

# **Abuse Prevention Policy**

**Providence United Reformed Church  
Strathroy, Ontario**

## **Revision History**

Version 1 - Approved by Council on October 15th, 2009

Version 2 - Approved by Council on October 29th, 2014

Version 3 - Approved by Council on January 25th, 2017

## Table of Contents

- [1. Introduction](#)
- [2. Purpose of abuse prevention policy.](#)
- [3. Definitions](#)
  - [General Definitions](#)
  - [Definitions from Insurance Company Material](#)
  - [Government Definitions](#)
- [4. Volunteer Requirements](#)
- [5. Program Guidelines](#)
  - [General Guidelines](#)
  - [Discipline Guidelines for Staff Members](#)
  - [Specific Guidelines](#)
    - [Nursery Guidelines](#)
    - [Guidelines for Sunday School, Catechism, Kingdom Seekers and Cadets.](#)
    - [Vacation Bible School \(summer program\)](#)
    - [Teen Club \(Grades 8 to 10\)](#)
    - [Youth Group \(Grades 11 to Age 22\)](#)
    - [Pastoral Care \(visits by pastor/elder/deacons\)](#)
- [6. Internet Activity, Website Content, and Use of Social Media](#)
  - [Access to Internet-Available Systems](#)
  - [Website Content](#)
  - [Social Media \(Facebook, Twitter, Mobile Texting, etc.\)](#)
- [7. Child Abuse Reporting Procedures](#)
  - [Reasonable Suspicion of Emotional Abuse](#)
  - [Allegations of Physical or Sexual Abuse](#)
  - [Initial Consistory Response to Reported Abuse](#)
- [Appendix A - Children's Aid Society position on Section 43, Criminal Code](#)
- [Appendix B – Volunteer Application Form](#)
- [Appendix C – Informed Consent Forms](#)
- [Appendix D – The Law Mandates Reporting](#)
- [Appendix E – Section 72 of the Child and Family Services Act](#)

## **1. Introduction**

Why an Abuse Prevention Policy for a Church?

As the Body of Christ which represents the Saviour in this sinful world, we, the Church, have a special responsibility to protect and care for one another, and for all those who come under our ministry. In particular, we must protect children and other vulnerable persons who are under our care. With sadness we also recognize that the Church of Jesus has not always carried out this responsibility faithfully. For these reasons it is important for us to implement an Abuse Prevention policy at Providence United Reformed Church.

The Scriptures call us to the high standard of holy living. “As He who called you is holy, you also be holy in all your conduct” (I Peter 1:15). “But among you there must not be even a hint of sexual immorality...because these are improper for God’s holy people” (Ephesians 5:3). We confess that God calls us to protect our neighbour from harm as much we can (Heidelberg Catechism, QA 107). He forbids unchastity and everything which incites unchastity, whether it be actions, looks, talk, thoughts or desires (Heidelberg Catechism, QA 109).

Local church leaders have a spiritual, moral, and legal obligation to provide a secure environment for children, youth, and volunteers who participate in church ministries. By implementing these guidelines we hope to maintain our church as a safe place for people to learn about the Gospel of Jesus Christ. We view ourselves as partners with parents, seeking to provide quality care and instruction in our ministry to the family. At the same time we hope to provide an environment for teachers, nursery volunteers, pastors, elders and deacons and all those involved with ministering to others that will allow them to do their work without the threat of false accusation or suspicion.

Child abuse is a criminal offense as well as a violation of human conscience and dignity. The emotional, physical, and spiritual trauma to victims, the destructive consequences for abusers and the devastating effects on the credibility of the church ministry and the name of Christ make it essential that the church take all appropriate steps to aid in the prevention of abuse.

## **2. Purpose of abuse prevention policy.**

This policy provides guidelines for all church sponsored programs and activities, to minimize the possibility for abuse to occur in these areas and so protect our children. This will reduce the potential opportunities for temptation and sin, and also protect church staff from false or wrongful allegations.

### 3. Definitions

#### *General Definitions*

"**Child**" – see Government Definitions, below.

"**Church**" means Providence United Reformed Church of Strathroy, Ontario.

"**Congregation**" means the congregation of the **Church**.

"**Council**" means the Council of the **Church**. (Pastor, elders and deacons)

"**Consistory**" means the pastor and elders.

"**Employee**" means a person who is paid by the **Church** to perform designated tasks assigned by the Church.

"**Leader**" means the person in charge of a church program.

"**Minor**" means a person under the age of 18.

"**Known Offender**" means someone who has identified themselves to the **staff** of the **Church**, or has come to the attention of the **staff**, as having committed an offense against a **minor**.

"**Pastoral care**" means the ministry of Christian care performed by Pastors, Elders, Deacons, and other **staff**.

"**Staff**" includes an employee, pastor, elder, deacon, or volunteer.

"**Volunteer**" means a person who serves without remuneration in any church program who works in child/youth ministries or specifically with children or other vulnerable persons in his/her care or supervision. For example, this would include those who work in the nursery, and church education programs for children and youth. This would not include, for example, the sound technicians, or the ushers

"**Youth**" includes a **child** and a **minor**.

#### *Definitions from Insurance Company Material*

"**Harassment**" is any form of persistent attack, physical and/or non-physical, upon a person - against that person's will - which threatens his or her dignity as someone who is created in the image of God.

