staff member can not make the report for another staff member.

### Who Do I Tell?

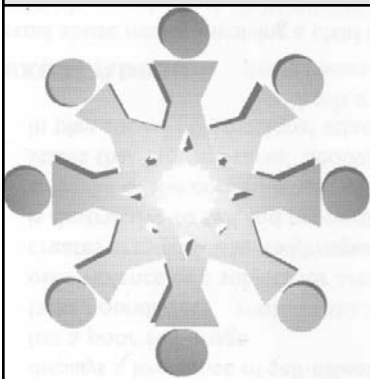
Tell the child protection worker in your community what you know or suspect about child abuse. When a child is in need of immediate protection and you cannot reach your local child protection worker, call the RCMP. Otherwise, if your child protection worker is not available contact one of the following agencies in this order:

- a. the Area Supervisor of child protection
- b. the regional office of child protection
- c. the 'on-call' child protection worker, if it is past office hours
- d. the RCMP.

### Making a Verbal Report of Child Abuse

Use this checklist when reporting known or suspected child abuse to a child protection worker (Department of Health and Social Services). Read through the checklist before calling and have the information ready to tell the child protection worker. Have a pen and paper with you to write down information that you will include in your written report:

- Your name and relation to the child (e.g. parent volunteer, classroom teacher), school or place where report is made, contact number.
- The child's full name, age, gender, grade and teacher.
- The name of the person the child is living with or staying with at the time of the report, (e.g. parent, aunt, grandmother.)
- Details, information or observations about the situation or the disclosure. Include time and date, how disclosure was made or information was received, (e.g. "journal", "noticed cigarette burns on face".)
- Names of other witnesses or persons mentioned in the disclosure as part of the report.
- Information that might be important to the investigators, (e.g. "will be leaving for class trip between 10:00 am and 2:30 pm" or "student leaves for home on the 3:30 bus".)
- Ask for and write down the full name of the child protection worker you talk to as well as any follow-up actions that the child protection worker tells you about. You'll need to include this information on the written report that you will be making.



## Filling a Written Report

Immediately after making the verbal report, complete the form, "Written Report of Suspected Child Abuse," which is available for photocopying on pages 50 and 51. All of the information requested on this form is important; if you choose to use a different form, be sure to include the same information.

All of the child's writing, drawing or artwork that causes you to suspect abuse must be included as part of the written report. Sign and date these supporting documents and make two photocopies of them. Take or mail the original written report, including supporting documents, to the child protection worker who hears your verbal report.

## Informing the Director of Child and Family Services.

Mail a photocopy of the full report to the Superintendent of Child and Family Services. Include copies of any supporting documents, (e.g. notes you have made about the suspected abuse, any of the child's writing, drawing or artwork) that support the report. Mail (not fax) a photocopy of the report to the Director of Child and Family Services in Yellowknife, marking the envelope "Confidential". The address is:

Director of Child and Family Services,  
Department of Health and Social Services  
Box 1320, Yellowknife, NT X1A 2L9

## Informing the Principal

Let the principal know that you made a verbal and written report of child abuse. The principal's signature is requested on the written report form. Note: If the principal is the suspected abuser, do not tell him about the verbal report or have him sign the written form. In this case tell the Superintendent of your Board and send the written report directly to the child protection worker without a principal's signature.

## Interference with Investigations

*School personnel should not contact parents or guardians of the child once a report of known or suspected abuse has been made. This could lead to tainted or spoiled evidence and so cause serious problems with the investigation.*

*Example a) If someone in the child's family has been the abuser, the family may destroy evidence or force the child to deny what has really happened.*

*Example b) In a case where the known or suspected abuse was not done by a family member, the child's parents are often so upset about their child being abused that it causes the child to be more anxious than she already is. Because of this the child is unable to repeat her story accurately to the child protection worker, the RCMP or the court.*

*It is the job of the child protection worker, not school personnel, to contact the parents of a child named in a child abuse report. All care must be taken to ensure that any interview with the child by the child protection worker or RCMP, is as accurate as possible and that it is the child's own story.*

## Do's and Don'ts of Reporting

DO...

1. Complete the verbal and written reports immediately.
2. Write the report as completely as possible; include only the facts, without your personal opinions or judgements.
3. Make two photocopies of the complete written report and supporting documents.
4. Take or mail the original written report, including supporting documents, to the child protection worker who hears your verbal report. Mail a copy to the Superintendent of Child and Family Services. Keep a copy.
5. Keep your copy in a safe and secure place, but **not in the child's permanent student records (cumulative or special needs file)** as these files are usually available to other staff members.
6. Tell the principal about the report and about any follow-up actions to be taken by the child protection worker and RCMP.
7. Maintain confidentiality.
8. Refer any questions from parents/guardians to the child protection worker (Department of Health and Social Services).
9. Keep a record or journal of any details of conversations or events about this case. File this information with your copy of the written report.
10. Update the verbal and written reports if you learn anything new about the suspected child abuse.

DO NOT...

1. DO NOT contact the parents/guardians about the report.
2. DO NOT discuss the report with other school personnel, except the principal (or Board Superintendent if the principal is the suspected abuser).
3. DO NOT place a copy of the written report in the student's cumulative or special needs file.

## Section 3: HOW TO REPORT CHILD ABUSE

A Written Report Form for photocopying can be found in the resource pages at the back of this manual. It is a suggested form only - your Board may have its own.

### CONFIDENTIAL

#### Written Report of Suspected Child Abuse

Attach all of the child's writing, drawing or artwork that supports this report. Sign and date them.

#### PLEASE PRINT AND PROVIDE DETAILS

- From: (Person making the report)  
Name: \_\_\_\_\_  
Position: \_\_\_\_\_  
Telephone numbers: (home) \_\_\_\_\_ (work) \_\_\_\_\_  
School and address: \_\_\_\_\_
- The Verbal Report:  
Date and time of verbal report: \_\_\_\_\_  
Name of person you reported to: \_\_\_\_\_  
Their position: \_\_\_\_\_  
Their phone number: \_\_\_\_\_
- Student Information:  
Name: \_\_\_\_\_ Date of Birth(D/M/Y): \_\_\_\_\_  
Male: \_\_\_\_\_ Female: \_\_\_\_\_  
Grade: \_\_\_\_\_ Classroom teacher: \_\_\_\_\_  
Name and address of the person the child lives with at the time of this report: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- Describe what caused you to suspect child abuse (conversation, events, observations, or circumstances. If you suspect physical abuse please mark injury areas on drawing and describe the injury (e.g. bruising burns). Attach additional sheets as required. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- Did the child protection worker and/or RCMP say that they would be taking any follow-up action?  
Yes \_\_\_ No \_\_\_  
Tell what follow-up actions they are planning:  
\_\_\_\_\_  
\_\_\_\_\_
- Your Signature \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_  
Principal's Signature \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_

### Principal's Responsibilities

When a report of child abuse is made by school personnel, the principal's role is to:

- Understand that it is the duty of the person suspecting abuse to report.
- Record any information or concerns that the person suspecting abuse shares with you about making the report.
- Assist the person suspecting abuse as needed. It is important to remember, however, that a principal cannot make a report on behalf of another person.
- Find out the nature, place, and time of the interview and personnel (child protection worker or RCMP officer) involved.
- Record the names of the investigating child protection worker and/or RCMP officer.
- Provide a place where the child protection worker or RCMP can interview the child privately.
- Let the Superintendent know that verbal and written reports have been made. You can name the child and the person who made the report; however, you must not give any other details of the report.
- Refer any inquiries from parents or guardians to the child protection worker or RCMP.
- Ensure that the person making the report of abuse understands that he is not allowed to discuss child protection cases. This includes discussion with the media.

## Section 3... Questions And Answers

1. The child protection worker in our community is away on court day and I have to report a case of child abuse. What should I do?

*Do not wait for the child protection worker to return. Call the Area Supervisor of the Department of Health and Social Services immediately. If you're unable to contact the Area Supervisor, call the next person on the list on page 16.*

2. When do I file the written report?

*File the written report immediately after you make the verbal report to the child protection worker.*

3. Can I write the written report in my own language?

Yes.

