

Immunity of Child Abuse Reporters in Virginia



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In order to encourage reports to be made of child abuse or neglect, those who make reports of suspected abuse are immune from liability by statute in Virginia.

Virginia Code Section 63.2-1512 provides:

Any person making a report pursuant to Sec. 63.2-1509, a complaint pursuant to Sec. 63.2-1510, or who takes a child into custody pursuant to Sec. 63.2-1517, or who participates in a judicial proceeding resulting therefrom shall be immune from any civil or criminal liability in connection therewith, unless it is proven that such person acted in bad faith or with malicious intent.

If a person makes a false report, however, they not only can be sued in civil court for damages but also can be subjected to criminal prosecution.

Virginia Code Section 632.2-1513 provides:

Any person fourteen years of age or older who makes or causes to be made a report of child abuse or neglect pursuant to this chapter that he knows to be false shall be guilty of a Class 1 misdemeanor. Any person fourteen years of age or older who has been previously convicted under this subsection and who is subsequently convicted under this subsection shall be guilty of a Class 6 felony.

Additional Resources

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