

MISSING WOMEN COMMISSION OF INQUIRY

TOWARDS MORE EFFECTIVE MISSING WOMEN INVESTIGATIONS: POLICE RELATIONSHIPS WITH VICTIMS' FAMILIES, THE COMMUNITY AND THE MEDIA

A POLICY DISCUSSION REPORT PREPARED FOR
THE MISSING WOMEN COMMISSION OF INQUIRY
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Statement of Purpose

This paper is a policy discussion report prepared by the Missing Women Commission of Inquiry to facilitate public input and to assist in deliberations on potential recommendations for change.

The Commission invites public input on the issues, policy options and questions raised in this report and other issues within its terms of reference. Please provide us with your written submissions by April 15, 2012.

The report provisionally identifies a series of issues and questions that are likely to inform the Commission's analysis. Neither the Commissioner nor Commission staff has reached any conclusions on these issues. This is a summary of the major issues identified so far, but the list of issues and options is neither exhaustive nor fixed. We encourage interested parties to provide input and make recommendations on other issues and questions we have not identified.

1. INTRODUCTION

Unresolved missing person cases have a deep and lasting impact on family, friends and the broader community. An Australian report on missing persons (the Australian Report) estimates that for every person reported missing, “the impact is felt by 12 others, predominantly family members and friends, but also work colleagues and other community members”.¹ This estimate may be low, especially in the Aboriginal context where family and kinship relationships tend to be much wider and encompass more people.² The Highway of Tears Symposium Report (Highway of Tears Report) states:

...First Nations communities are closely knit, and when a tragic event occurs to a First Nation community member; (murder, suicide or disappearance); the event's impact goes beyond the immediate family, its effects are felt throughout that entire community....³

Families and friends of missing persons face a range of physical, emotional, psychological and financial impacts: “relationships can be strained and the quality of life and routine activities can be severely affected.”⁴ As one article points out:

Families and friends of missing persons often find they can't negotiate the normal grieving process as there is no identified death of their loved one. When a relative is missing there is no resolution, only what families have termed 'continuous grieving' or ambiguous loss.⁵

¹ M. Henderson and P. Henderson, *Missing People: Issues for the Australian Community* (Australian Institute of Criminology, 1998) at p.22 [hereinafter “Australian Report”]

² Native Women’s Association of Canada (NWAC), *Voices of Our Sisters in Spirit: A Report to Families and Communities* (2nd Edition March 2009); NWAC, *What Their Stories Tell Us – Research Findings from the Sisters in Spirit Initiative* (2010); Missing Women Commission of Inquiry, *Standing Together and Moving Forward: Report on the Pre-Hearing Conference in Prince George and the Northern Community Forums* (February 2012) <http://www.missingwomeninquiry.ca/reports-and-publications/> [hereinafter “Report on the Northern Community Forums”].

³ *A Collective Voice For Those Who Have Been Silenced - Highway of Tears Symposium Report* (Lheidli T’enneh First Nation, Carrier Sekani Family Services, Carrier Sekani Tribal Council, Prince George Nechako Aboriginal Employment and Training Association and Prince George Native Friendship Center, July 2006) at p. 28. [hereinafter “Highway of Tears Report”].

⁴ Platypus Magazine, Edition 92, September 2006, “Life is a puzzle – every piece is important.”

⁵ *Ibid.*

Furthermore, a majority of the missing and murdered Aboriginal women were mothers, leading to a significant intergenerational impact as children must cope with the loss.⁶ Many of the women murdered by Robert Pickton were mothers.

Not only are relatives, friends and other community members deeply affected when a person goes missing, they have an important role in, and effect on, the initiation and conduct of a missing person investigation. This important role has not, however, always been recognized and valued by police and other authorities. The lack of recognition and value appears to be particularly strong in missing women investigations: a number of studies have found that the majority of families report multiple issues and problems with the justice system's response to the disappearance or murder of their loved one.⁷

The police cannot carry out successful investigations of missing women and suspected multiple homicides on their own. Success depends upon building and maintaining positive relationships with family members and other reportees, the community and the media. It is clear that a collaborative and integrated response involving communities, organizations and individuals is required to enable police to carry out these important functions.⁸

⁶ Submission of Bev Jacobs to Standing Committee on the Status of Women, *Interim Report: Call Into the Night – An Overview of Violence Against Aboriginal Women* (March 2011) [hereinafter "*Call into the Night*"].

⁷ Native Women's Association of Canada (NWAC), *Voices of Our Sisters in Spirit: A Report to Families and Communities* (2nd Edition March 2009); NWAC, *What Their Stories Tell Us – Research Findings from the Sisters in Spirit Initiative* (2010); Standing Committee on the Status of Women, *Interim Report: Call Into the Night – An Overview of Violence Against Aboriginal Women* (March 2011); Tracy Byrne, *Stopping Violence Against Aboriginal Women - A Summary of Root Causes, Vulnerabilities and Recommendations from Key Literature* (Prepared for the Government of BC, February 23, 2011); Dr. Jeff Pfeifer, *Missing Persons in Saskatchewan: Police Policy and Practice*, (November, 2006); Highway of Tears Report, *supra*; Saskatchewan Provincial Partnership Committee on Missing Persons, *Final Report of the Provincial Partnership Committee on Missing Persons* (October 2007) [hereinafter "*Saskatchewan Report*"]; *Report on the 2011 Western Regional Forum on Supporting Families of Missing Persons* (Prepared by Policy, Planning and Evaluation Branch Ministry of Justice and Attorney General as a Member of the Provincial Partnership Committee on Missing Persons, May 26, 2011) [hereinafter "*Western Regional Forum Report*"].

⁸ Pfeifer, *supra*.

An established working relationship between the police and the community may be particularly important in investigating the disappearance of vulnerable and marginalized women. Research into serial predation and murder demonstrates that victims often come from “less valuable areas”, that is “locations where individuals have little or no bond to the neighborhood.”⁹ It may appear that a victim lacks a strong network of friends, acquaintances, and family ties because of non-traditional living patterns or because the victim’s family and friends also live precarious lives. As a result, police may have to be more proactive in investigating, an approach that is facilitated through positive working relationships with the community and strategic partnerships with community agencies.

These strategic relationships are also key to addressing factors that make women vulnerable to going missing or disappearing. The Saskatchewan Missing Persons Partnership Committee has developed an analysis of the flow of activity on missing person cases, breaking the process down into five phases: prevention; situation of concern; report; investigation/response; and outcome. The flow of activity can be seen as circling back to prevention since the “outcome” phase should include an analysis of lessons learned in order to contribute to early intervention or prevention of vulnerable women going missing in the future.

A public health perspective can assist in building prevention into police-community approaches to the issue of missing women, just as it has in measures to address sexual violence more broadly.¹⁰ Public health is concerned with approaches that address the health of a population rather than one individual, and recognizes that the impact of a health problem is widespread and affects a large number of people, either directly or indirectly. Prevention strategies aim at benefiting the largest group of people possible and depend upon a collective approach:¹¹ “It is a community-oriented approach that takes the onus from victims and advocates and encourages the entire community (women, men, and youth) to prevent sexual violence.”¹²

⁹ Maurice Godwin, “Victim Target Networks as Solvability Factors in Serial Murder” *Social Behavior and Personality* (1998), 26(1), 75-84.

¹⁰ See for example: Centers for Disease Control and Prevention, *Sexual Violence Prevention: Beginning the Dialogue* (Atlanta, GA: Centers for Disease Control and Prevention, 2004).

¹¹L. Dahlberg and E.G. Krug EG. “Violence – a global public health problem”. In: E.G. Krug, L.L. Dahlberg, J.A. Mercy JA, A.B. Zwi, and R. editors. *World Report on Violence and Health*. Geneva (Switzerland: World Health Organization; 2002) at p. 3-21.

¹² *Sexual Violence Prevention: Beginning the Dialogue, supra*, at p. 2.