"**Improper Discipline**" is any form of punishment, physical or non-physical, which is physically or emotionally abusive. See the Government definition of "reasonable discipline" in the next section.

**"Inappropriate Touching"** is any form of physical affection which is or gives the appearance of being sexually inappropriate.

### **Government Definitions**

The following definitions, unless another reference is given, were obtained in December of 2007 from the official website of the Ontario Association of Children's Aid Societies (Reference: <http://www.oacas.org/childwelfare/signs.htm>). They are provided here for reference purposes. They should be checked regularly for any updates/changes. The website also provides further information about signs and symptoms of various types of abuses.

**"Adult"** means a person age 18 and over. (Reference: OACAS publication "Review of the Child and Family Services Act" of January 2010, page 23 where it states: "Research of existing Ontario legislation confirms that a significant number of Provincial and Federal Acts favor age 18 as the demarcation for the passage from child to adult." )

<http://www.oacas.org/pubs/oacas/papers/reviewcfsa10may12.pdf>

**"Child"** means a person under the age of 16, or a person under the age of 18 if that person is the subject of an order for protection under the Child and Family Services Act. (Reference: *Child and Family Services Act, R.S.O. 1990, c. C.11, - Part III (Protection), Section 37(1)*)

**"Emotional abuse"** includes all acts of omission or commission which result in the absence of a nurturing environment for the child. It occurs when the caregiver continually treats the child in such a negative way that the child's concept of "self" is seriously impaired. Emotionally abusive behaviour by the caregiver can include constant yelling; demeaning remarks; rejecting, ignoring or isolating the child; or terrorizing the child. Emotional abuse can be the most difficult to identify and prove.

**"Neglect"** occurs when a caregiver fails to provide basic needs such as adequate food, sleep, safety, supervision, clothing or medical treatment.

**"Physical Abuse"** is any harm to a child caused by an action or omission of action by the child's caregiver. It is any deliberate physical force or action (usually by a parent or caregiver) that results, or could result, in injury to a child. It can include punching, slapping, beating, shaking, burning, biting or throwing a child. It is different from what is considered reasonable discipline.

**"Reasonable Discipline"**: The law presently allows parents to use "reasonable force" to discipline children. What is reasonable depends on the situation, but many forms of physical punishment that were used in the past are unacceptable today, such as tying or locking children up. Any form of physical discipline that requires medical attention, or results in bruising, welts or broken skin, is not considered reasonable discipline. Using belts, electrical cords or other objects to discipline a child can cause serious harm. (Reference: <http://www.caslondon.on.ca/> See the document printed in regards to Section 43 of the Criminal Code as published by the Children's Aid Society of London-Middlesex, found in Appendix A)

**"Sexual Abuse"** is any sexual exploitation of a child by an older person where the child is being

used for a sexual purpose.

## 4. Volunteer Requirements

- Volunteers must be a member in good standing of Providence United Reformed Church for at least one year before they may begin volunteering with child and youth ministries, or at the discretion of Consistory/Council (for example: a person who moves away for a relatively short period of time, and returns to the Strathroy area)
- All staff of the Church, including volunteers age 16 and older, must comply with screening criteria which includes:
  - written application providing two references, (using “Volunteer Application Form”- see Appendix B),
  - a personal interview by Consistory, and a
  - police records check.
- Volunteer police records check shall be updated every five (5) years. The police check must include:
  - a standard CPIC (Canadian Police Information Centre) check for a criminal record, and
  - a VSV (Vulnerable Sector Verification) check of the sex offender registries, and
  - a local police record check.

The clerk of the Council is to keep track of these checks and their due dates.

- Application documents and associated materials to be kept on file by Council indefinitely.
- Criminal Record Check information to be kept on file by Consistory indefinitely.
- Any costs associated with the volunteer requirements, including the cost of the police records check to be reimbursed by the Church. All volunteers are welcome to submit expenses in this regard.
- All new volunteers and employees will receive initial training, as soon as practicable, in the Abuse Prevention Policy and in the proper way to respond to abuse allegations, before taking up their duties.
- All volunteers shall attend annual training/information sessions, which include a review of the current abuse prevention policy, complete with a review of reporting procedures in response to any type of abuse.
- If a volunteer is the subject of a child abuse investigation then he/she must take a leave of absence from their role until the investigation is complete, and if found guilty this will result in immediate dismissal from his/her current role.
- A 'known offender' will not be permitted to volunteer with a child or youth program.

## 5. Program Guidelines

### *General Guidelines*

- All child and youth ministries must have at least one adult present in each class.
- All classroom doors shall have unobstructed windows so that classroom activities may be monitored.

- Procedures are in place to ensure that pre-school children (not yet in Grade 1) can be escorted to the Nursery/Sunday School class/Vacation Bible School class by a parent/guardian - signed in - and then signed out at the end of the program by the same parent/guardian. One of the adults responsible for that program is to ensure that any children signed in by a parent/guardian must be signed-out by the same parent/guardian. If parents/guardians neglect to be ready to sign-out their children at the end of the class/program, and it becomes an issue for the adults responsible for that program, they are to advise the clerk of Consistory so that the situation can be addressed.