4. What follow-up information can I expect from the child protection worker?

*School personnel should expect limited, general follow-up information about the child, (e.g. where the child will be staying, whom the child will be living with, time when the child will be absent from school because of the investigation or court appearances, whom the child is not to have contact with.)*

5. What if parents come to my

classroom and ask me if I made the report to the child protection worker about abuse of their child? What should I say?

*Tell the parents that you are not allowed to discuss this matter and that they can call the child protection worker for information.*

6. As a private citizen I do not have to forward a written report after the verbal report. Why must I do this if I work at the school?

*A protocol agreement between the GNWT Departments of Education, Culture and Employment; Health and Social Services; Justice; the RCMP; and Justice Canada states that persons employed by the Department of Education, Culture and Employment or Divisional Boards of Education shall follow up a verbal report of abuse with a written report.*

*This is intended to help ensure that the report does get action. It also ensures that your original information about the abuse remains unchanged overtime, court cases may often not take place for months. Write the report carefully and accurately. This written report may be used in court.*

7. Does everyone have to follow the guidelines in the Duty to Report?

*Yes, all school personnel are required by law to report as outlined by the guidelines in "The Child and Family Services Act: Your Duty to Report" on page 2.*

8. I'm a member of the Northwest Territories Teachers' Association. Our professional code of ethics requires me to tell a colleague\* in writing if I am going to make a complaint about him. Does this apply if I'm reporting him for suspected child abuse?

*The Child and Family Services Act takes priority over the NWTTA Code of Ethics so you do not let a fellow staff member know that you are naming him in a case of suspected child abuse. See the Child and Family Services Act on page 2. Making that staff person aware might result in interference with the evidence and investigation.*

9. What happens if I do not report?

*If you do not report, and the child is in an abusive situation, you are contributing to the abuse of the child. If this abuse is reported by someone else at a later date and it is determined that you knew about or suspected the abuse, legal action can be brought against you.*



## Section 4

# **WORKING WITH AN ABUSED CHILD**

---

## **Highlights**



- Abused children often feel guilt, fear, depression and that they are of little worth. School personnel can provide classroom support and assistance in dealing with some of these feelings.



- Abused children require the same care and attention as any other child.

### The Abused Child After the Disclosure

*Children who have been abused continue to feel the effects of abuse long after the crisis of the disclosure is over. Give them respect, understanding, guidance and support. The school should be a safe and nurturing place as well as one which recognizes boundaries and expectations. Above all, the child who has been abused needs to be regarded and treated as normal and **not singled out from the other children in the class. Make sure that your expectations for this child are no different than for other children.***

*In the hours, days, weeks or even months following a disclosure, an abused child may experience a wide range of feelings. Each child will react differently experiencing all of the emotions listed on this page or none of them, experiencing one emotion at a time or several. The child may pass through a particular emotional state, move on, then at a later time, re-experience old disturbing feelings. Try to provide support, guidance and a stable classroom environment.*

*The article, "Reaching and Teaching Abused Children", which begins on page 23, gives practical suggestions for supporting the abused child.*

### The Child's Feelings After Disclosing

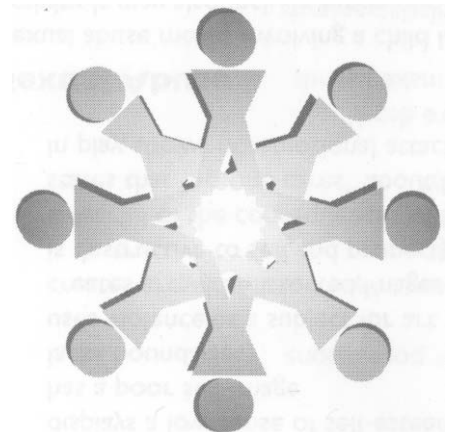
Listed below are several of the feelings that an abused child experiences at different times after a disclosure.

- anger at the abuser
- anger towards the person the child disclosed to
- worry about the reaction of peers, teachers or others in the community
- guilt or shame
- feelings of blame for breaking up the family
- fears and concerns about court cases
- insecurity about being placed in foster care or being away from other family members
- sense of relief at having told someone
- loneliness and isolation

### How Can I Help an Abused Child in the Classroom?

The best thing that teachers can do for abused children in the classroom is to expect them to be students who do their work and participate in class activities like all other members of the class. Abused children often display recognizable, sometimes predictable behaviours because of the turmoil they have been through. They need, more than ever, the same supportive, stimulating and structured classroom atmosphere that all children need.

The following article offers valuable insights into what the world of the abused child has been like. It also provides sound, practical suggestions for providing all children, and especially abused children, with emotional support, as well as social and self-empowerment skills - those skills that allow children to have some control over their lives.



# Reaching and Teaching Abused Children

Marilyn E. Gootman

Marilyn E. Gootman is Assistant Professor, Department of Elementary Education, University of Georgia, Athens.

Millions of children carry more than their book bags to school each day. They haul the baggage of abuse straight into the classroom. And what do they unpack? Pain masquerading in the guise of misbehaviour and underachievement.

In the classroom, many abused children act out their searing pain because they cannot express it in words. They act out this pain in disruptive, annoying and frustrating ways through behaving aggressively, hurting others without seeming to care, deliberately annoying others, being hyper-vigilant, dissociating themselves, fearing failure, and other dysfunctional behaviours frantic signals for help. By understanding the causes, teachers can help these students learn socially acceptable coping

strategies.

Teachers can be "enlightened witnesses" for abused children. By believing that there is a core of goodness within each child and that children are not to blame for their abuse, an "enlightened witness" can help children overcome the trauma of mistreatment.

Research with adults who had been abused as children has found that abused children who grew up to be healthy, non-abusing adults knew an adult during their childhood who treated them with empathy and encouragement and inspired confidence in them.

Children who did not have such an adult were not so fortunate. Their dysfunction continued into adulthood. Being such a supporter does not require extra time, just

sincerity and confidence in these children.

Trust, empathy and the patience to help wounded children develop socially acceptable coping strategies can plant healthy seeds within the child that will flower in the future. The key lies in acknowledging that these children are not at fault, understanding the nature and origin of their behaviours, and then using the classroom experience to counterbalance the situation.

The behaviours discussed below are some of the more common dysfunctional behaviours manifested by abused children in the classroom. The behaviours can have more than one origin and more than one solution.

## Behaving Aggressively

### Origin #1

All children identify with their parents. Abused children are no exception. As part of the process of identification, children copy parental behaviour whether or not the behaviour is worthy of copying. If parents hit their children, their children will hit others. If parents have no impulse control and lash out when they are angry, their children will do the same. Many children who have been treated aggressively at home carry that learned aggressiveness into the classroom.

### Strategy #1

*Children also identify with teachers. If teachers "keep their cool" when angry, restraining themselves from lashing out at students whether verbally or physically, they can counterbalance aggressive models children may observe at home. A teacher who remains calm yet firm when angry, can replace the aggressive parent model and become a constructive source of identification. Staying calm does not mean ignoring inappropriate behaviour. Rather, it means staying calm when dealing with it.*

### Origin #2

Abused children are usually enraged by their mistreatment. Anybody who is abused has a right to be furious. Their rage silently fomented within them, because expressing their anger would antagonize their abusers and generate further mistreatment. But rage can only boil within for so long before spilling out. Abused children spill their rage on "safe" targets, such as classmates and teachers, rather than on those who instigate it. They seem angry all the time and are constantly getting into fights.

**Strategy #2**

While their rage is certainly a justified response to abuse, taking it out on others is not. Angry children need to learn that while they are entitled to their anger (as well as to other feelings), they are not entitled to express their anger through hurtfulness and aggression toward others. Three basic components to helping abused children deal constructively with their anger are:

*Acknowledgment*

Acknowledge when they are angry, recognizing that they are entitled to their feelings. Bring the anger to the children's attention and then help them to recognize their own personal symptoms of anger getting hot, shaky, sweaty, cold. Help them figure out their physical responses. Each person's reactions are different. Do not try to deny the anger or convince the children that they have no right to be angry. They will only become angrier. No one has the right to tell someone else how to feel.