In the context of the issue of missing and murdered women, prevention efforts would work “to modify and/or entirely eliminate the events, conditions, situations, or exposure to influences (risk factors) that result in the initiation of sexual violence and associated injuries, disabilities and deaths.”¹³ Working together with concerned individuals, community organizations and other agencies, police can address “perpetration, victimization, and bystander attitudes and behaviors, and seek to identify and enhance protective factors that impede the initiation of sexual violence in at-risk populations and in the community.”¹⁴

The media plays an important but complex role in building public awareness. It can contribute to prevention about missing persons and related issues and can assist or hinder investigation efforts. Numerous policy reform issues arise in the context of the relationship between the media, police, families and community.

This policy discussion report identifies and discusses issues related to police policies and practices in the investigation of missing persons and suspected multiple homicides. The paper also identifies options for improving police responses to missing person cases. It focuses on “external” issues relating to how police interact with families and other reportees, communities and the media in the context of missing person investigations. Another equally important set of issues focus on “internal” policing policies and practices: definition and categorization of missing persons; reporting requirements; and standardization of investigative steps. These issues and options for reform are addressed in a separate policy discussion report entitled *Policies and Practices in the Investigation of Missing Persons and Suspected Multiple Homicides*.¹⁵

This policy discussion paper is divided into three sections. The first section provides a brief overview of the issues related to police relationships with family members and other reportees, the community and the media in the context of missing person investigations. The second section identifies and discusses seven major policy options for improving these relationships. The third section sets out a number of questions designed to facilitate further discussion and to generate recommendations for change.

The paper was developed on the basis of a review of Canadian and international reports on the phenomenon of missing and murdered women and best practices in

¹³*Ibid.*, at p.1.

¹⁴ *Ibid.*

¹⁵ Also available on the Commission website under the Reports and Publications tab: <http://www.missingwomeninquiry.ca/reports-and-publications/>

missing person investigations. The Commission welcomes input on all of aspects of this paper, including on additional issues, questions and options for reform not addressed here that share the objective of improving missing women investigations through building more effective relationships between the police, family members, the community and the media.

2. OVERVIEW OF ISSUES

The first section provides a brief overview of the policy issues related to police relationships with family members and other reportees, the community and the media in the context of the investigation of missing women and suspected serial homicides. Six issues and potential areas for reform are identified: negative treatment of family members/reportees; lack of communication with family members; lack of information about missing person policies and procedures; lack of support for family members; lack of public awareness and insufficient community engagement; and complexities of the media's role.

Families are self-defined and very diverse. The Vanier Institute of the Family identifies numerous factors that contribute to differences in family structure and family life:

Dimensions of diversity include socio-demographic differences (such as ethno-racial group, Aboriginal status, age, gender, sexual orientation, socio-economic status, and family type), geographic location, as well as differences in attitudes, values, health and subjective well-being of family members.¹⁶

The Vanier Institute recognizes the importance of social policy and programs that are inclusive and accepting of family diversity, stating that we “must be thoroughly in touch with family life of all kinds, not the ideal of the family, but the reality of the family as people live it.”¹⁷

Nevertheless, there are strong stereotypes about “normal” family life based on a model of the two-parent, two-child nuclear family living in stable, non-mobile lifestyle. This idealized image continues to have a powerful hold on our thinking about families despite the reality of the diversity of family life in British Columbia. This stereotypical image of what constitutes a “normal family” can affect the interactions between service providers, including police officers and victim support

¹⁶ http://www.vanierinstitute.ca/definition_of_family

¹⁷ *Ibid.*

workers, and family members in the context of a missing person investigation. It can also have an impact at a policy level including, for example, on policy concerning who can receive information about the status of an investigation or receive victim support services.

The reports reviewed in the preparation of this paper recognize that families are not always supportive nor in a position to assist in missing person investigations. In some cases, girls and women have experienced abuse at the hands of family members or other dynamics have led to breakdown in family relationships. Police should be prepared to accept reports from and work with a broad range of individuals throughout a missing woman investigation, including extended family members, friends and acquaintances. This paper refers to both family members and other reportees in recognition of these realities.

(a) Negative Treatment of Family Members/Reportees

One of the major research questions posed by NWAC during its Sisters in Spirit initiative was: “How has the justice system responded to family and community reports of missing and murdered Aboriginal women in Canada? What issues, challenges and gaps exist?” The overarching conclusion was:

The evidence indicates the majority of families report multiple issues and problems with the justice system’s response to the disappearance or murder of their loved ones. NWAC has heard on many occasions the families experienced a lack of responsiveness, disrespect, confusing or incorrect information, poor adherence to policies and protocols and an overall discounting of family information from police service personnel. While a small number of families reported positive interactions with police services, these tended to emphasize the failings that existed in the majority of cases.¹⁸

Other reports have come to similar conclusions.¹⁹ Specific concerns include unwillingness to take a report; tendency of the police to blame the girl or woman because she was engaged in a “high-risk activity or lifestyle”; use of derogatory language; and indications that the report was not being taken seriously by police such as a lack of action or follow up. In some circumstances, family members and

¹⁸ NWAC, *Voices of Our Sisters in Spirit: A Report to Families and Communities* (2nd Edition March 2009) at p.96.

¹⁹ Highway of Tears Report, *supra*; *Call Into the Night*, *supra*; Report on the Northern Community Forums, *supra*.

other reportees have reported that they had to advocate strongly and persistently simply for police to take a report of a missing woman.

In some cases, historical difficulties in the police-community relationship and past negative treatment by the police can influence an individual's willingness or ability to make a missing person report. For example, for many Aboriginal people the RCMP is inextricably linked with the devastating residential schools experience and therefore not to be trusted.²⁰ In the same vein, individuals living in the downtown eastside of Vancouver (DTES) have reported that past negative treatment at the hands of police or failure by the police to take reports of violence against them seriously contributes to their unwillingness to report crimes, including when their friends go missing.²¹

The Australian experience is in marked contrast to the Canadian one on this issue. The Australian Report, which was based on a broad survey of families and friends missing persons, also identified the attitude of the individual officer taking the report as important but "more often as something the families and friends found particularly helpful, rather than an area identified for improvement."²² The Report noted that:

*A sympathetic and supportive approach can help alleviate some of the suffering experienced by families and friends and is often remembered very positively long after the incident. The importance of presenting a supportive and non-judgmental approach in dealing with families and friends of missing people needs to be continually reinforced.*²³

Negative and judgmental treatment by police officers in some instances gives rise to a concern that the victims were being disregarded and that families and other reportees did not receive a complete and equal response from the police. This treatment may reflect a general societal lack of regard for vulnerable and marginalized women, including Aboriginal women and women engaged in the sex trade. The low socio-economic status of these groups of women makes them the most vulnerable group to serial predation and can also result in an inadequate

²⁰ Report on Northern Community Forums, *supra*.

²¹ Missing Women Commission of Inquiry, *Downtown Eastside Consultation Report* (February 2012) <http://www.missingwomeninquiry.ca/reports-and-publications/>

²² Australian Report, *supra*, at p. 44.

²³ *Ibid*.

police response.²⁴ International studies confirm this tendency to under-investigate crimes against this group of “less-dead”²⁵ or “non-idealized” victims.²⁶

(b) Lack of Communication with Family Members

The Saskatchewan Provincial Partnership Committee consulted with family members to determine (1) what had or had not worked well in their experience dealing with a missing person and (2) what could have been done differently by the police that would have made a big difference to the family.²⁷ One of the major issues identified by families was a lack of regular communication from the police. The Saskatchewan Provincial Partnership Committee’s Report (the Saskatchewan Report) identified three facets to the communication issue:

- Family members desire continued and increased attention to communication between families and investigators, within families, and between agencies during the initial investigation and the ongoing investigation.
- In some cases, this requires appropriate interpretation services, including interpretation for Aboriginal languages.
- There needs to be continuity of investigators or better coordination in the transfer of information to new investigators for this purpose.²⁸

Similarly, the Australian Report identified two priority issues related to police policy and practice: delays in taking action when the missing person was first reported and contact with families and friends to provide feedback on what is occurring.²⁹

The Australian Report concluded that regular contact and feedback by police was both “an area cited by families and friends as one for improvement, but also identified as a particular source of satisfaction when it does occur.”³⁰ The Report notes:

A simple phone call to reassure families and friends that something is happening or that someone is taking an interest can often make a huge

²⁴ Godwin, *supra*, at p. 81

²⁵S. Egger, *The killers among us: An examination of serial murder and its investigation* (Prentice Hall: NJ, 1997) at p. 74.