### ***Discipline Guidelines for Staff Members***

- Corporal punishment of minors, by slapping, hitting, pushing, spanking, or otherwise, is not permitted.
- Inappropriate verbal punishment of minors, such as insults, threats, degrading or humiliating comments, yelling, or otherwise, is not permitted.
- Staff members may not physically restrain a child unless there is a concern for the safety of the child, another child, or an adult. The parent or guardian must be notified immediately if a child's behaviour requires assistance.
- When a child misbehaves beyond minor correction or a pattern of misbehaviour exists, the parent or guardian must be notified and involved.
- Staff must report concerns about a child's behaviour and the response taken to deal with the child's behaviour to the leader.

### ***Specific Guidelines***

#### **Nursery Guidelines**

- Nursery attendants are volunteers who provide child care in the nursery.
- There shall be no fewer than two nursery attendants during any service. It is preferable that there be three or more, in case one attendant needs to be sent out to locate a parent/guardian. There must be at least one adult volunteer present in the nursery at all times. At least two of the volunteers should be unrelated (not be immediate family).
- At no time will children be left unattended
- A minor may volunteer for service in the nursery, provided there is adequate adult supervision.
- Nursery attendants may not take children from the nursery at any time except in the case of real emergency, such as fire. In case of illness, or distress one volunteer should report immediately to the child's parent(s) or guardian(s). A volunteer should only be absent from the nursery for the short period of time to notify the parent/guardian.
- A change table must be kept in plain view of other nursery attendants.
- Infants and young children should best have their diaper changed or be taken to the washroom by their parent/guardian. If not possible, then the nursery attendant should do so in the presence of at least one other, unrelated attendant.
- While one of the nursery attendants is assisting younger children in the washroom, the washroom door must remain ajar, or the door must be fitted with a window.
- Parents/guardians must notify nursery attendants if special restrictions apply to the picking up of their children. i.e. custodial restrictions.

- Parents/guardians need to inform volunteers of any special medical conditions or allergies affecting their child(ren).
- If a nursery attendant is unable to help when they are scheduled they must find a replacement. An older child may not be substituted by for an adult.
- A child must be picked up from the nursery immediately after the church service or activity. Sign-in and sign-out procedures are under the oversight of the adult volunteers at the nursery.
- Nursery attendants who become aware of any health, safety or sanitation issue or concern shall, as soon as possible, address Council about them to ensure that appropriate measures are taken to remedy them.

### **Guidelines for Sunday School, Catechism, Kingdom Seekers and Cadets.**

- Teachers are adult volunteers who must be confessing members and approved by consistory.
- All classroom doors shall have unobstructed windows so that classroom activities may be monitored, or at least two non-related teachers must be present (ie. craft room in the Mezzanine)
- Teachers that have pre-school children in their class have the oversight of the sign-in and sign-out process for these children.
- When assisting young children in the washroom, teachers should ensure the washrooms are in good order (safe, secure, operational), and must leave the cubicle door ajar.
- For Kingdom Seekers and Cadets: when children are outside for activities, or prior to pickup at the end of the program event they must be supervised by at least one volunteer. Volunteers should never be alone with one child.
- At the beginning of each program year, parents of children in Kingdom Seekers and Cadets will be provided with a Informed Consent Form. Parents must sign and return the form to the teachers. These forms will accompany the volunteers at all outings in case emergency medical assistance is required and the parent cannot be notified. It is recommended that this consent be supplemented with specific consents and authorizations for activities that may involve an element of risk. (Refer to Appendix C for applicable forms)
- All outings must be chaperoned by at least two adult volunteers, preferably not of the same immediate family. There must be a minimum ratio of at least one adult volunteer for every 10 students.
- Vehicle transportation may be done with a minimum of 2 screened adult teachers, or 1 screened adult plus at least 2 other minors in the vehicle at all times. Note: having only one screened adult transporting minors should be avoided as much as possible, as it opens up that person to false allegations of abuse, molestation, or harassment.
- Volunteers need to remember that they are representatives of the church, either at or away from the church premises. It is recommended that volunteers who wish to have off-site contact with children or youth to do so only with parental/guardian awareness and preferably in a public location.

### **Vacation Bible School (summer program)**

- Teachers are volunteers who must be confessing members and approved by consistory.
- Teachers can recruit appropriate helpers/assistants as needed. It is preferable that helpers/assistants be at least 14 years of age or older.
- All classroom doors shall have unobstructed windows so that classroom activities may be monitored / or at least two non-related teachers must be present (i.e. craft room in the Mezzanine)
- Teachers that have pre-school children in their class have the oversight of the sign-in and sign-out process for these children.
- When assisting young children in the washroom, teachers should ensure the washrooms are in good order (safe, secure, operational), and must leave the cubicle door ajar.
- A volunteer shall be present as hall-monitor at all times.
- When children are outside for activities, or prior to pickup at the end of the program event they must be supervised by at least one volunteer, and volunteers should never be alone with one child.