Try not to get angry at children for being angry. Remember, you are not

responsible for their anger, so don't take it personally. Also, try not to be afraid of angry children, lest it render you powerless.

*Cooling down*

Once children recognize the symptoms of anger, help them learn cool-down techniques, such as deep breathing, counting backward from ten, writing, drawing, painting, scribbling, making something or listening to music. Find something that works for them personally and helps them release tension.

*Verbalization*

Encourage children to put their feelings into words. Focus on the feelings behind the anger smokescreen. Listen. You do not have to agree, but they need to be heard. The goal is to teach children to substitute words for actions when they are angry. Also, remember to be encouraging when children behave with self-control and do not act out.

Origin #3

There is absolutely nothing children can do to protect themselves

from a powerful, abusive adult. Abused children are terrified of re-experiencing the utter helplessness and powerlessness they suffered during abuse. When they fear that their safety or self-esteem may be threatened again, they try to replace helplessness with power by becoming aggressive and lashing out. They try to achieve mastery over a previously passively experienced danger, by being able to predict when the punishment will come and thus preparing themselves.

**Strategy #3**

The key to helping abused children lies in giving them a positive sense of power and control over their own destiny. Allow them to make choices about their work. Involve them and all their classmates in determining classroom rules. When they break a rule, let them help you decide on an appropriate consequence. Encourage them to adopt a problem-solving approach: "This is what I did. This is what I can do next time instead."

**Hurting Others Without Seeming To Care**

Origin

Many abused children are hurt so often that they finally close off their minds from feeling. The only way they can tolerate their suffering is by suppressing their feelings so that they are no longer aware of them. but as Alice Miller notes, "the repression of our suffering destroys our empathy for their suffering of others." Children who cannot feel their own pain do not know that others feel pain, and therefore hurt without feeling empathy for their victims.

**Strategy** Even if they are ignorant about pain, no child should ever be allowed to hurt others. children must be directly confronted and stopped when they cause pain, and be told that they are hurting others. "Stop that. When you poke Bill with the ruler, it hurts."

Acknowledge when children are hurt. Because they have numbed themselves from feeling pain, abused children are often unaware that they have been hurt. they may act totally unaware of an injury they have sustained, such as a serious cut or bruise. Saying, "That must have hurt when you fell off the wing" helps

them to acknowledge their own hurts. At first they may deny that they are feeling pain, and my act as if they do not know what you are talking about. Nevertheless, they need to be reminded when they hurt in order to reawaken their feelings. Once they feel their own pain, they will learn to acknowledge the pain of others as well.

Try to help them see that pain is an alarm that warns them to cry for help. Do not be concerned if their initial response to pain is exaggerated. This is a common reaction when the senses are reawakened.

## **Deliberately Annoying Others**

### Origin #1

Often abuse happens spontaneously, without misbehaviour or provocation on the part of children. Abused children frequently have no idea when they will be hit. they unpredictability terrifies many children and renders them totally helpless. In order to overcome this sense of powerlessness, some children deliberately provoke as if to say, "I will misbehave so that I will be in control and know exactly when I will be punished."

**Strategy #1** *A predictable environment is essential for abused children. Knowing the routines of the day - when they eat, when they go to recess, when they study math - reassures them that order, rather than chaos, is the modus operandi in the class. They also need to know when routines will be changed, e.g., for a class play or a field trip. Advance preparation eliminates the fear of randomness and helplessness. in addi-*

*tion to routines, clearly stated rules and consequences are essential for creating a predictable environment. Knowing in advance what is expected of them gives children a sense of self-control and responsibility.*

### Origin #2

Some children receive very little stimulation except when they are being abused. They so desperately want to be touched and noticed that they will even provoke punishment in order to get attention. They transfer this behaviour into the classroom and deliberately annoy teachers to get attention.

**Strategy #2** *Annoying children are often ignored because "they are just looking for attention." They are usually looking for attention because they need it, and if positive attention is not given, these children will demand negative attention. Praising them for improvement or accomplishments is positive attention. Giving them responsibilities in the classroom, such as taking care of a pet, delivering messages to the office or erasing the black-*

*boards, is positive attention (if you fear you cannot trust them alone, pair them up with a more responsible child). Calling when they are absent or listening to their ideas is positive attention. Having them share a hobby or special knowledge with the class is positive attention. Such positive recognition helps convince children that they are worthwhile human beings and encourages them to seek recognition in socially acceptable ways.*

## **Being Hypervigilant**

Some children always seem to be on guard and are hypervigilant while sitting passively. they are fearful, suspicious and mistrustful - always on the lookout for potential dangers. these children are acutely sensitive to mood, tone of voice, facial expression and bodily movement. Often they are afraid to express their own ideas.

### Origin

Abuse is unpredictable. Children never know when they are going to "get it" next. Abusers are impul-

sive and often lash out unexpectedly with no rhyme or reason. Therefore, abused children have to remain constantly on guard. they also have to remain on guard in the outside world lest an event occur that might trigger the same feelings of helplessness and panic. hence, their frequent state of "froze watchfulness". Unfortunately, because they are using their receptors to identify potential dangers, they may not use them to process the environment, thus compromising their learning.

**Strategy** *A predictable environment is essential for hypervigilant children. Clearly stated routines, rules and consequences that are consistently followed will gradually help reduce their hyper-alertness. these children also need teachers who remain calm and who do not explode in unpredictable outbursts.*

**Dissociating Themselves**

Some children become trance-like in school. They may appear “spacey” and forgetful, and frequently daydream. Through the process of dissociation, they remove their minds from their bodies. Some of these children read and do not seem to be processing what they are reading. When carried to the extreme, dissociation can lead to multiple personalities. Scientists believe that some children may have a genetic predisposition to this form of coping.

Origin

Many children dissociate or hypnotize themselves, separating

their minds from their bodies to escape overwhelming thoughts, emotions and sensations they experience during abuse. They also dissociate to defend themselves against any even that might trigger memories of their original suffering. Therefore, they may become spacey or dissociative in school when they experience an echo of their painful experience. Even a seemingly innocuous story in a reading book could trigger this reaction.

**Strategy** *First, try to recognize when this happens to your students. It is neither the children’s fault nor yours. Children do not deliberately go into a trance, and you have not knowingly caused it. Try to stand by*

*these children and gently bring them back, perhaps by softly calling their name. Do not reprimand children for dissociating. Privately help children become aware of what is happening (“I notice that when...”). Also, help children to identify and sort out feelings of sadness, anger and happiness. Make children aware that each person has many feelings, and that thought and feelings are not the same as actions. Nobody will punish or reject them for their thoughts and feelings.*

**Fearing Failure**

Some children seem to give up before they even try. they may cry and tremble when faced with a new lesson or activity. “I can’t” is their favourite phrase. Some try so hard to get everything just right, that they never finish their work.

Origin

Some parents hold unrealistically high expectations for their children. When the children fail to meet these expectation, they heap physical and/or emotional abuse upon them. “How can you be so stupid?” and “What’s the matter with you, dummy?” can hurt just as much as the sting of a belt. These children are paralyzed by the fear that they will make a mistake.

**Strategy #1** *Try to have a fail-safe environment in the classroom. Allow children to correct papers until they are right, rather than grading them. Break work down into small segments that are easier to grasp. Also, your contact with parents must be very circumspect. Try to be as positive as you can, rather than venting your frustration with the child’s behaviour as this could likely generate further abuse.*

**Strategy #2** *Use a problem-solving model for dealing with misbehaviour:*

- 1.) *state the problem*
- 2.) *brainstorm solutions*
- 3.) *choose a solution*
- 4.) *implement the solution*
- 5.) *evaluate whether the solution is working, and*

- 6.) *if the solutions fail, return to step 2. Problem-solving helps children learn that we all make mistakes, and that mistakes are part of learning.*

*You will probably meet several abused children during your teaching career. their behaviour is often exasperating. they pose a challenge for the best of teachers. But remember, they will likely continue along this destructive path unless and “enlightened witness” steps forward.*

---

Marilyn E. Gootman, in “Childhood Education, Infancy Through Early Adolescence” pp. 15-19, Journal of the Association for Childhood Education International, Fall 1993

## Section 4... Questions And Answers

1. I recently reported a case of child abuse. Now the student seems to be angry with me, and I am not sure how to approach this.