²⁶ Melanie Randall, “Sexual Assault Law, Credibility, and “Ideal Victims”: Consent, Resistance and Victim-Blaming” (2010) CJWL Vol. 22(2) 397-433.

²⁷ Saskatchewan Report, *supra*, at p. 23.

²⁸ *Ibid.*, at p. 24.

²⁹ Australian Report, *supra*, at p. 39.

³⁰ *Ibid.*, at p. 44.

*difference to the distress and feelings of helplessness experienced by many families.*³¹

Timely contact and information feedback about what is being done and what will happen is critical in the period immediately after the missing person is reported and ongoing supportive contact is important in cases where the person is missing for a longer time period.

Policy and procedure instructions in several jurisdictions specifically require the investigating officer to maintain regular contact with the person making the report. However, the appropriate frequency of such contact and ensuring that practice complies with policy are issues that have yet to be resolved satisfactorily by many police forces.

(c) Lack of Information about Missing Persons Policies and Procedures

Canadian and international reports have found that there is a lack of general public awareness and public misconceptions about missing person policies and procedures. Two persistent misconceptions are that you cannot report a person missing until he or she has been gone for 24 or 48 hours, and that only a family member can report a relative as missing. Even some police may hold these beliefs.³² Consistent, clear information on how to report concerns, what information a reportee may be asked to provide, and what the police will do with this information could assist in ensuring that there are no unnecessary delays in reporting missing person cases.

The lack of easily accessible information extends beyond the reporting of missing persons to all aspects of the investigation process. Families and friends also want to know what they can do to assist in the investigation: they want to take action and be involved to the extent that they can.³³ Police have a role to play in working with community organizations to develop a list of resources and referring family members and other reportees to other places that they can go for more information.

³¹ *Ibid.*

³² Coordinating Committee of Senior Officials Missing Women Working Group, *Report: Issues Related to the High Number of Murdered and Missing Women in Canada* (September 2010) at p.9 [hereinafter “MWWG Report”].

³³ Australian Report, *supra*, at p. 40.

(d) Lack of Support for Family Members

Family members of missing women across Canada have reported a great unmet need for support. Enhanced support is required through all phases of the investigation of a missing woman and needs often arise depending upon the outcome of the investigation: whether the woman is found alive or dead, or where there is no definite conclusion.

The Western Regional Forum on Supporting Families of Missing Persons consulted with family members on three major policy issues:

- *What do families need in both the short and long term when they are facing a missing person's situation?*
- *How are jurisdictions currently meeting those needs and are there areas where significant gaps remain?*
- *How can agency responses and services provided to families of missing persons be improved both within jurisdictions as well as across jurisdictions?*³⁴

The Western Regional Forum Report concludes that the support needs of families can be quite complex. Family members involved in the consultation identified a number of additional resources that could provide much needed assistance:

- Central source of information;
- Checklist for dealing with media;
- Emotional support;
- Resources to deal with aspects of ongoing investigations;
- Health resources;
- Financial support to help cover travel and sustenance costs, the costs of putting up posters, holding awareness walks and other costs; and
- Checklist for actions they can take or should take during investigation and prosecution of case.³⁵

The Saskatchewan Report also recognized that family members required additional practical and financial support. One specific need is for improved processes to allow families to deal with the estate of the missing person.³⁶

³⁴ Western Regional Forum Report, *supra*, at p.2.

³⁵ Western Regional Forum Report, *supra*; Saskatchewan Report, *supra*; MWWG Report, *supra*.

³⁶ Saskatchewan Report, *supra*, at p. 30.

As a result of the research and consultations carried out during the Sisters in Spirit initiative, NWAC came to the conclusion that “there is an enormous need for services that promote healing including counseling, grief counseling, spiritual guidance, and support from other families experiencing similar situations.”³⁷ These services need to be “accessible, accommodating, timely and flexible” and they must be culturally appropriate. Numerous families reported that these services are not available to them.³⁸ Furthermore, the support services that are available tend to not be sufficiently sensitive to the needs of the families or to the culture of Aboriginal families.³⁹

Many family members also felt the need for public acknowledgement of their trauma.⁴⁰

In the Australian Report, the need for effective support services for families and friends was the single most often raised issue that required reform of missing person policies and practices.⁴¹ The type of supports identified as lacking ranged from acute emotional crisis support to specialized support specific to the needs of families and friends in long-term missing cases:⁴²

*Counselling needs for families and friends of missing persons change over time. At the outset, families and friends need focused advice and practical search information and feel that they can rely on their existing support networks. Because they are busy trying to locate the person, counselling may be seen as a distraction rather than a benefit unless it can be provided in an efficient manner over the telephone. However some people who do not have the benefit of a support network may need immediate assistance. Counselling and other support services to be sympathetic to, and understanding of, missing person issues.*⁴³

Families and friends expressed a specific need for practical support in the home. Several stated that what was needed was someone to come into the family home to take over responsibility for managing day-to-day affairs so that the families could be freed up to concentrate all their efforts on searching. Another stated need was for

³⁷ Presentation by Katharine Irngaut of NWAC at Western Regional Forum at p. 9.

³⁸ *Ibid.* The Highway of Tears Report comes to a similar conclusion.

³⁹ *Ibid.*

⁴⁰ Saskatchewan Report, *supra* at p. 24.

⁴¹ Australian Report, *supra*, at p. 37.

⁴² *Ibid.*

⁴³ Australian Report, *supra*, at p. 40.

help in reconciling the family and the missing person when found.

The Report also describes how the situation changes when a person is missing for a longer period of time:

Inevitably over time the level of emotional support from outside the immediate family is likely to drop off. A number of interviewed families where the person had been missing for some years have reported increasing social isolation or feelings of social alienation from previously supportive extended family and social networks. There is a chronic level of emotional distress that, as reported by the families, does not lessen over time, but the emotional support to help deal with them has virtually disappeared. Families may be receiving professional counselling and support, often using grief counselling models, but those interviewed often stated they found that approach unhelpful and not sympathetic to their particular circumstances. The need expressed was for a more understanding and appropriate counselling approach, but also, for contact with and support from others in similar circumstances.⁴⁴

The Australian Report provides a detailed account of the difficulties and social isolation and adverse reactions faced by families and friends of long-term missing persons. Some people experienced adverse reactions from previously supportive friends and family members as the episode continues. The degree of support from other family members, friends and the broader community tends to dissipate over time. This dynamic was vividly described in the Report:

In some cases other family members have difficulty dealing with the ongoing stresses of a long-term missing person incident and may distance themselves from the missing person's parents or immediate family. Close friends often don't seem to know how to treat the family of the missing person or what to say, and so may withdraw from the relationship. This sort of reaction was also received from people in the wider community, including those who are strangers to the family concerned, particularly where the case has been a highly publicized one. Families are made to feel 'on show' in public, which further reinforces feelings of social isolation. In some cases, people described their experiences as feeling they were victims of a social stigma, where others saw them as 'bad parents' or somehow to blame for the disappearance of their loved one, or at least for being responsible for not having prevented it happening. Some people specifically cited shame and embarrassment among the emotions they experienced.⁴⁵

⁴⁴ *Ibid.*, at p. 41.

⁴⁵ *Ibid.*

The results of the Canadian and Australian research make it clear that a more comprehensive policy response is required to meet the support needs of family members throughout both short-term and long-term missing person investigations.

(e) Lack of Public Awareness and Insufficient Community Engagement

Missing person policies and practices must recognize that when someone goes missing it is not just a “family issue” but one that involves the whole community.⁴⁶ In some situations, the family of the missing person may not have the most current information on the person’s activities; community agencies may be better able to provide this information.⁴⁷ Community engagement can include providing relevant information to police; supporting the family and friends of the missing person; participating in search and rescue efforts; and providing other support to the investigation process. The community can also be engaged in prevention efforts to intervene before a person goes missing.