### **Teen Club (Grades 8 to 10)**

- Teen Club leaders are adult volunteers who must be confessing members and approved by consistory.
- In general, leaders should avoid one-on-one situations. If necessary, they should be held in a public location that can easily be monitored. If such meetings occur on a consistent basis, they must be done with the express knowledge of parent(s) / legal guardian(s).
- It is never appropriate for a leader to date a member of the Teen Club.
- Physical displays of affection between leaders and youth group members should be avoided, and any expression of intimacy is prohibited.
- There must be a minimum of two leaders and/or adult volunteers at each function, preferably one of each gender and preferably not of the same immediate family.
- Any overnight activity is to have a minimum of three leaders and/or other adult volunteers, and at least one of each gender.
- Vehicle transportation may be done with a minimum of 2 screened adult volunteers, or 1 screened adult volunteer plus at least 2 other minors in the vehicle at all times. Note: having only one screened adult transporting minors should be avoided as much as possible, as it opens up that person to false allegations of abuse, molestation, or harassment.
- At the beginning of each program year, parents will be provided with a Informed Consent Form. Parents must sign and return the form to the leaders. These forms will accompany the volunteers at all outings in case emergency medical assistance is required and the parent cannot be notified. It is recommended that this consent be supplemented with specific consents and authorizations for activities that may involve an element of risk. (Refer to Appendix C for applicable forms)
- Volunteers need to remember that they are representatives of the church, either at or away from the church premises. It is recommended that volunteers who wish to have off-site contact with children or youth to do so only with parental/guardian awareness and preferably in a public location.

## **Youth Group (Grades 11 to Age 22)**

- Youth Group leaders are screened adult volunteers who must be confessing members and approved by consistory.
- In general, leaders should avoid one-on-one situations with minors. If necessary, they should be held in a public location that can easily be monitored. If such meetings occur on a consistent basis, they must be done with the express knowledge of parent(s) / legal guardian(s).
- Physical displays of affection between leaders and other youth group members should be avoided, and any expression of intimacy is prohibited.
- There must be a minimum of two leaders and/or adult volunteers at each function, preferably one of each gender and preferably not of the same immediate family.
- Any overnight activity is to have a minimum of three leaders and/or adult volunteers, and at least one of each gender.
- Vehicle transportation of children may be done with a minimum of 2 screened adult volunteers, or 1 screened adult plus at least 2 other minors in the vehicle at all times. Note: having only one screened adult transporting minors should be avoided as much as possible, as it opens up that person to false allegations of abuse, molestation, or harassment.
- At the beginning of each program year, parents of minors will be provided with a Informed Consent Form. Parents must sign and return the form to the leaders. These forms will accompany the volunteers at all outings in case emergency medical assistance is required and the parent cannot be notified. It is recommended that this consent be supplemented with specific consents and authorizations for activities that may involve an element of risk. (Refer to Appendix C for applicable forms)
- Volunteers need to remember that they are representatives of the church, either at or away from the church premises. It is recommended that volunteers who wish to have off-site contact with children or youth to do so only with parental/guardian awareness and preferably in a public location.

## **Pastoral Care (visits by pastor/elder/deacons)**

- A pastoral care visit with a minor may take place in a public setting where other people are present. If the meeting takes place in a private residence, another adult must be present.
- Transportation to/from a pastoral visit cannot be done by the pastor/elder/deacon alone with one child.
- Regular pastoral care visits with minors by the pastor, an elder, deacon, or designated staff could take place in the Church building. Another adult must be present or on the premises with opportunity to observe and be called on.
- Regular pastoral care visits with adults by the pastor, an elder, deacon, or designated staff may take place in the Church building, a private residence, or in a public setting, so long as it is agreed upon by both parties. The pastoral care visitor must ask the adult if he or she would feel more comfortable with another council member, adult, or spouse present.
- All visits should be recorded and reported at the next meeting of the Consistory, Deacons, or Council, with details giving name, date, time, and place. If the person visited so requests,

a visit does not have to be reported.

## **6. Internet Activity, Website Content, and Use of Social Media**

### ***Access to Internet-Available Systems***

Access to church-owned computer systems is restricted to adult members authorized by Council. All inter-available systems, including wireless networks, are to be secured by passwords and other safeguards to block use by children unless properly supervised by authorized adult members to ensure safe and appropriate usage of Internet features.

### ***Website Content***

The church's website, if displaying pictures, should use photographic images in which the individual faces of members, guests and participants are unrecognizable. For example, use far-away shots for group activities. If a close-up shot is needed, use a stock image of a generic program participant. Any photography of individuals used on the website requires their specific written consent, and that consent is to be kept on file by Council indefinitely.

### ***Social Media (Facebook, Twitter, Mobile Texting, etc.)***

Staff are not to communicate directly with minors by means of social networking media such as mobile text messages, Facebook posts, tweets, etc. The church does not maintain an official Facebook profile, or any other social media profile. Ongoing pastoral care, even with adults, must never be done through text messaging or other social media avenues, such as Twitter, email, etc.

Volunteers, in their capacities within the church, are strictly prohibited from communicating directly with unrelated children or students via text messaging under any circumstances. There can be incidents where such informal communication may be misconstrued, misinterpreted and/or considered age inappropriate. Electronic communication by staff with children under 16 years of age must only be done via their parent's email address. This ensures parents are responsible to review messages and convey the information to their kids verbally or electronically.

Pictures of minors involved in church programs (eg., nursery, Sunday School, VBS, teen club, kingdom seekers, cadets) shall neither be taken on church property or at church functions, nor posted on Social Media, without the express permission of parents or guardians.

