

## COVID-19: Heightened Risk of Abuse and Neglect

Reporting suspected child abuse and neglect has never been more critical

Adjusting to life changes in response to COVID-19 may be overwhelming for children and adults.

While families across South Carolina are doing the best they can to cope with school and workplace closings, stressors like lost income, lack of child care, food insecurity, less access to healthcare and other resources, along with separation from social support systems, can take an emotional toll.

If you witness or suspect a situation that threatens the safety and wellbeing of a child or vulnerable adult, please call **888-CARE4US (888-227-3487)**.

The South Carolina Department of Social Services and other agencies are poised to help families remain stable and strong during this difficult time.

Additional resources related to reporting child abuse and neglect, including the Mandated Reporter Guide (overview of mandated reporter requirements and how to make a report) are available on the Children's Law Center website at <http://childlaw.sc.edu>.

The chart below, developed by the Alliance for Child Protection in Humanitarian Action, shows some of the factors contributing to increased risk of abuse and neglect during the current pandemic.

### Child Protection Risks<sup>1</sup>

Some of the child protection risks below are observed in the current COVID-19 pandemic and some are potential risks observed in previous infectious disease outbreaks.

Risks presented by COVID-19 and related control measures	Causes of risks
Child Protection Risk: Physical and emotional maltreatment	
<ul style="list-style-type: none"><li>• Reduced supervision and neglect of children</li><li>• Increase in child abuse and domestic/interpersonal violence</li><li>• Poisoning and other danger and risks of injuries to children</li><li>• Pressure on or lack of access to child protection services</li></ul>	<ul style="list-style-type: none"><li>• Childcare/school closures, continued work requirements for caregivers, illness, quarantine/isolation of caregivers</li><li>• Increased psychosocial distress among caregivers and community members</li><li>• Availability and misuse of toxic disinfectants and alcohol</li><li>• Increased obstacles to reporting incidents</li></ul>
Child Protection Risk: Gender-based violence (GBV)	
<ul style="list-style-type: none"><li>• Increased risk of sexual exploitation of children, including sex for assistance, commercial sexual exploitation of children and forced early marriage</li><li>• Pressure on or lack of access to child protection/GBV services</li></ul>	<ul style="list-style-type: none"><li>• Reduced family protection of children</li><li>• Reduced household income and/or reliance on outsiders to transport goods and services to the community</li><li>• Girls' gender-imposed household responsibilities such as caring for family members or doing chores</li><li>• Increased obstacles to reporting incidents and seeking medical treatment or other supports</li></ul>

Risks presented by COVID-19 and related control measures	Causes of risks
<b>Child Protection Risk: Mental health and psychosocial distress</b>	
<ul style="list-style-type: none"> <li>• Distress of children due to the death, illness, or separation of a loved one or fear of disease</li> <li>• Worsening of pre-existing mental health conditions</li> <li>• Pressure on or lack of access to MHPSS services</li> </ul>	<ul style="list-style-type: none"> <li>• Increased stress levels due to isolation in treatment units or home-based quarantine</li> <li>• Children and parents/caregivers with pre-existing mental health conditions may not be able to access usual supports or treatments</li> <li>• Quarantine measures can create fear and panic in the community, especially in children, if they do not understand what is happening</li> </ul>
<b>Child Protection Risk: Child labor</b>	
<ul style="list-style-type: none"> <li>• Increased engagement of children in hazardous or exploitative labor</li> </ul>	<ul style="list-style-type: none"> <li>• Loss or reduction in household income</li> <li>• Opportunity or expectation to work due to school closure</li> </ul>
<b>Child Protection Risk: Unaccompanied and separated children</b>	
<ul style="list-style-type: none"> <li>• Separation</li> <li>• Becoming unaccompanied or child head of household</li> <li>• Being placed in institutions</li> </ul>	<ul style="list-style-type: none"> <li>• Loss of parents/caregivers due to disease</li> <li>• Isolation/quarantine of caregiver(s) apart from child(ren)</li> <li>• Children sent away by parents to stay with other family in non-affected areas</li> </ul>
<b>Child Protection Risk: Social exclusion</b>	
<ul style="list-style-type: none"> <li>• Social stigmatization of infected individuals or individuals/groups suspected to be infected</li> <li>• Increased risk/limited support for children living/working on the street and other children already at risk</li> <li>• Increased risk/limited support to children in conflict with the law, including those in detention</li> </ul>	<ul style="list-style-type: none"> <li>• Social and racial discrimination of individuals/groups suspected to be infected</li> <li>• Disproportionate impact on more disadvantaged and marginalized groups</li> <li>• Closure/inaccessibility of basic services for vulnerable children and/or families</li> <li>• Disruption to birth registration processes due to quarantine</li> </ul>
<p><sup>1</sup><a href="#">The Alliance for Child Protection in Humanitarian Action, Technical Note: Protection of Children during the Coronavirus Pandemic, Version 1, March 2020</a></p>	

SC law encourages all persons to report suspected child abuse and neglect.

If you witness or suspect a situation that threatens the safety and wellbeing of a child or vulnerable adult, please call:

**888-CARE4US (888-227-3487)**

## Recognizing and Reporting Child Abuse and Neglect

A training for mandated reporters

### Training To Empower

The purpose of the Recognizing and Reporting Child Abuse and Neglect training is to equip mandated reporters with relevant laws regarding their role and responsibilities as mandated reporters, and to increase their awareness, knowledge, and skills in reporting child abuse and neglect.