*This is a normal and very common reaction. Do not take it personally. If the anger is not getting in the way of school work, do not worry about it. Keep encouraging and supporting the child. If the anger is interfering with her work, respond as you would with any angry child. If the child continues to have difficulty meeting the expectations you have for her class behaviour and work, consult with the program support teacher, principal or school counsellor.*

2. I am aware of two students who have been sexually abused. I have to

start teaching a child abuse prevention program. What should I do?

*Some schools require parent permission for children to participate in a child abuse prevention program. Other schools inform parents before beginning the program so that parents may withdraw their child from the program if they have concerns. High school students can be given the opportunity to choose to attend the program. Acknowledge with the class that the subject involves sensitive topics and matters of a confidential nature. Assure your students that the class will not be talking about any of them personally, and that you will be providing the class with the names of counsellors or social workers whom they will be able to contact if they*

*wish to speak privately to a trusted adult. Be sure not to 'centre out' the abused students, and keep in mind that they are likely to be especially sensitive to the topics.*



Section 5  
**CHARGES OF CHILD ABUSE  
AGAINST SCHOOL PERSONNEL  
OR AGAINST A STUDENT**

---

**Highlights**

- Section 43 of the Criminal Code of Canada allows the use of reasonable force to correct a student's behaviour or for the benefit of the child.
- NWTTA policy encourages school personnel to avoid use of physical restraint\* when dealing with students.
- NWTTA policy also recommends that members refrain from any physical demonstration of support, affection or validation\* of students.
- NWTTA members are encouraged to contact central office immediately in cases of assaults, threats, intimidation\*, or harassment\* by students, parents, community members, or other staff members.
- The Child and Family Services Act takes priority over union bylaws regarding the reporting of suspected child abuse.
- Members of other unions (e.g. Union of Northern Workers or United Steelworkers of America) should contact their union if they are accused of child abuse.
- If a student sexually abuses another student, do not deal with it as a school discipline problem. Contact a child protection worker immediately. Do not interview or investigate.



### Protection of School Personnel

#### Correction of a Child by Force

*The Criminal Code of Canada, Section 43 states, "Every school teacher, parent or person standing in the place of a parent is justified in using force by way of correction toward a pupil or child, as the case may be, who is under his care, if the force does not exceed what is reasonable under the circumstances."*

**"Reasonable under the circumstances" means that the use of force must never harm the health of the child or cause injury.** *It also means that if you feel it necessary to use force for the correction and benefit of a child, you must consider:*

- *the age and character of the child: is there another way to reach a child of that particular developmental level and nature/personality?*
- *the conduct of the child: is the child's behaviour serious enough to call for the use of force, (e.g. is it likely she will harm herself or others?)*
- *the effect of the punishment: will the use of force positively change the child's behaviour, or will it worsen it?*

If an NWTTA Member is Accused of Child Abuse

The following is based on the NWTTA Policy EP2-93, "Alleged sexual or physical assault by an NWTTA member":

Although teachers have the protection of 'reasonable force' under Section 43 of the Criminal Code, the NWTTA advises members not to use physical restraint or force when dealing with students. The NWTTA also advises members not to use physical forms of affection, support or validation, (e.g. hugging or touching, when dealing with students.)

If an NWTTA member is alleged to have physically or sexually assaulted or abused a student, the following procedures are to be followed. These procedures have been jointly and cooperatively developed by the NWTTA and the Department of Education, Culture and Employment:

1. Review NWTTA Policy EP2-01: Legal Assistance. The Association will not be held responsible for any legal costs without prior approval. Contact the President or Executive Director of the Association at (403) 873-8501 for authorization before hiring a lawyer.
2. Do not comment on the incident to the RCMP. Insist on legal counsel\* before responding to questions by the RCMP. The police are not working for your benefit. Their role is to investigate allegations\*.
3. Do not submit a written statement to the principal or to anyone unless you have the permission of a lawyer.
4. Immediately write down the details of the incident, documenting all matters.
5. Do not speak of the matter with anyone except the NWTTA representative or your lawyer. Be particularly careful not to communicate with the student's family.
6. If immediate legal advice is required and NWTTA Central Office staff are not available, members should contact the Legal Aid office for INTERIM ASSISTANCE ONLY.

## Sexual Harassment of Students by School Personnel

Sexual harassment, as defined by the GNWT Human Resource Manual, is "behaviour, actions or remarks of a sexual nature that are unwanted or unsolicited." It can include stares or leers at a person's body, as well as jokes, taunts or remarks that are unacceptable and offensive. While not an offense under the Criminal Code, sexual harassment is unprofessional and abusive behaviour that can be both demoralizing and emotionally damaging to its victims. The NWTTA Code of Ethics prescribes the member-pupil relationship. Relevant directives from the Code of Ethics state that:

- a member's first responsibility is to the pupils in his or her charge,
- a member should always remember that the intellectual, moral, physical and social welfare of his or her pupils is the chief aim and end of education,
- a member shall recognize that a privileged relationship exists between the teacher and his or her pupils, and shall refrain from exploiting this relationship. Staff risk their professional status and may invite charges of abuse if their behaviours are taken as sexual harassment.

Boards can discourage offending behaviours by providing awareness training about sexual harassment for staff and students, and by developing a written policy which defines sexual harassment, presents examples of inappropriate behaviours, and outlines complaint procedures.

## Reporting a Fellow NWTTA Member Suspected of Child Abuse

The Child and Family Services Act takes priority over the NWTTA Code of Ethics, so even though a teacher's obligation under the NWTTA Code of Ethics is to notify a colleague in writing when laying a complaint against the colleague, this does not apply in cases of alleged or suspected child abuse.

Report without delay, directly to a child protection worker (Department of Health and Social Services) as required. Do not interfere in the investigation by notifying the NWTTA member that a report has been made. Reporting done with malice or for the purpose of mischief is subject to review and possible discipline under both Criminal and Civil Law, as well as under the NWTTA Code of Ethics.

## Alleged Abuse by a Student

It is important to remember that the safety of students in the school is of prime importance. The abuse of students by other students can happen in a number of ways, and so calls for different responses from school personnel.

A) A student who physically harms another student

- Isolated incidences of physical aggression: Most schools have discipline policies outlining procedures for dealing with isolated incidences of physical aggression in which no physical injury is sustained by a student. An isolated incident of this type is a school discipline matter.
- Intentional, aggravated or repeated physical assaults: The matter of one student physically harming others becomes more serious when the harm is intentional or aggravated (resulting in injuries), or if it is a behaviour exhibited more than a few times by the student.

Aggression of this type will have to be dealt with on a case by case basis. It may be necessary to report a first-time incident as abuse to a child protection worker because of its severity, or it may be decided that the student's behaviour can be corrected using available school resources.

Because the safety of all students in the school is of prime importance, special intervention, (e.g. a comprehensive behaviour management program,) will be required if it is decided that a student's physical aggression is a school discipline matter. It may involve teachers, parents, counsellors, program support staff, and/or administration, and could involve counsellors or therapists from outside the school system.

The goal of the behaviour management program will be to help the student to develop more appropriate behaviours. The offender, and all students, must clearly understand the first and most important rule: No harm will be done to another student or to yourself.