Community engagement is hindered by a lack of public awareness concerning what to do when a person goes missing.⁴⁸

Several reports have emphasized the importance of community engagement in search and rescue efforts in rural Aboriginal communities.⁴⁹ While many people are prepared to participate in these efforts, there are barriers to effective search efforts in many communities including “a lack of structure to organize the search, management of practical support, and experienced leadership to ensure that volunteers’ safety is ensured and that efforts lead to practical results and do not damage the investigation.”⁵⁰

One specific issue for policy development is the issue of when and how police should issue a public notification about a missing person. AMBER alert programs are in place in many jurisdictions including British Columbia to advise the public that a child has gone missing and has likely been abducted. The purpose of this program is to engage the community in search efforts through a rapid system for communicating details concerning the missing child. In many US jurisdictions, “Silver Alerts” are also in place to broadcast information about missing persons,

⁴⁶ Saskatchewan Report, *supra*, at p. 47.

⁴⁷ *Ibid.*

⁴⁸ Saskatchewan Report, *supra*, at p. 34.

⁴⁹ Highway of Tears Report, *supra*; Saskatchewan Report, *supra*.

⁵⁰ Saskatchewan Report, *supra*, at p. 56.

especially seniors with Alzheimer's Disease, dementia or other mental disabilities, in order to aid in their return. Other states operate "Endangered Persons" alerts or advisories that apply to a broad range of missing persons.

Rather than formally through legislation, less formal public notification systems can be established through police-community practices. For example, Project KARE has developed a rapid "fan-out" system through which information about a street-involved missing woman can be released to engage the community in assisting in the investigation. This is a more targeted alert system that focuses on community and governmental agencies that are likely to have information about this group of missing women.

In many cases, family members and friends of the missing women had to make their own efforts to bring the public's attention to the situation "by conducting their own searches, constructing and displaying posters, requesting public service announcements through local radio and television stations, and contacting community groups for assistance."⁵¹

There are numerous unresolved issues concerning the best approaches to these public notification systems and other avenues for increased community engagement in missing person investigations.

(f) Complexities of the Media's Role

The media has played a complex role in missing women investigations across Canada. On the one hand, the media play an important role in communicating police concerns about a missing person to the public through the AMBER alert system or otherwise. The media can also proactively bring much needed public attention to the disappearance of women, as it did with respect to the women who went missing from the DTES, arguably playing an important supportive role in the police investigation of this situation.⁵² On the other hand, family members have expressed concern about inaccuracies in media reports, media insensitivity to family needs and concerns that media coverage has been unfair or inequitable.⁵³ Additionally,

⁵¹MWWG Report, *supra*, at p. 22.

⁵² Yasmin Jiwani and Mary Lynn Young, Missing and Murdered Women: Reproducing Marginality in News Discourse, *Canadian Journal of Communication*, Vol 31 (2006) 895-917

⁵³ NWAC, *Voices of Our Sisters in Spirit*, *supra*, at p. 86.

some Aboriginal families are of the view that media do not respect their culture and traditional ways.⁵⁴

Canadian reports have set out numerous concerns about the media including that the media will relentlessly pursue a family who may not want to give an interview and that the media uses inappropriate photos or uses photos without permission. Media headlines referring to missing women cases “have been known to label victims as missing prostitutes or sex workers, and not as the missing victims that they may be.”⁵⁵ Media fascination with the serial killer can cause harm to the victims’ families, who are forced to confront the details of how their loved ones may have suffered, or may have been tortured or mutilated.⁵⁶ The police have also been faulted in situations where the media reported on the outcome of a missing woman’s case before the family had been apprised of the situation.

Several studies have demonstrated that media coverage can perpetuate “stereotypical, racist and sexist beliefs and attitudes regarding Aboriginal women.”⁵⁷ The Report of the Parliamentary Committee report on violence against Aboriginal women said this about media issues:

Witnesses commented that the media feeds into racism in the relegation of coverage of tragedies involving Aboriginal people to inside and back pages of newspapers. As well, the media treatment of missing and murdered Aboriginal women often links these women with “at-risk behaviour” such as hitchhiking or prostitution. Jo-Anne Fiske shared a story which illustrated this:

When women go missing on Highway 16, if it’s a young, blonde woman... that child’s picture [is] on the first or second page in every paper in the nation for days. At the same time, one of my extended family members was found dead, and the only comment in the paper was that she was found dead where prostitutes were known to be. Well, thank you just the same, but it’s also where I walk my dog and play with my granddaughter and have other family activities. The fact that it was a public park was never mentioned. Her name was not mentioned—a grievous problem with media, public education, and the authorities that so identified her.⁵⁸

⁵⁴ Saskatchewan Report, *supra*; Western Regional Forum Report, *supra*.

⁵⁵ MWWG Report, *supra*, at p. 23.

⁵⁶ *Ibid.*

⁵⁷ Ms. Irngaut presentation at Western Regional Forum, *supra*.

⁵⁸ Evidence, Jo-Anne Fiske, Professor of Women's Studies, University of Lethbridge, as an individual, January 21, 2011 *Call Into the Night*, *supra*, at p. 30.

Some reports have emphasized the need to educate the media about the realities of the lives of vulnerable women to combat the stereotypical and denigrating media coverage that contributes to further marginalization.⁵⁹

Family members often find it difficult to deal with the media during the course of an investigation. It takes quite a bit of skill to negotiate the competing demands of the media and the police:

Families may wish to disseminate information to help with the immediate search, issue press releases to maintain public support for a search, or respond to inquiries about the missing person and the family's reaction to the police investigation. However, the media may also seek information they are not able to obtain from investigators, such as details regarding the murder of a victim, from surviving family members. While police and prosecution may caution against sharing such information, which can compromise the investigation and/or resulting trial, family members may succumb to pressure from the media to speculate or disclose confidential information.⁶⁰

The Missing Women Working Group (MWWG) found that media reports can have a significant impact on the conduct and outcomes of missing women cases in numerous ways:

- Affecting the process of locating missing women;
- Encouraging or discouraging the offender to commit more crimes;
- Increasing the public's feeling of safety or danger;
- Compromising the privacy of victims and their families;
- Affecting how society views victims; and
- Compromising the investigation and trial of serial predators.⁶¹

Media attention can have the perverse consequence of spurring on a serial predator. The MWWG points out that investigating officers of serial murder cases noted that offenders have often tracked media stories about their cases and taken great interest in the reports, even keeping news clippings as "souvenirs."⁶²

Police need to develop and implement effective media policies and strategies to proactively assist in locating missing women and to take steps to mitigate the potential negative impact on ongoing investigations. Some police officers have

⁵⁹ NWAC, *Voices of Our Sisters in Spirit*, *supra*; MWWG Report, *supra*, at p. 22.

⁶⁰ MWWG Report, *supra*, at p. 23.

⁶¹ *Ibid.*, at pp. 21-24.

⁶² *Ibid.*

suggested that concrete guidelines should be established for this purpose.⁶³

3. OVERVIEW OF POLICY OPTIONS

Missing person policies and practices is an area of policing that has been developing quickly over the past few years. There are a growing number of positive models for handling missing person cases, a move toward standardization of policies and an increased number of personnel with the required specialized skills. Gaps in research, policy and implementation continue to exist, however, and there has been little formal evaluation of these developments. The previous section outlined a number of issues that have been raised by victims' family members, community agencies and others. In addition to discussing barriers and challenges, these individuals and groups have made specific and direct suggestions for improvements in police services, as well as improvements that should be made in victim services and support measures. Some of the overarching themes about "what works" identified through these consultation processes are building trust and acknowledging expertise among families, service agencies and police; working together; and prevention, awareness, and education.⁶⁴

This second section of this policy discussion report identifies and discusses seven major policy options for improving missing women investigations through a focus on strengthening the capacity of families and friends, the community and the media to assist in the investigation of missing persons and suspected multiple homicides. These options are ensuring fair treatment through enhanced liaison and training; developing information and communication tools and strategies; building a network of support for families and friends; improving awareness and prevention through police-community partnerships; increasing public information through websites and other social media; developing media protocol and resources; and building capacity through a national missing persons centre.