### The Children's Law Center

is a resource center for South Carolina professionals involved in child maltreatment or juvenile justice court proceedings and child advocates working to improve the safety and well-being of children. The mission of the Center is to advance children's law by strengthening public policy, increasing knowledge, and improving practice.

### Contact Us

Children's Law Center  
University of South Carolina  
School of Law  
1600 Hampton Street, Suite 502  
Columbia, SC 29208  
803-777-1646

<http://childlaw.sc.edu>



### Are You a Mandated Reporter?

S.C. Code Ann. § 63-7-310 identifies the following professionals as mandated reporters:

- Physicians
- Nurses
- Dentists
- Optometrists
- Coroners
- Medical Examiners
- Employees of Coroners/Medical Examiners
- Any other professional in these fields:
  - Medical
  - Emergency Medical Services
  - Mental Health
  - Allied Health
- School Teachers
- Counselors
- Principals and Assistant Principals
- School Attendance Officers
- Childcare Workers in Childcare Centers or Foster Care Facilities
- Foster Parents
- Police and Law Enforcement Officers
- Juvenile Justice Workers
- Substance Abuse Treatment Staff
- Social Workers
- Public Assistance Workers

- Clergy, including Christian Science Practitioners and Religious Healers (subject to laws governing privileged communication)
- Clerical and Nonclerical Religious Counselors Who Charge for Services
- Undertakers
- Funeral Home Directors
- Employees of Funeral Homes
- Judges
- Volunteer Non-Attorney Guardians ad Litem
- Computer Technicians
- Persons Responsible for Processing Film

### Why this matters...

To safeguard the welfare and safety of children, S.C. Code Ann. § 63-7-310 requires certain professionals who are 18 or older to report suspected child abuse and neglect because of their unique opportunities to observe and interact with children. The named professionals, or mandated reporters, play a key role in protecting children by identifying possible maltreatment and reporting it to the agencies responsible for investigation and intervention. The law imposes legal penalties for mandated reporters who knowingly fail to report suspected child abuse or neglect.

### Training Objectives

- Identify mandated reporters according to South Carolina law
- Describe statutory requirements and protections
- Identify the role and responsibilities of mandated reporters
- Recognize signs of possible abuse and neglect
- Describe when to make a report of child abuse or neglect

### Request a Training

The Children's Law Center will provide the Recognizing and Reporting Child Abuse and Neglect training free of charge at a location convenient for you. To schedule a training, contact us at 803-777-1646.



# Clergy as Mandated Reporters

Understanding the duty of clergy to report suspected child abuse and neglect and when communications are protected by the clergy-penitent privilege

## Clergy's Duty to Report

In South Carolina, members of the clergy who are at least 18 years old are mandated reporters and are required by S.C. Code Ann. § 63-7-310 to report suspected child abuse or neglect. While state law does not provide a definition of "clergy," it does specifically identify regular or duly ordained ministers, Christian Science practitioners, religious healers, rabbis, and priests as clergy.

As mandated reporters, clergy members must report when in their professional capacity they have received information which gives them reason to believe a child has been or may be abused or neglected as defined in S.C. Code Ann. § 63-7-20.

The mandate to report child abuse or neglect does not require the reporter to know for certain that a child has been abused or neglected. The duty to report is triggered when the mandated reporter has the reasonable belief that a child has been or may be abused or neglected.

Reporting to a supervisor or person in charge of an institution does not relieve a mandated reporter of his or her individual duty to report, and the duty to report is not superseded by an internal investigation within an institution. S.C. Code Ann. § 63-7-310(C).

## Reporting Requirement Exception

The only circumstance in which clergy, including Christian Science practitioners and religious healers, are exempt from being required to report suspected child abuse or neglect occurs when a clergy member's only knowledge of the abuse or neglect is based on information received:

- from the alleged perpetrator of the abuse,
- during a communication protected by the clergy-penitent privilege provided for in § 19-11-90. S.C. Code Ann. § 63-7-420.

## Clergy-penitent Privilege

The clergy-penitent privilege is the protection of confidential communications between clergy members and their church members or other individuals. To be protected by the clergy-penitent privilege, a communication must meet the following four conditions of S.C. Code Ann. § 19-11-90:

- It must be confidential;
- It must be disclosed to a regular or duly ordained minister, priest, or rabbi;
- It must be entrusted to the clergy member when acting in his or her professional capacity; and
- It must be one that is necessary and proper to enable the clergy member to discharge the functions of his or her office according to the usual course of practice or discipline of his or her church or religious body.

## Failure to Report

A clergy member who knowingly fails to report, in an effort to resolve the matter internally with the parties involved, could face criminal and civil liability. A mandated reporter who knowingly fails to report is guilty of a misdemeanor and if convicted, may be fined up to \$500, or imprisoned for up to six months, or both. S.C. Code Ann. § 63-7-410.

## Additional Information

For a detailed overview of mandated reporter requirements and how to make a report, see the Mandated Reporter Guide found on the Children's Law Center website at <http://childlaw.sc.edu>.

To schedule a free training for clergy on mandated reporting, contact the Children's Law Center at 803-777-1646.