Make the student aware of clear expectations for his behaviour, as well as the consequences (what will happen if the expectations are not met). Inform all staff and the student's parents of both the expectations and consequences for the offending student. A comprehensive behaviour management program

### **If Union of Northern Workers/United Steelworkers of America Members are Accused of Child Abuse**

*School personnel who are members of the Union of Northern Workers or the United Steelworkers of America should contact their respective bargaining units if they are accused of child abuse. At the time of writing, these associations had no specific by-laws or procedures pertaining to allegations of child abuse.*

requires that all staff who come into contact with the student have the same expectations and consequences for that student's behaviour. Closely monitor the student's behaviour to see if there is improvement.

Set up an action plan in the school to respond to the next act of aggression by the offending student. Often the plan is to have a staff member remove the student from the classroom to a place where he will not endanger any other students, where he will also be safe, and where he can be monitored.

Through discussion with support staff, decide upon a reasonable time frame in which to reach the goal of improved behaviour. At the end of that time, reassess. If some improvement can be seen, it may be agreed upon to continue with the behaviour program, again for a measurable time, or it may be decided to make some changes in the program.

Sometimes the classroom teacher can become aware of subtle or slight behavioural changes in the offending student that serve as signals. They let you know that the student is having difficulty maintaining expectations and is about to reoffend. It can be helpful if the teacher acknowledges this difficulty, makes the student aware of the signals, and helps the student discover what is "triggering" the negative or stressful feelings.

The teacher and student might then develop a personal response plan for the student: when the student next becomes aware of her negative feelings and the triggers that cause them, she will set out to derail her offending behaviour (e.g. silently counting backwards from one hundred, or removing herself to the quiet library corner of the room, or walking to the drinking fountain at the far end of the school hall.)

*Occasionally, a student's behaviour shows no sign of positive change. If the student physically abuses another student, this must no longer be handled as a discipline problem. Report the abuse to a child protection worker following the procedures outlined on pages 16 and 17.*

The student who continues to be a threat to other students even after a comprehensive behaviour management program has been in place, may also be a victim of abuse.

### **B) Alleged sexual abuse of a student by another student**

1. Call a child protection worker immediately and file a written report as outlined in "Filing a Written Report", just as in any other case of known or suspected sexual abuse. This is more than an issue of school discipline. The safety of all students in the school is a concern. Most Boards have a Policies and Procedures Manual that provides guidelines for such cases.

*Concerns of the Principal and Child Protection Worker:*

Pre-planning and discussion with your community's child protection workers will help you to cooperatively develop a plan of action that will meet both the principal's concern for the safety of all students and the child protection worker's concern that nothing interfere with the investigation of alleged abuse.

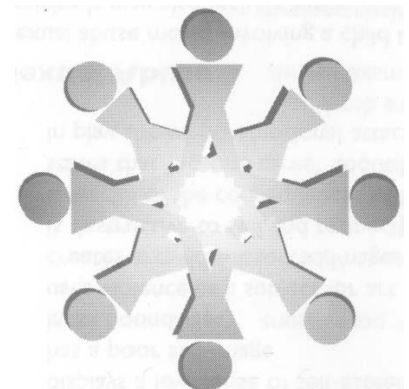
## **A typical order of events in dealing with the alleged sexual assault of one student by another student:**

- the student alleges that he was sexually assaulted by another student.
- the person who receives the disclosure immediately calls and reports the abuse to the child protection worker, follows up the call with a written report to the child protection worker and a copy to the Director of Child and Family Services, and makes the principal aware of these steps. See page 17
- the principal calls the child protection worker to let her know that for the safety of all students in the school, he finds it necessary to suspend the alleged offender. (The Education Act states that the principal has the authority to suspend or recommend expulsion of a student if that student presents a danger to the other students in the school. If it is the principal's judgement that this is the case, he will then follow his Board's Policies and Procedures in carrying out the suspension or expulsion.)
- the child protection worker asks if the principal will hold off the suspension until she has had a chance to investigate the incident.
- the principal agrees, but because of the urgency of the situation requests that the child protection worker notify him, within a day or two at the latest, so that he can proceed with the suspension.
- while awaiting notification from the child protection worker, the principal ensures that the alleged offender is never left alone with other students, but is constantly under the watchful eye of staff. Neither the alleged offender nor the other students need be aware of this close supervision.
- the next afternoon, the child protection worker informs the principal that a charge of sexual assault will be laid against the alleged offender.
- the principal advises the alleged offender and his family that he will have to leave school under suspension.

2. School personnel are not to contact the parents of the abused student. This is the role of the child protection worker. Any interference by school personnel can cause problems with the investigation. Parents who receive such a call from a child protection worker may feel that the school has neglected to keep them informed of the welfare of their child. The child protection worker can inform the parents that she has been contacted because of the school's concern for their child, and can briefly explain to them why this is the responsibility of the child protection worker, rather than the school. Protocol items such as this are best worked out between the school and the child protection workers during their cooperative pre-planning session.

3. Avoid questioning the alleged abuser. Investigating is the role of the child protection worker and the RCMP.

4. Avoid communicating with the parents of the alleged abuser. If the alleged offending student has to go with the child protection worker or RCMP, the principal will call the student's parents to inform them of their child's whereabouts. The principal will not discuss details of the alleged sexual abuse incidents with the parents, but will refer them to the investigators. The child protection worker or the RCMP



Section 4... Questions And Answers

1. There are several 14- and 15-year-old boys in our school who have been initiating sexual contact with very young students. How should this be handled?

*This must not be handled as just a school discipline problem. Report what has happened to a child protection worker immediately and file a written report. Inform your principal of the action taken. **Do not investigate or question the alleged abusers.***

*Some of the major concerns in dealing with students who sexually abuse other students are outlined in "Alleged Abuse by a Student".*

2. A parent recently threatened to report me to the police for assaulting his son. What should I do?

*Call your professional central office immediately (either NWTTA, Union of Northern Workers, or United Steelworkers of America). Do not do anything further until advice from your professional union is provided (See pages 30 and 32).*

3. It seems to me that there is a grey area between problems that the school should deal with and those that the school should turn over to a child protection worker. How can I know what to do?

*In the case of alleged sexual abuse, there is no grey area. Report to a child protection worker as you would any suspected sexual abuse. For possible physical abuse there is a grey area which we have tried to explain on pages 31 and 32.*

4. I am a male teacher and have a student in my class who is always trying to rub her chest against me. What do I do?

*There are several important issues in this question. First, it is important for the child's protection that she learn that this is not appropriate behaviour, since it appears to invite a sexual response. You must set the boundaries/limits and tell her that this behaviour is not acceptable and must stop. This would best be done out of earshot of the rest of the class and with another staff member present, preferably a counsellor.*

*Second, her behaviour may be a sign that she has been, or is being, abused. See page 5 for signs of sexual abuse. Note whether any other signs of abuse apply to the student. If you suspect possible child abuse, report your concern to a child protection worker immediately, following the procedure outlined on page 16.*

*A third matter of concern in this situation is your own professional protection. Never allow this student to be in your company alone; make sure there is always someone else with you and the student. Try to keep a desk between yourself and the student. Document the incidents and tell your principal about them. If it happens again, the principal should remove either the student or you from the situation.*

5. I told a student that she could call me at any time if she needed help. Now she comes to my home and calls at late hours. How should I deal with this?

*Let the student know right away that your offer for extra help has not been properly understood by her. Then tell her in such a way that the boundaries/limits are very clear to her, (e.g. "Don't call after 8:00 p.m.") If you have offered the student help of a*

*personal nature, it would be better to refer her to a counsellor. For your own protection, avoid being alone with the student at your home.*

6. I am a male teacher. Every time I look at one of my female students, she complains that I am looking at her body. How should I deal with this?

*This question brings up the same concerns as Question 4 the student's need to learn appropriate behaviour for her future protection, the possibility that the student has been, or is being abused, and your own professional protection. Follow the recommendations in the response to Question 4.*

7. The Youth and Criminal Justice Act does not allow for children under the age of 12 to be charged for offenses under the Criminal Code. If one of these young students sexually assaults another student, what do we do?