(a) Ensuring Fair Treatment through the Enhanced Liaison and Training

Two main recommendations have been made to ensure that family members and other reportees are treated fairly by police at the time of reporting a person missing and throughout the subsequent investigation process.

⁶³ *Ibid.*

⁶⁴ Western Regional Forum Report, *supra*.

The first is the creation or enhancement of community liaison positions to facilitate an effective relationship between the police and the missing person's family or friends. Chief Kennedy of the Assembly of Manitoba Chiefs has spoken positively of the agreement with the RCMP that led to the creation of a First Nations community liaison worker in 2009. A central role of the officer is to act as liaison between the parents of missing and murdered women and the police.⁶⁵ The Highway of Tears Report recommends that a First National Advocate should be provided to "bridge the long-standing communications and awareness gap which exists between the RCMP and First Nation victims' families."⁶⁶ This position should be publicly-funded but not employed by the RCMP. Similar recommendations were made in the course of the Commission's consultations in the Downtown Eastside of Vancouver.⁶⁷

Consideration could be given to both types of liaison positions: one inside and one outside of the police force. These liaison personnel could ensure that information is shared between police and families on a regular and timely basis, help to build a more constructive relationship, assist in cross-cultural communication to avoid misunderstandings, and assist families and friends to navigate the system. Liaison personnel can contribute very effectively to removing the obstacles that preclude families from receiving a complete and equal response from the police. Police-community protocols can be developed to support this work.⁶⁸

One major goal of establishing a clear liaison function is to increase the timeliness of reporting of missing women, which is critical given the impact of delay on the success of an investigation. The MWWG elaborates this recommendation:

Recommendation # 14

In order to increase the likelihood that disappearance of marginalized women will be reported in a timely fashion, the MWWG recommends that jurisdictions encourage police to develop specialized positions or specific units within police agencies so that:

- *knowledgeable personnel are given clear responsibility for contact with families and the public in missing person reports; and*
- *identified police personnel can link with vulnerable communities to increase awareness about reporting missing persons, specifically to:*
 - *let people know that the reporting of a missing person is not limited to immediate family members, and;*
 - *reassure individuals who may be associated with criminal*

⁶⁵ *Call Into the Night, supra*, at p. 16.

⁶⁶ Recommendations re Victim Family Counselling and Support 3(B).

⁶⁷ *Downtown Eastside Consultation Report, supra*, at p. 91.

⁶⁸ MWWG Report, *supra*, Recommendation #44

*lifestyles that they can access police services and report a disappearance without fear of arrest.*⁶⁹

The liaison will be the one point of contact for families of missing persons, a critical component in effectively managing relationships with family members. The liaison will be an individual who has links to many services and professionals, and the expertise to be able to provide appropriate advice and referrals to address the dynamic needs of families of missing persons.⁷⁰

The second recommendation is to provide additional training to all police personnel involved in missing person investigations to create greater awareness of the situation of vulnerable and marginalized women and their families and to provide police with the knowledge and skills required to carry out their functions in an unbiased manner that is sensitive to Aboriginal culture. This training could help to mitigate “any potential distrust on behalf of the families caused by past relationships.”⁷¹

(b) Developing Information and Communication Tools and Strategies

Families and community members experience a large unmet need for information about the reporting process for missing women and what to expect throughout the conduct of the investigations. Renewed information and communication strategies should identify gaps in each jurisdiction and set objectives or target goals. These objectives should include improved communication with families of missing persons; improved understanding of the process with regard to search and rescue resources; improved public knowledge of police policies; and support of the ability and willingness of members of the public to report a missing person and to openly share information with the police. Three information tools and communication strategies should be developed to meet the needs of distinct audiences:

- **Universal strategy** – approaches that are aimed at the general population regardless of individual risk of going missing or having a family member go missing;
- **Selected strategy** – approaches that are aimed at individuals and groups who are thought to have a *heightened* risk of going missing;

⁶⁹ MWWG Report, *supra*, Recommendation #14.

⁷⁰ Western Regional Forum, *supra*, at p. 17.

⁷¹ MWWG Report, *supra*, Recommendation #29.

- **Indicated strategy** – approaches that are aimed at those who have gone missing in the past or family and friends of individuals who are currently dealing with a person who has gone missing from their lives.⁷²

Many reports have recommended that the police work with Aboriginal organizations and other groups to develop and disseminate tools and information that reflects different literacy levels and is available in a range of languages and formats.⁷³ Some important steps have already been taken in this regard. For example, NWAC worked with the National Aboriginal Policing Services Department of the RCMP to develop a kit that assists family members to “walk” through the process of filing a missing person report. NWAC describes the kit:

*The kit illustrates the realities and exposes the myths associated with the process of reporting a missing person to police. Families can use this tool kit to learn about their rights and to track police response and action throughout the process. We are particularly proud that this document has been endorsed by the RCMP and has become an education tool for policing services as well as a resource for families.*⁷⁴

The Western Regional Report points out that families most often want to take action and be involved when a loved one goes missing.⁷⁵ Active participation can be facilitated by a better understanding of the processes and procedures that will occur throughout the investigation. Both NWAC and the Saskatchewan Association of Chiefs of Police have created checklists, which provide families with guidance and steps they can take to ensure they are included in the process and not left out as spectators.⁷⁶ The MWWG recommended that others follow this example.⁷⁷

Recent reports also make a number of recommendations concerning how the police can establish effective communication links with the family:

⁷² Developed on the basis of the approach set out in *Sexual Violence Prevention: Beginning the Dialogue*, *supra*, at p. 7.

⁷³ See, for example, MWWG Report, *supra*, Recommendation #28.

⁷⁴ NWAC, *Unlocking the Mystery of Media Relations*
<http://www.nwac.ca/programs/sis-toolkits-workshops>

⁷⁵ Western Regional Forum Report, *supra* at p. 16.

⁷⁶ Saskatchewan Report, *supra*, at p. 25; www.sacp.ca/missing/index; NWAC *Navigating the Missing Persons Process*, <http://www.nwac.ca/programs/sis-toolkits-workshops>

⁷⁷ MWWG Report, *supra*, Recommendation #16.

- Develop a master family contact list that is shared with the police, victim services and crown counsel;
- Create a family database, communication methods for keeping family members informed including family meetings, information bulletins, secure website and phone contacts;
- Designate a family member lead contact;
- Make personal home visits;
- Re-establish police contact when it has lapsed;
- Continually communicate with families to provide ongoing updates⁷⁸

The U.S. Model Missing Persons Statute encourages law enforcement agencies to “make available information materials (through publications or electronic or other media) that advises the public about how the information and materials gathered during the investigation are used to help locate or identify missing persons.”⁷⁹

Many police forces and several other organizations, such as NWAC, have launched publicly accessible education mechanisms that provide accurate information concerning the procedures to report missing persons, including how to document information reported on specific cases. These education mechanisms often take the form of websites. The issue of websites and their role in missing person investigations is discussed further below.

(c) Building a Network of Support for Families and Friends

The Australian Report concluded that a broad network of support services are required to meet the varying needs of the relatives and friends of missing persons: information support through brochure and/or a detailed practical guide, hotline or website; acute emotional crisis support when the person first goes missing, specialized to deal with the specific crisis of a missing relative or friend; professional counselling to deal with the trauma associated with someone missing for a lengthy period (an unresolved grieving process); and contact and support from others in similar situations through self-help support groups.

Canadian reports contain a myriad of recommendations with the objective of recognizing and addressing the extensive support needs of the families and friends

⁷⁸ Highway of Tears Report, *supra*; Saskatchewan Report, *supra*, at p. 45.