## **7. Child Abuse Reporting Procedures**

Reporting child abuse is mandatory by law. The same law provides safeguards from liability for those who report. See Appendix D for further information. Additionally, if you reasonably suspect that discipline by staff has become abusive, the reporting procedures set out below are to be followed.

### ***Reasonable Suspicion of Emotional Abuse***

- Report immediately to Children's Aid Society.

- Confidentially report to immediate leader, unless that person is the alleged abuser.
- Confidentially report to a member of the Consistory. Consistory is to ensure that appropriate notification of Children's Aid Society has been done forthwith. Later, when the Children's Aid Society notifies Consistory that it is now free to respond, Consistory can then follow up with an appropriate biblical response.

### ***Allegations of Physical or Sexual Abuse***

- Report immediately to Children's Aid Society and/or to the police service of jurisdiction.
- Confidentially report to immediate leader, unless that person is the alleged abuser.
- Confidentially report to a member of the Consistory. Consistory is to ensure that appropriate notification of Children's Aid Society or the police service of jurisdiction is done forthwith. Later, when the Children's Aid Society or the police service notify Consistory that it is now free to respond, Consistory can then follow up with an appropriate biblical response.

### ***Initial Consistory Response to Reported Abuse***

- Without assigning blame to any party, the consistory should provide a compassionate, biblical response to the alleged victim and their family.
- The consistory will maintain confidentiality for the alleged victim and alleged abuser.
- For reasons of confidentiality, the consistory will avoid making any public statements in these matters, and will only do so after seeking legal counsel.
- Consistory will report any incidents to our insurance company and seek legal counsel as necessary.
- Consistory will continue their response, consulting as necessary their internal Abuse Allegation Response Guidelines, which includes full written reports by any involved staff of the actions they took in response to learning of/witnessing an incident.

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**Appendix A - Children's Aid Society position on Section 43, Criminal Code**

(Reference: <http://www.caslondon.on.ca/pdfs/corporalpunishment.pdf>)

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# Section 43 of the Criminal Code

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Section 43 of the Criminal Code of Canada sanctions the use of physical force against children by parents, teachers and parent substitutes, providing such force is reasonable and is used for the purpose of correction. The Criminal Code states

*...every schoolteacher, parent or persons 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 circumstance.*

The section 43 defence has existed in Canadian legislation since 1892. The purpose of the section is to authorize the physical punishment of children, including spanking, hitting, and slapping. The law also allowed the use of corporal punishment by husbands against wives, by employers against adult servants and by masters against apprentices. The right of a master to use such force on his apprentices was removed from the law in 1955. The corporal punishment of criminals, by whipping was permitted only until 1972.

Over time, our thinking on issues related to husbands hitting their wives and employers hitting servants has changed. We now consider these actions to be assaults.

*Retaining Section 43 of the Criminal Code effectively discriminates against children. It makes them the only group of Canadian citizens who can be lawfully assaulted.*

On January 15, 2002, the Court of Appeal for Ontario upheld the constitutionality of Section 43 of the Criminal Code. While expressing concern about the past application of section 43 of the Criminal Code of Canada, the Court upheld the constitutionality of the Section.

At the same time, the Court of Appeal narrowed the scope of Section 43 as a defence against the assault of children by their caregivers and teachers.

In the Judgment, the Court of Appeal attempted to identify the parameters or guidelines for assisting a court in deciding whether the physical force applied to a child was “reasonable” in the circumstances. Some examples are as follows

- it is improper to hit a child under the age of two
- it is improper to use corporal punishment on teenagers
- it is improper to use implements in administering corporal punishment
- it is improper to inflict a slap or blow to the head
- it is improper to cause injury which is tantamount to child abuse
- spanking, absent of any resulting injury, is not child abuse

The decision regarding the constitutionality of Section 43 of the Criminal Code has been reviewed by the Supreme Court of Canada.

The decision of the Supreme Court was handed down on January 30, 2004. (see over)

08/2004



Children's Aid Society  
LONDON & MIDDLESEX  
La Société d'aide à l'enfance

# Section 43 of the Criminal Code

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## *Constitutionality of Section 43 of the Criminal Code Upheld*

The Supreme Court of Canada handed down its decision upholding the constitutionality of section 43 of the Criminal Code of Canada by a 0-3 vote. Section 43 justifies the use of corporal punishment by parents, teachers and others standing in the place of parents, as long as the force used is by way of correction and does not exceed what is reasonable under the circumstances.

In the January 30, 2004 decision by the Supreme Court of Canada, it was acknowledged that “judicial decisions on section 43 in the past have sometimes been unclear and inconsistent, sending a muddled message as to what is and is not permitted.”

In response to this inconsistency, the Supreme Court of Canada has limited the situations in which Section 43 can be used as a defence by stating Section 43 exempts from criminal sanction only minor corrective force of a transitory and trifling nature

- It does not apply to corporal punishment of children under two or teenagers
- Degrading, inhuman or harmful conduct is not protected
- Discipline by the use of objects or blows or slaps to the head is unreasonable
- The gravity of the preceding event is not relevant
- Conduct stemming from the caregiver’s frustration, loss of temper or abusive personality is not protected.