*You must still report the incident to a child protection worker right away, following all of the usual procedures for reporting child abuse. The child protection worker will likely want to investigate the root of this behaviour, as it is possible that the alleged offending child is also a victim of abuse.*

## Section 6

---

### Highlights



- A child abuse case may result in two separate court cases: Child Protection Court will determine if the child needs to be protected from a dangerous home environment, and Criminal Court will determine if there has been a criminal offense committed against the child.
- If you have received a disclosure from a child, you may have to testify in court.
- If you received a subpoena, you must attend court.
- As a witness, there are several steps you can take to get prepared. There are also items, such as school documents and records, that you may be requested to bring to court with you through the subpoena.\*

### In the Courtroom

**Child Protection Court:** is the responsibility of the Department of Justice, GNWT.

**Criminal Court:** is the responsibility of Justice Canada, in the Federal Government. It handles all offenses under the Criminal Code of Canada; child abuse is one of these offenses. Court may be held in a community hall, court house or other facility.

Usual court personnel and their roles are outlined below:

**Judge:** listens to all testimony\* and makes decisions about what will happen.

**Court Reporter:** will record or make notes of everything said during the regular court proceedings, including what you say in your testimony.

**Court Clerk:** will ask you to take the oath promising to tell the truth.

**Witness:** is responsible to respond truthfully to questions from the Crown Prosecutor, the Defense lawyer, and possibly the Judge.,

**Crown Prosecutor (Prosecution):** will try to prove that the accused is guilty of child abuse as charged, and will ask witnesses questions about the evidence. This part of the hearing is the examination-in-chief.

**Defense:** is responsible to show why there may be reasonable doubt that the accused is guilty, and will ask witnesses questions about the disclosure. This part of the hearing is the cross-examination.

**Accused Person:** alleged offender, abuser; will be in the courtroom and may be asked to testify. Others who might be present: child protection worker(s), RCMP, a jury, translator/interpreter(s).

**Gallery:** an area for the general public to sit and observe the proceedings.

### When One Child Abuse Case Results in Two Court Cases

There could be two court cases for the same child abuse offense. If the Department of Health and Social Services feels that the child needs to be removed from the home for his own protection, they will ask for a decision on this in Child Protection Court. This court will decide where it is safe for the child to live at home, in a foster home, etc.

It is the responsibility of the Criminal Court to determine if the alleged offender/abuser is guilty of the abuse charge. The judge of the Criminal Court hands down the sentence for the alleged offender who is found guilty.

### School Personnel as Witnesses

During an investigation of child abuse you might be interviewed by the RCMP and/or the child protection worker. If the information you have is important to the case, (e.g. knowledge of the child's behaviour, appearance, or statements made during a disclosure), you may be asked by either the Prosecution or the defense to serve as a witness.

A subpoena is a written order of the court telling you that you must attend a court of law. It will let you know when and where to appear in court and whether the Prosecution or defense is requesting you to be a witness. You can be arrested if you receive a subpoena and don't appear in court.

The RCMP serve (deliver) Subpoenas in the NWT and explain the information in the subpoena at that time. If travel is required to attend court they will let you know whether you are to arrange travel and accommodations by phone with RCMP Headquarters in Yellowknife or through your community RCMP detachment.

The Department of Justice, GNWT will pay reasonable costs (at standard GNWT rates; receipts may be required) for the travel, accommodation and meals of persons who have been subpoenaed to appear as witness in criminal court outside of their home community, for the time they are directly en route to/from court and the time they are required to be at court.

### Witness for the Prosecution

If the Prosecution has requested through a subpoena that you serve as a witness, they will likely contact you to review the information you have and discuss any documents that they want you to bring to court, (e.g. the child's journal, artwork or attendance records.) If you do not hear from them you can call the Crown Prosecutor to discuss your role as witness, as well as any problems you may have getting the materials they want. The school may have to authorize the release of certain documents such as attendance records or cumulative files.

### Witness for the Defense

The defense Lawyer is working for the alleged offender, not for the advantage of the child. If the defense lawyer contacts you before the court date, or even

during court, do not answer their questions. Do not give out any information about a student to the defense lawyer...not verbal or written, or the student's work or records. A court will decide if the student's records are relevant to the trial and if the defense is allowed to see them. The defense lawyer is not permitted to ask school personnel to see school records before the court, unless a court order has been properly applied for and obtained in advance, and is presented to school personnel.

**GNWT Employees:** If you are a GNWT employee and have been subpoenaed as a witness by the defense, contact the GNWT Justice Department right away to let them know. A lawyer from Legal Division, GNWT Justice (not the defense lawyer) will advise you on the release of information such as the student's records or documents.

**Non-GNWT Personnel:** Non-GNWT school personnel who have been subpoenaed as a witness by the defense should notify the Superintendent of your Board who can put you in contact with the Board's lawyer for advice on the release of student records or documents.

### Going to Court as a Witness

When going to court as a witness, the following steps should be taken in order to meet the requirements of your school and the court:

1. Complete a leave form as required by your school. Attach a copy of the subpoena. Plan your leave or absence from school to include travel days if necessary. If your school system does not use leave forms, make the usual arrangements with your principal to be absent for the required number of days.
2. If you learn, while at court, that you are required to be there for longer than you had planned, inform your principal as soon as possible.
3. Be sure to get any documents requested in the subpoena well ahead of time and take them with you to court in a sealed envelope.
4. Take your subpoena with you to court and give it to the clerk of the court who can then make note that you are present and arrange for your expenses to be paid. Witnesses who do not receive pay from their employer for the time they are in court will receive a witness fee.
5. Arrive on time and be prepared for a long wait.
6. Review any notes you may have kept about the case, as well as any concerns you have about your testimony or giving your testimony under oath.
7. Do not discuss your testimony with other witnesses.
8. If you need more information about the court process or your subpoena, you can call collect to the Victim/Witness Assistant (in the Crown Prosecutor's Office) in your region.

### Section 6...Questions And Answers

1. I have been subpoenaed to court and have been requested to bring attendance records. The principal says they can not be released. What do I do?

*If the documents that have been subpoenaed are within your control, (e.g. child's journal or artwork) bring them with you and inform your principal and the GNWT Department of Justice. If you do not have access to the subpoenaed documents, inform the GNWT Department of Justice.*

2. What is the role of the GNWT Department of Justice?

*The GNWT Department of Justice advises or counsels all departments of the GNWT in court matters. This includes the Department of Education, Culture and Employment and its representatives (GNWT Board personnel) as well as the Director of Child and Family Services and other representatives of the Department of Health and Social Services.*



Section 7  
**TAKING CARE OF YOURSELF**

---

**Highlights**



- It may be difficult for school personnel to cope with the issue of child abuse.
- School personnel may need help themselves when dealing with child abuse issues.



- It is important to deal with any feelings or concerns that may arise when dealing with child abuse issues.

### The Difficulties of Coping with Child Abuse

Coping with the issue of child abuse can be very difficult. It can stir up many questions, concerns and emotions both personally and professionally. In some cases this may be the result of:

- personal experiences with child abuse
- feeling 'burned' after reporting a situation and no response, help or action seems to have taken place
- feeling disappointed or hurt by the child's anger towards you after the disclosure
- feeling discouraged because a child retracted the disclosure, saying that the abuse did not happen
- feeling generally uncomfortable with the dynamics of child abuse, (e.g. having to refrain from communicating with the parents, the possibility of being called as a witness, the possibility of the child being taken out of the home, etc.)
- feeling concerned about becoming involved
- fearing retaliation or criticism from colleagues and community members for reporting
- feeling guilty or responsible for the breakup of the child's family or for what happens as a result of the report
- fearing what might happen if you falsely report a fellow staff member as an abuser.
- fearing retaliation or criticism from colleagues and community members for reporting

These feelings and concerns may result in:

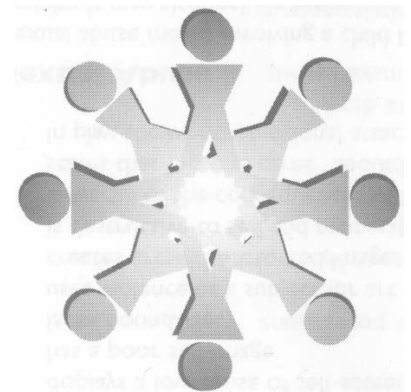
- lack of participation in child abuse prevention programs
- inner feelings of anger or disappointment with the helping agencies
- discomfort in accepting responsibility for reporting cases or helping students
- anxiety about retaliation
- self-doubts about your actions, abilities, judgement and professionalism
- denial of the responsibility to report
- becoming overly involved with children who have reported
- concern about contact with students, (e.g. hugs or pats on the back or being alone with a student.)