⁷⁹ *Model State Missing Person Statute, 2005*, published by the National Criminal Justice Reference Service, administered by the Office of the Justice Programs, U.S. Department of Justice.

of missing persons. Some of the recommendations are generic and focus on the difficulties faced by all relatives or friends who report a person missing. However, some of the recommendations deal specifically with the ongoing support needs of the families of the missing women who have been found murdered or in situations where there is an increased likelihood that the women have met foul play. The recommendations share the twin goals of initiating support to families by keeping them informed and involved and building a support network for families in long-term missing person cases.

Intervening early and making initial contact as quickly as possible after a family member learns that their loved one is missing are crucial steps in providing support. We now recognize that a crisis intervention model is required to ensure that the provision of support, information and referrals is comprehensive for those affected by missing person incidents. A comprehensive service model is required to provide families with assistance in the many aspects of a missing person case: “police investigation needs; media demands; notification of other family and community members and ongoing assistance to deal with trauma and ongoing investigation or criminal proceedings.”⁸⁰

Several Aboriginal communities have had success in utilizing a family gathering model as a culturally-appropriate crisis intervention model.⁸¹ NWAC has used family gatherings to assist in healing, particularly in cases where women have been missing for a long time.⁸² The Sisters in Spirit vigils have also provided an exemplary way for families to heal and to experience an outpouring of community support for them.⁸³

Canadian reports make a number of recommendations with respect to enhanced support of families and friends in all missing person cases.

- Have a complete support system for families that is responsive to their changing needs. This will include family-to-family support as well as assistance with media.
- Create specialized victim service missing person positions that can act as

⁸⁰ Saskatchewan Report, *supra*, at p. 50.

⁸¹ Saskatchewan First Nations’ Women’s Commission Secretariat Federation of Saskatchewan Indian Nations, “Missing First Nations Persons In Saskatchewan: A preliminary Overview” (March 31, 2007, Submitted For Review to: Provincial Partnership Committee on Missing Persons) .

⁸² NWAC, *Voices of Our Sisters in Spirit*, *supra*, at pp. 80-82.

⁸³ *Ibid.*

liaisons to bridge the gap between families and service providers. Individuals filling these positions must have cultural literacy and receive relevant ongoing training.

- Expand the Victims Services mandate to include provision of support to families of missing persons, and develop protocols between police and victim services for engagement and support of families once that need has been identified.
- Develop a roster of fully qualified Aboriginal mental health therapists, grief counsellors, critical incident stress counsellors, and other counsellors of relevant specialty.
- Develop and implement a permanent Regional First Nation Crisis Response Plan for First Nations communities and Aboriginal families (Urban and Rural) experiencing a traumatic event.
- Assemble an exceptionally qualified First Nation Crisis Response Team, who will receive training on their roles and be ready for deployment to any of the Rural First Nation communities, or Urban Aboriginal families, from which a victim disappears;
- Assign Aboriginal Agencies or First Nation Communities, qualified to deliver such services, to provide long term counselling and support to Aboriginal victims' families upon their request and direction.⁸⁴

These reports also make recommendations tailored to the needs of the families and friends of missing and murdered women.

- Have fully funded accessible services to support families of murdered and missing persons, in all communities across Canada, that take into consideration the particular needs of individuals in remote areas.
- Provide travel support for family members, family respite space and separate family space for any court proceedings, and resource guides for family members, and designate tent areas at investigation sites.
- Provide the families of the missing and murdered women resources for searches, funding for cultural healing services, loss and grieving counselling, assistance in dealing with the police and the courts, and family gathering funds.
- The Department of Aboriginal Affairs and Northern Development Canada — in collaboration with the provinces, territories Aboriginal organizations, and other federal government departments — should support the families and victims of violence against Aboriginal women, which should include funding for searches, legal services, court assistance, victim services, loss and grief counseling and cultural healing services.

⁸⁴ Highway of Tears Report, *supra*; Saskatchewan Report, *supra*; Western Regional Forum Report, *supra*.

- Enhance public acknowledgement and support to recognize the trauma and grief experienced by the families of missing persons and to recognize the spiritual connection including some form of memorial.⁸⁵

Several reports noted that there was a growing array of support resources and programs but that these had not been developed within a coordinated framework. NWAC has invited the federal, provincial and territorial governments to work cooperatively with the organization to conduct an environmental scan of victim service programs and resources to identify what is available, what level of usage exists, and gaps and to assess the overall effectiveness of these services in meeting the needs of individuals. In addition, it has been recommended that a joint committee of federal, provincial and territorial governments should be established to look at victim services from an Aboriginal perspective.

The MWWG also recommended that Heads of Prosecution and the Federal/Provincial/Territorial Working Group on Victims participate in the development of and distribution of best practices for police, prosecutors and Victims Services respectively to use when dealing with victims' families, witnesses and the media in missing and murdered person cases.⁸⁶

Some of the family members who participated in the Saskatchewan consultations asked for improved processes are needed to allow families to deal with the estate of the missing person. The Saskatchewan Report recommends that: "The provincial government should review existing common law and legislation dealing with missing persons and develop a timely, comprehensive legislative response to deal with the estate of the missing person."⁸⁷

The New South Wales Department of Justice and Attorney General's Families and Friends of Missing Persons Unit (FFMPU) provides free and confidential counseling services, information, and referrals to families and friends of missing persons who live in NSW or went missing from NSW. In addition to providing services that have been highly rated by clients, FFMPU has also developed best practices for counselling processes to meet the specific needs of those grieving for a missing person.⁸⁸ The FFMPU identifies eight best practices:

⁸⁵ *Ibid.*

⁸⁶ MWWG Report, *supra*, Recommendation #47.

⁸⁷ Saskatchewan Report, *supra*, Recommendation #4.

⁸⁸ New South Wales Families and Friends of Missing Persons, "It's the Hope that Hurts: Best practice in counselling models relevant to families and friends of missing persons" (NSW Attorney General and Minister of Justice, 2001).

1. Promote the development of identified counsellors for the families and friends of missing persons to be accessed by prospective clients;
2. Promote the development of competencies and discuss and develop specific training in liaison with relevant professional and/or training bodies;
3. Promote the development of suitable training workshops (see below);
4. Emphasize the importance of flexibility and long term continuity of availability in the provision of counselling to the family and friends of missing persons;
5. Develop a website that includes a listing of those recognized as identified counsellors of families and friends of missing persons;
6. Maintain a listing of recommended readings for identified counselors;
7. Develop a pamphlet for distribution to families and friends of missing persons that outlines what standards and services can be expected of identified counselors; and
8. Issue a statement endorsing certain basic principles of counselling families and friends of missing persons including, but not restricted to, the following: Counsellors of families and friends of missing persons are encouraged to
 - ensure they possess well-honed basic counselling skills recognizing the particular importance of empathy and genuineness,
 - ensure they are well informed of the particular needs of family and friends of missing persons,
 - avoid a dogmatic attachment to a “stage” approach to loss theory and particularly any unmodified application of grief and loss models that emphasize ‘closure’ and ‘resolution’ as end products,
 - be familiar with the ‘lived experience’ of family and friends of missing persons,
 - be available for the ‘long haul’,
 - be familiar with developmental issues surrounding the loss/hope dilemma experienced by family and friends of missing persons,
 - maintain currency in the literature surrounding loss and grief and the issues facing family and friends of missing persons,
 - develop an association with local support groups for family and friends of missing persons, and
 - engage in a therapeutic philosophy that assists family and friends of missing persons helpfully redefine and reinterpret their altered status with the missing person.⁸⁹

⁸⁹ *Ibid.*, at p. 5-6.

The FFMPU also suggested that workshop content could include:

- Contributions by consumers on the lived experience;
- Applicability of various counselling models and theories;
- Details of various search agencies and procedures;
- Legal issues when someone goes missing;
- Information on support groups;
- The impact on relationships where a loved one is missing;
- Problems in reunions;
- Issues surrounding found but estranged person; and
- Avoiding the less helpful.⁹⁰

(d) Improving Awareness and Prevention through Police-Community Partnerships

Grassroots community groups have taken the lead in increasing public awareness about missing and murdered women through a range of activities including the Women's Memorial March in the DTES and the Take Back the Highway and other walks along the Highway of Tears.

