

Conclusion

North Carolina law requires anyone who has cause to suspect that a child is abused or neglected to report the child's situation to the county department of social services. The law also requires reports about other children who need assistance or placement and children whose deaths may have been caused by maltreatment.

The protective services system, which includes mandated reporting, exists to carry out the state's policy of taking steps to ensure that every child has at least minimally adequate care. It is a safety net, designed to catch those children who have fallen—or are at risk of falling—below that minimal level. Obviously, people want more than that for their own and other children: protection from all kinds of harm; a level of care that is excellent, not just minimal; and opportunities to grow and develop to their full potential. Other systems do aim higher—education, health care, mental health services, and a host of other preventive and voluntary services. How adequately we provide services in areas like education, health care, child care, housing, substance abuse, and job training affects how many children and families need this safety net.

The reporting law is not designed to identify all children who are victims of maltreatment. Its focus is primarily on the care children receive from their parents or from custodians, guardians, or others whose roles resemble those of parents. Our society tolerates uninvited government intervention into families' lives only when absolutely necessary. The definitions that give the reporting law real meaning define the scope of permissible intervention.

Some people consider that threshold and scope insufficient in light of the number of children who are harmed by abuse or neglect. To others, state intervention may seem excessive, especially when based on a report that turns out to be unfounded.

The child protection system involves a delicate balance of societal values. It does not, and cannot, protect every child from harm or from the deprivations of inadequate care. It cannot operate at all, though, with respect to abused, neglected, and dependent children who never come to the attention of those with the legal authority and professional skills to intervene on their behalf. Having cause to suspect child abuse, neglect, or dependency and failing to report it is to risk pulling the safety net out from under a child. It is also to violate a legal responsibility that the North Carolina General Assembly has placed on every individual and institution in the state.