Because children spend such a large part of their time at school, in the care of their teachers and other school workers, the school is a likely environment for noticing signs of child abuse. For this reason, it is important for you, as a member of the school team, to understand your own feelings and concerns about child abuse. Your response to an abused child can often prove critical to how that child feels once the disclosure has been made. If you are able to provide an emotionally stable and supportive learning environment for the child, it is possible to counteract some of the trauma the child has experienced.

## Taking Care of Yourself

- *Talk* with a counsellor, therapist, or other qualified person if the issue of child abuse feels difficult or is causing you some personal trauma or anxiety. It is possible to get the support you need without sharing details of reported cases of abuse.
- *Remind* yourself that you are not responsible for the abuse of this child. You are only responsible for reporting suspicions of abuse. Once you have done this, you have done an important job.
- *Meet* with other agencies to become aware of what happens after you report suspected abuse, and to discuss ways of working together to improve support systems for staff.
- *Recognize* that your role of providing support and understanding to a child is a significant one.
- *Ask* questions or seek help from qualified counsellors or service personnel when something is not clear. While you are unable to speak about reported cases because of confidentiality, there may be general questions you would like to ask about child abuse, reporting, or court procedures.
- *Inform* yourself about the issues of child abuse through professional reading. Suggested titles can be found in Section 8.
- *Request* professional development on child abuse awareness, reporting procedures, and child abuse prevention programs. Request that local child protection workers be invited for awareness or planning sessions.
- *Take Time* to review child abuse prevention programs and materials. It is important that you feel comfortable presenting this information to students. If you do not feel comfortable, consider joining with other staff members or health/social workers in a shared teaching approach.
- *Look* at fears and concerns that you might have about mistakenly filing false reports or having false allegations made against you. If you are worried that charges of child abuse may be aimed at you because of your contact with students:
  - do not invite students to your home,
  - do not remain alone with a student,
  - leave your classroom door open,
  - refrain from any physical contact including hugs,
  - avoid covering up windows in doors, or windows that look into your work area.

For more information on professional conduct, NWTTA members should contact their representative.





Section 8  
**RESOURCES**

---

**Highlights**



- Glossary of terms as they are used in this handbook.
- Sources of information on child abuse and child abuse prevention.



- Reproducible form, “Written Report of Suspected Child Abuse.”

### Glossary

**allegations:** unproven statements or accusations that someone has committed an offense or crime. If allegations of child abuse have been made against you, and you are a member of the NWTTA, contact the President or Executive Director of the NWTTA immediately.

**alleged:** accused of committing an offense or crime. If a person is named as the abuser in a disclosure of child abuse, they will be referred to as the alleged offender until a decision about the case has been made in court.

**apprehend:** to remove a child from her family into the care and protection of the Department of Health and Social Services. When the Department of Health and Social Services apprehends a child, the Department becomes the legal guardian of the child while the child is in its care.

**boundaries:** the limits that separate the concerns and actions of one person from the concerns and actions of another person. A child who inappropriately touches school personnel on the thigh or buttocks lacks personal boundaries. Children who lack personal boundaries often feel that they must always do what others want or meet others' needs before meeting their own needs.

**child protection worker:** the person responsible for investigating disclosures. In some communities, the community social worker is responsible for child protection.

**confidential:** private, held in trust. Once suspected child abuse has been reported, the information about it is confidential and is not to be told to anyone except the child

protection worker and RCMP.

**colleague:** someone you work with, a co-worker. If a classroom teacher is uncomfortable teaching child abuse prevention, she may be able to work on the topic cooperatively with the help of a colleague.

**credibility:** being believable or honest. A child who has a reputation for being honest will have credibility in the eyes of community members and is more likely to be believed.

**disclose:** to make known an incident of abuse. Because it is very difficult for a child to disclose abuse that has happened to him, most cases are unreported.

**disclosure:** letting someone know that abuse has taken place. When you hear a child's disclosure, it's important that you do not interfere with the investigation by asking for details of the abuse.

**document:** to make a written record of events and conversations. If a parent accuses you of being rough with a student, document the incident exactly as it happened, as well as any future encounters with that student.

**harassment:** constantly bothering someone by comments, looks, gestures or touches. If an NWTTA member is the victim of harassment by students, parents, other staff members, or community members, he should contact the Central Office of the NWTTA for support and possibly legal counsel.

**inappropriate:** not suitable. When an adolescent female student wears inappropriate clothing to school, such as low-cut or revealing tops, it would be a signal to watch for

other signs that she may have been abused.

**indicators:** signs. It would be helpful if all adults who work with children learned to recognize indicators of child abuse.

**intervention:** help, assistance. A counselling program which works to raise self-esteem can be a valuable intervention for children who have been abused.

**intimidation:** a form of physical, emotional or intellectual bullying used to control a person or a situation. Threatening to kill their victims has been a form of intimidation often used by child abusers.

**legal counsel:** a lawyer. If you are a member of the NWTTA and have been accused of child abuse, get authorization from the President or Executive Director of the NWTTA before you hire legal counsel.

**malice:** evil or bad intentions. If a report of suspected abuse is made in good faith and without malice, the person reporting is protected by law against any charges brought against her.

**physical restraint:** the use of force to limit the amount of movement or freedom of a person. The NWTTA encourages its members to take courses in Non-Violent Crisis Intervention so that if physical restraint of a student becomes necessary, the situation can be handled professionally and with the safety of all students in mind.

**regressive:** behaviour that is usually found in a much younger child. A child who has been abused might show the regressive behaviour of sucking her thumb, something she hasn't done since she was a toddler.

**subpoena:** the written order of the court to appear in court as a witness. A subpoena tells you when and where to appear in court.

**support person:** a person whose only purpose in attending an interview about child abuse, is to support the child. The advocate can not question the child or take notes during the interview with the child protection worker or RCMP.

**suspect:** to have thoughts or feelings that abuse has taken place. If you suspect that a child has been abused, report it to a child protection worker right away, you do not need proof.

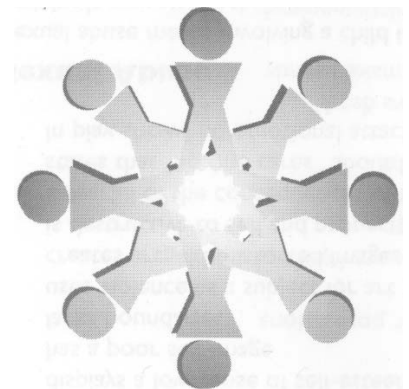
**suspicious:** thoughts or feelings that abuse has taken place. The Child and Family Services Act is the law that says you must report

suspicious of abuse.

**testify:** to tell in court as a witness. If you receive a subpoena and don't go to court to testify, you can be charged.

**testimony:** the information you tell in court as a witness. When giving your testimony in court, you may only answer questions that are asked to you by the defense, the Prosecution, or the Judge.

**validation:** approval or support. Hugging or touching a student as a form of validation may be misinterpreted by someone as abuse.



Resources

Materials and programs on the topics of child abuse and child abuse prevention are listed in this section as being available from these sources at the time of writing, not necessarily as recommended titles.

**Department of Education, Culture and Employment, GNWT:** Requests for the following items should be directed to your Board consultants.

**Northwest Territories School Health Curriculum:** teacher and student materials on child abuse prevention are part of the Family Life units in the Grades 1, 2, 6, 7 and 8 Health curricula.