*It should not hurt  
to be a child*

The position of the Children’s Aid Society of London and Middlesex is that although effective discipline is needed in the parenting and nurturing of children, no form of corporal punishment is ever justifiable. We are concerned that children in our society are denied the rights and full protection of the law that is extended to other citizens—that is the protection from assault.”

While these guidelines may help prevent some harm to children, the CAS feels that corporal punishment of children is never justified. The Children’s Aid Society of London and Middlesex will continue to support the Ontario Association of Children’s Aid Societies and it’s advocacy to repeal section 43.

The risks of corporal punishment have been clearly recognized in many countries around the world. All European countries have prohibited corporal punishment in all schools and other institutions. Sweden, Norway, Denmark, Finland, Austria, Cyprus, Croatia and Latvia have existing civil laws that prohibit corporal punishment. In Italy, the use of violence for child rearing or educational purposes is no longer lawful.

*The repeal of section 43 of the  
Criminal Code would provide an  
important statement  
about the rights of children not  
to be hurt by their parents,  
teachers or caregivers*



## **Appendix B – Volunteer Application Form**

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# Providence United Reformed Church

## Volunteer Application

(Please Print)

Position being applied for: \_\_\_\_\_

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

Date of Birth: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

- I have been a member of Providence United Reformed Church (PURC) for at least one year, or am applying at the discretion of the Council of PURC
- I am currently a member in good standing of PURC
- If ever I come under the admonition and discipline of the church, and may God graciously prevent it, I understand that my service will be suspended / terminated at the discretion of the Council of the PURC.
- I agree to all background reference checks, and criminal/police record checks as required by the Council of PURC
- I have read, understood and am willing to comply with all policies and procedures for this position, including the Abuse Prevention Policy of PURC.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

If applicant is under the age of 18:

Signature of Parent/Guardian: \_\_\_\_\_

Date: \_\_\_\_\_

Please provide two references with their contact information:

#1 Name: \_\_\_\_\_  
Phone: \_\_\_\_\_  
Email: \_\_\_\_\_  
Address: \_\_\_\_\_

\_\_\_\_\_

#2 Name: \_\_\_\_\_  
Phone: \_\_\_\_\_  
Email: \_\_\_\_\_  
Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

## **Appendix C – Informed Consent Forms**

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## INFORMED CONSENT – Program Year

For the program year starting on September 1<sup>st</sup>, 2\_\_\_\_, ending on August 31<sup>st</sup>, 2\_\_\_\_

Participant's Name \_\_\_\_\_

Address \_\_\_\_\_

Phone # \_\_\_\_\_ Parents' Work # \_\_\_\_\_

Date of Birth (M/D/Y) \_\_\_\_/\_\_\_\_/\_\_\_\_ Health Card # \_\_\_\_\_

Family Doctor \_\_\_\_\_ Phone # \_\_\_\_\_

Allergies \_\_\_\_\_

Does your child have any physical, emotional, mental, behavioural concerns or limitations that the group leaders should be aware of? If yes, please explain. \_\_\_\_\_

Is your child bringing any medication with him/her? If yes, please list. \_\_\_\_\_

Parents'/Guardian Name \_\_\_\_\_

In case of an emergency, contact \_\_\_\_\_

The safety of your child is our primary concern. Precautions will be taken for their well-being and protection.

I/we, the parents or guardians named above, authorize \_\_\_\_\_ or one of the Providence United Reformed Church staff to sign a consent for medical treatment and to authorize any physician or hospital to provide medical assessment, treatment or procedures for the participant named above.

I/we, named above, undertake and agree to indemnify and hold blameless \_\_\_\_\_, Providence United Reformed Church, its members, Consistory, Council, Employees, Classis and Independent Contractors from and against any loss, damage or injury suffered by the participant as a result of being part of the activities of the Providence United Reformed Church, as well as of any medical treatment authorized by the supervising individuals representing the church.

This consent and authorization is effective only when participating in or traveling to events of the Providence United Reformed Church

Parent/Guardian Options (choose one of the following options):

1. I have read, understood and agree with the above and sign it to cover all Student Ministry activities for the program year effective as stated below.

Signature \_\_\_\_\_ Date \_\_\_\_\_

Effective from date signed through \_\_\_\_\_

2. I have read, understood and agree with the above and sign it to cover only the activity listed below.

Activity \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

Providence United Reformed Church

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**Informed Consent - Single Activity**

**(Formerly: Release, Waiver and Assumption of Risk)**

To be signed by all parents or guardians of a child or by the participant if they have reached the provincial age of majority.

We (I), \_\_\_\_\_ hereby acknowledge and agree that in consideration of \_\_\_\_\_ being permitted to participate in: \_\_\_\_\_

(name of participant)

(the activity)

as organized by the Providence United Reformed Church (PURC) and supervised by leaders and/or chaperones approved by the Consistory/Council of PURC.

1. We (I) do hereby release PURC, its members, Consistory, Council, Employees, Classis and Independent Contractors from all liability, claim causes or any kind whatsoever in respect of all personal injuries, loss of life or property losses which our child/ward (I) may suffer arising out of participation in the above stated activity.
2. And we (I) do hereby acknowledge and agree
  - a. that the activity may involve elements of danger and expose our child/ward (I) to risks and hazards,
  - b. that we (I) freely and voluntarily assume all aforesaid risks and hazards for our child/ward (myself).
3. That we (I) have carefully read this Informed Consent form, and that we (I) fully understand same, and that we are (I am) freely and voluntarily executing same.
4. That we (I) understand clearly that by signing this Form we (I) will be forever prevented from suing or otherwise claiming against PURC, its members, Consistory, Council, Employees, Classis and Independent Contractors.