Police and other agencies can consider ways to partner with grassroots organizations to communicate with and educate the community on issues related to the vulnerability of marginalized women to violence and strategies to prevent women from going missing, and to better protect women from all forms of violence. Project KARE in Edmonton and SisterWatch in Vancouver are two examples of police-community partnerships focused on enhancing safety for groups of women who are at a heightened risk of going missing.

The Saskatchewan Provincial Partnerships Committee on Missing Persons is a larger coalition of agencies and organizations with a broader mandate to address all aspects of missing person issues. The Saskatchewan Report identified a number of priority tasks for the future work of the Committee (or other agency). One is the development of information and education materials to provide a factual overview of all aspects of missing person situations. It also recommends that agencies that deal with at risk populations should establish teams to conduct presentations on awareness, prevention and personal safety to social and professional networks throughout the province. It also identifies the need to compile and maintain both an inventory of agencies involved in missing person cases to support networking and a publicly accessible inventory of existing or new educational materials on prevention

⁹⁰ *Ibid.*

and personal safety. Finally, it recommends that police, as part of their communications with the public, should ensure that information about police policy, procedure and practices related to missing persons cases and the role that the public can play in assisting in missing persons cases is generally available.⁹¹

(e) Increased Public Information through Websites and Other Social Media

Websites can also be employed to increase public awareness about the phenomenon of missing persons. Missing person websites can be designed with several objectives in mind: supporting investigations of missing persons; raising awareness about missing person cases; and giving members of the public a useful tool for providing additional information regarding the whereabouts or the identity of those listed.

Australia focuses a great deal on the use of media and social media to bring attention to the issue of missing persons, particularly to increase public awareness and education. A number of strategies are used. One strategy is research to identify and develop effective targeted prevention programs and use various media to get the message out to target groups.⁹² Another strategy used is the production of personal accounts and short stories that are recorded and then played on television channels across Australia. These short segments are powerful pieces that portray the reality of situations families of missing persons must live through.⁹³

In Australia, there are several national campaigns that are run each year to educate the public on issues relating to missing persons, which are National Youth Week, International Missing Persons Day and National Missing Persons Week.⁹⁴ In addition, in October each year a very high profile missing person case, that of 13-year-old Daniel Morecombe, is commemorated.⁹⁵

National Missing Youth Week in Australia is an example of the beneficial use of social media to promote awareness of issues surrounding missing persons. The event targets youth, the most likely group of individuals to go missing: approximately 20,000 youth are reported missing to police each year in Australia.

⁹¹ Saskatchewan Report, *supra*, at pp. 34-35.

⁹² More information on this event can be found at www.youthweek.com

⁹³ These can be viewed online at:

<http://www.missingpersons.gov.au/awareness/media-gallery.aspx>

⁹⁴ www.helpbringthemhome.org.au

⁹⁵ www.dayfordaniel.com.au

To determine how to best target youth, the National Missing Persons Coordination Centre conducted extensive market research. Youth are also involved in planning the event: input from the community is seen as important and youth are personally involved. The weeklong event is full of youth friendly activities such as concerts, talent competitions, community projects, festivals, dance parties, sporting events, social media campaigns and many other activities. This week is used as an opportunity to educate youth about the realities of missing person situations and to provide preventative skills and valuable knowledge to the youth that attend.

The Commission has reviewed a plethora of missing person webpages both in Canada and in other jurisdictions. Their ability to carry out a public information and education function vary a great deal both in terms of the information available, the accessibility of the information and the ease with which a reader can navigate the site. For example, the Saskatchewan Association of Chiefs of Police missing persons website is seen as a particular valuable tool for both sharing information about specific missing person cases and generally increasing public awareness.⁹⁶

In many cases, efforts should be made to increase the ease with which the missing person websites can be found and understood by the public. It must be kept in mind that not all people have easy access to the Internet and alternative media should also be provided. For example, there is a startlingly low literacy rate in British Columbia,⁹⁷ and therefore, literacy issues should be kept in mind in the development of all information and education resources. Video and other graphic elements can assist in making the website information more broadly accessible.

The Saskatchewan Report has strongly supported enhanced relationships and information sharing across jurisdictions on missing people through better knowledge of existing websites and the development of broader national website or linked websites. These steps would ensure a broader dissemination of and access to information on missing people. A national website is being developed by National Police Support Centre for Missing Persons and is expected to be live in the next month.

The MWWG has recommended that jurisdictions work with law enforcement and police agencies to ensure that the public is made aware of reporting practices for missing persons in their jurisdiction, to evaluate the adequacy of current educational mechanisms, and to consider how to make information more accessible

⁹⁶ <http://www.sacp.ca/missing/index.php>

⁹⁷ *Literacy in BC*: <http://www.literacy.bc.ca/info/literacyinbc.pdf>

through websites. This could include a national public education campaign about missing persons' issues and police policies and procedures in order to change misconceptions.⁹⁸

(f) Building Community Skills and a Sense of Collective Responsibility

At a recent workshop a group of family members of the missing and murdered women developed a vision for the future of missing person investigations that included:

*... an involved and inspired community including citizens, families, police, government, non-governmental organizations, coroners, medical examiners, education providers and Aboriginal communities.*⁹⁹

Achieving this vision required public awareness campaigns at the grassroots and national levels, promoting education and community safety plans and integrating more proactive and interventionist approaches. Beyond awareness, community engagement must be built through improving community skills and fostering a broad sense of collective responsibility. One often overlooked piece is the need to develop more engaged bystander attitudes and bystander intervention skills.¹⁰⁰

We all have a potential role to play in safeguarding vulnerable women, and others at high-risk of going missing, from harm. Community members have an important role in facilitating safety measures such as street lighting, transportation and emergency phones. The police have an important role in alerting communities to specific risks and the public role in crime prevention strategies.

In addition, community members have a strategic role in searches for missing persons, "due to the importance of having as many sets of eyes looking for a person reported missing as possible."¹⁰¹ Police may need to develop additional protocols to share information through community-wide alerts and warnings, protocols beyond the existing AMBER alert system, which is narrowly focused on child abduction cases.¹⁰² Best practices in this regard require the police agency to carefully evaluate whether there is sufficient information to make issuing a community warning or

⁹⁸ MWWG Report, Recommendation #47.

⁹⁹ Western Regional Forum Report, *supra* at p. 18.

¹⁰⁰ *Sexual Violence Prevention: Beginning the Dialogue*, *supra*, at p. 9.

¹⁰¹ Teresa Metcalf Beasley, Mary Bounds and Megan O'Bryan, *Special Commission on Missing Persons and Sex Crimes Investigations – Final Report* (March 30, 2010)[hereinafter "Cleveland Commission Report"].

¹⁰² *Ibid.*

media report useful and balance avoiding overwhelming the media and the community with information with enabling the media and the community to assist with investigations when possible.

The Highway of Tears and Saskatchewan Reports contain detailed recommendations for building community skills to participate in search and rescue efforts when a person goes missing. They recommend that agencies recognize, access, and engage the skills and abilities of local community members to aid in the search and rescue of missing persons. To promote community involvement in search and rescue, the reports recommend creating a council or other structure to oversee planning, policy development and management; training; devoting sufficient public resources to facilitate volunteer effort; using databases of events, training and personnel; ensuring support systems are in place for long term and remote searches; and developing urban search and rescue capacities.¹⁰³ These issues need to be dealt with in advance so that there are protocols in place for investigators to follow when a search and rescue operation is needed.

First Nations people and organizations have a critical role to play in search and rescue efforts. Police should work with First Nations people and organizations in respectful partnership. Specifically, search and rescue teams should incorporate and be sensitive to the culture, language, traditions and values of the communities which they serve.

(g) Development of a Media Protocol and Resources

A media protocol could assist in the formation of an effective strategic partnership between the police, families, the community, and the media in the context of a missing person investigation. Although police forces have developed general media protocols, these may not have the detail required to meet the needs of missing person incidents. A number of issues could be addressed in a media protocol:

- Safeguards to ensure that any information released about the missing person is checked with the family to ensure accuracy;
- Guidelines regarding the release of photos of missing persons;
- Detailed description of the role of the public information officer in this context;

¹⁰³ Saskatchewan Report, *supra*; Highway of Tears Report, *supra*.