**Canadian Council on Social Development:** Family violence newsletter, "Vis à Vis"; free. Phone: (613) 728-1865

**Kid's Help Phone:**  
www.kidshelp.sympatico.ca

**Visions:**  
www.visions.ab.ca

**NYU Child Study Centre:**  
www.aboutourkids.org

**National Clearinghouse on Family Violence:**  
Fact sheets and information kits on family violence and child abuse. Phone: (800) 267-1291  
www.phac-aspc.gc.ca/nfv/familyviolence

**National Film Board:**  
Has listings of approximately 60 films and videos available for rental and/or purchase, on the topics of family violence and child abuse; www.nfb.ca

**S.A.R.A. (Sexual Assault Recovery Anonymous Society) :**  
Prevention curricula. Preschool program uses a ladybug puppet.

Senior secondary program consists of an education manual and video. Contact:  
www.sarasociety.ca

**Books for Children and Youth**

Bean, Barbara and Shaw Bennett. *The Me Nobody Knows*, a guide for teen survivors. New York: Lexington Books, 1993.

Black, Claudia. "My Dad Loves Me, My Dad Has a Disease", a workbook for children of alcoholics. Denver, CO: MAC Publishing.

Davis, Diane. *Something Is Wrong at My House*. Seattle: Parenting Press, Inc., 1984.

Department of Justice Canada. *The Secret of the Silver Horse*. Communication and Public Affairs, Department of Justice, Ottawa, Ontario, 1989.

Foon, Dennis and Brenda Knight. *Am I The Only One? A Young People's Book About Sex Abuse*. Vancouver: Douglas and McIntyre Publishers, 1985.

Freeman, Lory. *It's My Body*. Seattle, WA: Parenting Press Inc., 1982.

Freeman, Lory. *Loving Touches*. Seattle, WA: Parenting Press Inc., 1982.

Girard, Linda Walvoord. *My Body is Private*. Toronto: General Publishing, 1983.

Hindman, Jan. *A Very Touching Book For Little People and for Big People*. Ontario, OR: AlexAndria Associates, 1985.

Hochban, Ty. *Hear My Roar: A Story of Family Violence*. Toronto: Annick Press, 1994

Johnson, Karen. *The Trouble With Secrets*. Seattle, WA: Parenting

Press, Inc., 1986.

Morgan, Marcia K. *A Little Bird Told Me About My Feelings*. Eugene, Oregon: Equal Justice Consultants and Educational Products, 1984.

Satullo, Jane A.W., Roberta Russel and Pat A. Broadway. *It Happens to Boys Too*. Pittsfield, MA: Rape Crisis Center of the Berkshires, 1987.

Sweet, Phyllis E. *Something Happened to Me*. Racine, WI: Mother Courage Press, 1981.

Von Konigslow, Andrea W. *Catching Problems*. Toronto: Annick Press, 1990.

Wachter, Oralee. *No More Secrets for Me*. Toronto: Little, Brown and Co., 1983.

**Books for Adults**

Adams, Caren and Jennifer Fay. *No More Secrets: Protecting Your Child From Sexual Assault*. California and Impact Publishers, 1981.

Canadian Red Cross Society. *Child Abuse Prevention Program for Adolescents*. Calgary: The Canadian Red Cross Society, 1990.

Colao, Flora and Tamar Hosonsky. *Your Children Should Know*. New York: The Bobbs-Merrill Co., 1983.

Dube, Robert et al. *Child Sexual Abuse Prevention in Canada: A Guide to Prevention Programs and Resources*. Montreal: Hopital Sainte-Justine, 1988.

Finkelhor, David. *Child Sexual Abuse: New Theory and Research*. New York: Free Press, 1984.

Finkelhor, David and Associates. *A Sourcebook on Child Sexual Abuse*. Beverly Hills, CA: Sage Publications, 1986.

Fraser, Sylvia. *My Father's House: A Memoir of Incest and Healing*. Toronto: Doubleday, 1987.

Health Canada. *Canadian Guidelines for Sexual Health Education*. Ottawa: Health Services Directorate and Health Programs and Services Branch, 1994.

Hillman, Donald and Janice Solek-Tefft. *Spiders and Flies Help for Parents and Teachers of Sexually Abused Children*. Toronto: D.C. Heath and Co., 1988.

Katz, William. *Protecting Your Children from Sexual Assault: Little Ones' Parents' Teaching Guide*. Toronto: Little Ones' Books, 1983.

Martens, Tony. *The Spirit Weeps Characteristics and Dynamics of Incest and Child Sexual Abuse*. Edmonton: Nechi Institute, 1988.

McTimoney, David. *A Resource Guide on Family Violence Issues for Aboriginal Communities*. Ottawa: Health Canada and Department of Indian Affairs and Northern Development, 1993.

Miller, Alice. *For Your Own Good. Hidden Cruelty in Child Rearing and the Roots of Violence*. Toronto: Collins Publishers, 1984.

Steed, Judy. *Our Little Secret: Confronting Child Sexual Abuse in Canada*. Toronto: Random House of Canada, 1994.

Van Dam, Carla. *A Safety and First Aid Manual for the Prevention and Treatment of Child Sexual Abuse*. Campbell River, BC: Angus and Associates Ltd., 1987.

Volpe, Richard, Margot Breton and Judith Mitton. *The Maltreatment of the School-Aged Child*. Toronto: D.C. Heath and Company, Lexington Books, 1980.





# CONFIDENTIAL

## Written Report of Suspected Child Abuse

Attach all of the child's writing, drawing or artwork that supports this report. Sign and date them.

### PLEASE PRINT AND PROVIDE DETAILS

1. From: (Person making the report)

Name: \_\_\_\_\_

Position: \_\_\_\_\_

Telephone numbers: (home) \_\_\_\_\_ (work) \_\_\_\_\_

School and address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

2. The Verbal Report:

Date and time of verbal report: \_\_\_\_\_

Name of person you reported to: \_\_\_\_\_

Their position: \_\_\_\_\_

Their phone number: \_\_\_\_\_

3.

Student Information:

Name: \_\_\_\_\_ Date of birth(D/M/Y): \_\_\_\_\_

Male: \_\_\_\_\_ Female: \_\_\_\_\_

Grade: \_\_\_\_\_ Classroom teacher: \_\_\_\_\_

Name and address of the person the child lives or stays with at the time of this report:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**\*\*PLEASE NOTE\*\***

Mail or hand deliver the original report to the local child protection worker/child welfare worker. Include all original supporting notes and documents.  
*Do not fax.*

4. Describe what caused you to suspect child abuse (conversation, events, observations, or circumstances. If you suspect physical abuse please mark injury areas on drawing and describe the injury (e.g. bruising burns). Attach additional sheets as required.

---

---

---

---

---

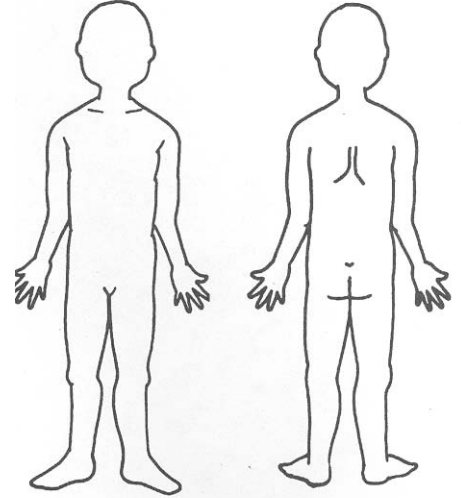
---

---

---

---

---



5. Did the child protection worker and/or RCMP say that they would be taking any follow-up action?

Yes \_\_\_\_\_ No \_\_\_\_\_

Tell what follow-up actions they are planning:

---

---

---

---

---

---

---

---

6. Your Signature \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_  
Principal's Signature \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_

Keep a copy of the report for yourself (including supporting notes and documents) in a private and secure place. Mail a copy of the report including supporting notes and documents to the Director of Child and Family Services.