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, in the year \_\_\_\_\_.

Signature: \_\_\_\_\_

Witness: \_\_\_\_\_

Signature: \_\_\_\_\_

Witness: \_\_\_\_\_

## Appendix D – The Law Mandates Reporting

The *Child and Family Services Act*, R.S.O. 1990, c. C.11 is legislation that, among other things, seeks to protect children from abuse and neglect. Specific provisions in it require the reporting of child abuse and neglect by the general public. The Act particularly requires professionals who work with children to report child abuse and neglect. The mandate to report child abuse affects the Church in two ways:

First, all members of the congregation fall under the general duty to report abuse of children under Section 72 of the Act, subsection (1) of which states in part: “... if a person ... has reasonable grounds to suspect [abuse], the person shall forthwith report the suspicion to a [Children’s Aid] society...”

Second, subsections 72(4) - (6.2) impose a special obligation to report a suspicion of abuse on persons who perform professional or official duties with respect to children, make it an offence if they fail to report the suspicion and impose a fine of not more than \$1,000 upon conviction. Professionals include member of the clergy, but do not include volunteers. A copy of s. 72 is attached as Appendix E.

Unfortunately, it is difficult for the Church to clearly define the phrase “reasonable grounds to suspect”. Persons with varying backgrounds and experience will reach that point of suspicion at different times, depending on how they interpret what they have observed. If a person is uncertain, he/she may choose to discuss what they have observed with others, such as members of consistory, or other professionals, bearing in mind that once they personally feel the suspicion is reasonable, they need to report it.

### **The Church Worker’s Role**

A staff member who reports child abuse is protected from liability. However, the law is clear that a professional must report child abuse and this duty overrides any other provincial statute or law that would otherwise prohibit disclosure by a professional. The only exemption from the duty to report is the privilege that exists between a lawyer and client. Further, it is important to consider the language of the Act closely. It says that if you have “*reasonable grounds to suspect*” abuse, as defined by specific examples in s. 72, you *must* report the suspicion. The Act does not define the term “reasonable grounds”, but relies on your professional judgment to determine whether abuse may have occurred. Note that you are required to report a *suspicion* of child abuse, *not proof*. You do not need to conduct an internal investigation and do not need to find proof or even be sure about child abuse before calling the Children’s Aid Society. In fact, the Act requires you to report *forthwith*. A danger does exist that if an “internal investigation” is started, it may interfere/obstruct/damage any investigation by the government-appointed authorities. The Children’s Aid Society is mandated to investigate all allegations of child abuse. The assigned case worker will assess situations carefully and determine whether the initial allegation can be verified. The responsibility for this investigative process is onerous and requires specialized training and skill.

It would be inappropriate and unfair to burden a church worker with this responsibility. Reporting child abuse is a serious matter and it is understandable that professionals would seek the greatest possible clarity before making a report. However, the law clearly requires you to report a suspicion. It is up to the child welfare investigator to determine whether child abuse actually occurred, is occurring, or may occur. The phrase “shall *forthwith* report the suspicion”, means that the report must be made immediately. Thus, the Church must have a responsive internal communication system so that reports are never delayed.

This is so that:

1. The ability of the Children’s Aid Society to protect the child, if necessary, is greatly enhanced.
2. The Children’s Aid Society can more effectively set priorities for several urgent situations on any given day.
3. The Children’s Aid Society can make a quick investigative response to the report, thereby ensuring less contamination of evidence and an increased ability to verify the allegation.
4. Church workers have access to specialized consultation immediately if a situation does not require an immediate investigative response. As a result, the initial response to the child and the family is planned together and a positive working relationship is created.

The Act requires that the report be made to a Children’s Aid Society. Church workers must know how reach the Children’s Aid Society in their local areas. Once the Children’s Aid Society has been notified, its staff will begin an investigation and will contact persons as they see fit. The Regulations made under the Act stipulate that only the Children’s Aid Society or the police may question the alleged victim and offender. This is to ensure that the investigation may proceed unhindered. Cooperation between church workers and the Children’s Aid Society caseworker will enhance the investigation. Church workers play in important role in the identification and reporting of child abuse. Without their concerned intervention, children and families in the congregation may not get the help they need.

#### **Locations and Coverage Areas of Ontario’s Children’s Aid Societies**

CAS located in London serves the city of London and Middlesex County

CAS located in St. Thomas serves St. Thomas and Elgin County

CAS located in Sarnia serves Sarnia and Lambton County

CAS located in Chatham serves Chatham and Kent County

CAS located in Goderich serves Goderich and Huron County

CAS located in Stratford serves Stratford and Perth County

## **Appendix E – Section 72 of the Child and Family Services Act**

### **R.S.O. 1990, c. C.11, s. 72**

**72.** (1) Despite the provisions of any other Act, if a person, including a person who performs professional or official duties with respect to children, has reasonable grounds to suspect one of the following, the person shall forthwith report the suspicion and the information on which it is based to a society:

1. The child has suffered physical harm, inflicted by the person having charge of the child or caused by or resulting from that person's,
  - i. Failure to adequately care for, provide for, supervise or protect the child, or
  - ii. Pattern of neglect in caring for, providing for, supervising or protecting the child.
  
2. There is a risk that the child is likely to suffer physical harm inflicted by the person having charge of the child or caused by or resulting from that person's,
  - i. Failure to adequately care for, provide for, supervise or protect the child, or
  - ii. Pattern of neglect in caring for, providing for, supervising or protecting the child.
  
3. The child has been sexually molested or sexually exploited, by the person having charge of the child or by another person where the person having charge of the child knows or should know of the possibility of sexual molestation or sexual exploitation and fails to protect the child.
  
4. There is a risk that the child is likely to be sexually molested or sexually exploited as described in paragraph 3.
  
5. The child requires medical treatment to cure, prevent or alleviate physical harm or suffering and the child's parent or the person having charge of the child does not provide, or refuses or is unavailable or unable to consent to, the treatment.
  
6. The child has suffered emotional harm, demonstrated by serious,
  - i. Anxiety,
  - ii. Depression,
  - iii. Withdrawal,
  - iv. Self-destructive or aggressive behaviour, or
  - v. Delayed development, and there are reasonable grounds to believe that the emotional harm suffered by the child results from the actions, failure to act or pattern of neglect on the part of the child's parent or the person having charge of the child.
  
7. The child has suffered emotional harm of the kind described in subparagraph i, ii, iii, iv or v of paragraph 6 and the child's parent or the person having charge of the child does not provide, or refuses or is unavailable or unable to consent to, services or treatment to remedy or alleviate the harm.
  
8. There is a risk that the child is likely to suffer emotional harm of the kind described in subparagraph i, ii, iii, iv or v of paragraph 6 resulting from the actions, failure to act or pattern of

neglect on the part of the child's parent or the person having charge of the child.

9. There is a risk that the child is likely to suffer emotional harm of the kind described in subparagraph i, ii, iii, iv or v of paragraph 6 and that the child's parent or the person having charge of the child does not provide, or refuses or is unavailable or unable to consent to, services or treatment to prevent the harm.

10. The child suffers from a mental, emotional or developmental condition that, if not remedied, could seriously impair the child's development and the child's parent or the person having charge of the child does not provide, or refuses or is unavailable or unable to consent to, treatment to remedy or alleviate the condition.

11. The child has been abandoned; the child's parent has died or is unavailable to exercise his or her custodial rights over the child and has not made adequate provision for the child's care and custody, or the child is in a residential placement and the parent refuses or is unable or unwilling to resume the child's care and custody.

12. The child is less than 12 years old and has killed or seriously injured another person or caused serious damage to another person's property, services or treatment are necessary to prevent a recurrence and the child's parent or the person having charge of the child does not provide, or refuses or is unavailable or unable to consent to, those services or treatment.

13. The child is less than 12 years old and has on more than one occasion injured another person or caused loss or damage to another person's property, with the encouragement of the person having charge of the child or because of that person's failure or inability to supervise the child adequately.

### **Ongoing duty to report**

(2) A person who has additional reasonable grounds to suspect one of the matters set out in subsection

(1) Shall make a further report under subsection (1) even if he or she has made previous reports with respect to the same child.

### **Person must report directly**

(3) A person who has a duty to report a matter under subsection (1) or (2) shall make the report directly to the society and shall not rely on any other person to report on his or her behalf. 1999, c. 2, s. 22 (1).

### **Offence**

(4) A person referred to in subsection (5) is guilty of an offence if,

(a) He or she contravenes subsection (1) or (2) by not reporting a suspicion; and

(b) The information on which it was based was obtained in the course of his or her professional or official duties. 1999, c. 2, s. 22 (2).

### **Same**

(5) Subsection (4) applies to every person who performs professional or official duties with respect to children including,

- (a) A health care professional, including a physician, nurse, dentist, pharmacist and psychologist;
- (b) A teacher, school principal, social worker, family counselor, priest, rabbi, member of the clergy, operator or employee of a day nursery and youth and recreation worker;
- (c) A peace officer and a coroner;
- (d) A solicitor; and
- (e) A service provider and an employee of a service provider.

**Same**

(6) In clause (5) (b), "youth and recreation worker" does not include a volunteer.

**Same**

(6.1) A director, officer or employee of a corporation who authorizes, permits or concurs in a contravention of an offence under subsection (4) by an employee of the corporation is guilty of an offence.

**Same**

(6.2) A person convicted of an offence under subsection (4) or (6.1) is liable to a fine of not more than \$1,000. 1999, c. 2, s. 22 (3).

**Section overrides privilege**

(7) This section applies although the information reported may be confidential or privileged, and no action for making the report shall be instituted against a person who acts in accordance with this section unless the person acts maliciously or without reasonable grounds for the suspicion. R.S.O. 1990, c. C.11, s. 72 (7); 1999, c. 2, s. 22 (4).

**Exception: solicitor client privilege**

(8) Nothing in this section abrogates any privilege that may exist between a solicitor and his or her client. R.S.O. 1990, c. C.11, s. 72 (8).