- Considerations regarding the strategic use of media to enhance investigations;
- Proactive use of the media for educating and soliciting information from the public;
- Steps for the media to use to enable contact with family members;
- Guidelines to ensure that family members are told about the outcome of a missing person investigation before the media; and
- Integration of evidence-based research about serial killer reactions to media.¹⁰⁴

In some jurisdictions the police agency is required to forward information about missing persons to the media in all cases.¹⁰⁵ The International Association of Chiefs of Police recommends that the police chief and the family of the missing person determine together whether the media should be contacted. This approach has been adopted in several U.S. jurisdictions.

Families and friends also need assistance in their direct dealings with the media, particularly in terms of understanding the repercussions of discussing important details with the media and ensuring that they are disclosing all pertinent information. Both NWAC and the Australian Centre have developed kits to serve this purpose.¹⁰⁶ Victim support workers or community liaisons can also help families and friends deal with the media.

Many families have expressed concern about the accuracy and appropriateness of media coverage of the missing women cases. Some reports therefore also encourage the media to develop its own standards for reporting on missing person investigations:

*The media is encouraged to develop best practice standards in dealing with missing person cases which include consistent, neutral messaging sensitive to the family and cultural circumstances.*¹⁰⁷

¹⁰⁴ MWWG Report, *supra*; Saskatchewan Report, *supra*; Western Regional Forum Report, *supra*.

¹⁰⁵ Cleveland Commission Report, *supra*.

¹⁰⁶ NWAC, *Unlocking the Mystery of Media Relations*
<http://www.nwac.ca/programs/sis-toolkits-workshops>; Australia, National Missing Persons Coordination Centre, *Working with the Media*,

<http://www.missingpersons.gov.au/support/usingthemedias.aspx>

¹⁰⁷ Saskatchewan Report, *supra*, at p. 27.

(h) Building Capacity through a National Centre

In 2010, Public Safety Canada directed the RCMP to develop a centre to bring together all missing persons and unidentified human remains data. The National Police Support Centre for Missing Persons (NPSCMP) is in the process of developing this database and website. The full extent of the NPSCMP's role is yet to be determined as the Centre is engaged in a consultation process and is seeking to partner with a range of stakeholders to help form the website.¹⁰⁸

One important question is what other measures could be taken at the national level to build the capacity across Canada to assist in the initiation and conduct of missing person investigations and to prevent people from going missing in the first place.

The Australian experience suggests that there is much good work that can be done at the national level to assist state and local level efforts. Australia has established two national institutions for this purpose: the National Missing Persons Unit (NMPU) and the National Missing Persons Coordination Centre (NMPCC). The following section briefly describes these two institutions and their roles, to provide examples of what might be considered in Canada.

The NMPU provides a national coordination function as well as support to State and Territory police services in locating long-term missing persons. Education and public awareness strategies provide a better level of understanding about missing person issues in the community as well as help locate specific cases. However, work remains to be done, for example, little is known about effective prevention strategies and “consequence-minimization” strategies. The NMPU is designed to meet this critical need for monitoring, research, and evaluation, to determine what works for whom and under what circumstances in preventing missing person incidents and in minimizing the impacts and consequences. It has identified fruitful areas to explore, which include (1) research on repeat incidents; (2) links between homelessness and missing persons; and (3) the effectiveness of education and awareness raising programs. Finding ways to reduce, or preferably avoid, the social and economic costs associated with missing people needs to be addressed by the community, the government, non-governmental organizations, the business sector, the media, and missing persons themselves.

¹⁰⁸ Western Regional Forum, *supra*, at p. 10 (Presentation by Sergeant Lana Prosper).

At present, the priority areas for the NMPU are:

- providing information and practical advice to assist families in searching;
- specialized training in unresolved grief counseling;
- training in missing person issues for telephone counselling service providers;
- promoting understanding of missing person issues among special needs support groups; and
- establishing specialized self-help groups for families of long-term missing persons.¹⁰⁹

The NMPCC was established by the Australian Government in 2006 to fulfill a national leadership role and to progress a range of initiatives to improve responsiveness to missing persons and their families and friends. The mission of the NMPCC is to coordinate and promote an integrated approach to reduce the incidence and impact of missing persons.

The “PLEASE” policy and program principles drive the work of the NMPCC, with initiatives across all areas of Prevention, Location, Education, Awareness, Support, and Evaluation. Examples of existing programs include:

- *Working closely with CrimTrac and the State and Territory police services in progressing an enhanced national capability for the CrimTrac Police Reference System which will realise an increase in the location of missing persons through effective sharing of missing person’s information across police jurisdictions. (Location);*
- *Continuing to profile images of missing persons through Foxtel, the Woman’s Day online, television series Without A Trace and The Missing Persons Unit, online through the AFP website and through the AFP’s twice-yearly annual missing person’s poster. (Location);*
- *Developing a national approach to supporting families and friends of missing persons. Only one state, NSW, has a dedicated support service for families and friends of missing persons. The national framework developed by the Centre, entitled Supporting those who are left behind, aims to provide professionals across Australia with a guide to understand the trauma families of missing persons experience and how they can best be supported. (Support.);*

¹⁰⁹ C. Kiernan and M. Henderson, *Missing Persons: Extending the Traditional Policing Boundaries to Address a Social Issue* (Australia Criminal Intelligence Bureau, 2000).

- *Developing and implementing a national media advertising campaign during National Missing Persons Week 2007 and more recently a Christmas campaign encouraging missing persons to Make Contact. (Awareness);*
- *Developed partnerships with government and other organisations such as Foxtel, Woman's Day and the Mental Health Council of Australia to further raise awareness and reach of specific messages. (Awareness);*
- *Implementing a training needs analysis relating to missing persons and police, with participation of the AFP College, police missing persons units, and relevant units in NSW Police. (Education);*
- *Supporting national research conducted by the Australian Institute of Criminology. This research confirms that our elderly, our youth and people living with a mental illness are most at risk of becoming a missing person. It also provides guidance on preventive strategies that will guide agencies in reducing the incidence of missing person's reports. (Support).¹¹⁰*

In 2009, the NMPCC held a major national conference to identify a national missing persons diversity research agenda. The conference proceedings identified the following priorities for improving searches for missing people and the support required by them and their families and friends:

- (1) *Increased coordination/cooperation with other agencies (local coordinator, referral and case management protocols, joint training);*
- (2) *Improved information-sharing across agencies. There are perceived privacy barriers stemming from legislation, agency policies, and professional ethics issues;*
- (3) *Informed and increased public awareness through a range of media such as television, website etc.;*
- (4) *Improved communication activities across the missing person sector related to both core and key services; and*
- (5) *Building linkages with specific communities which seem to be currently under-reporting e.g. Indigenous, Culturally and Linguistically Diverse communities.¹¹¹*

4. QUESTIONS AND ISSUES FOR DISCUSSION

¹¹⁰ National Missing Persons Coordination Centre, *Scoping A National Missing Persons Diversity Research Agenda* (Australia: 2009) at pp. 9-10.

¹¹¹ *Ibid.*, at pp. 17-18.

The third section sets out a number of questions designed to facilitate further discussion and to generate recommendations for improving the relationships between the police, families, communities and the media in the context of missing women investigations. The Commission invites your responses to one or more of these questions in your written submissions, in addition to feedback on any element of this discussion paper.

- Q1 - What steps can be taken to ensure that all individuals who report a person as missing are treated fairly and with equal respect? How can we remove obstacles to a fair and equal response in each missing person case?
- Q2 - What are the specific information and communication needs of families and friends who have reported someone missing? What mechanisms or processes are required to ensure that these needs are met in an effective and fulsome manner?
- Q3 - What steps need to be taken to build an effective network of support for families and friends of missing persons? What types of support are required? Who should provide these supports? How should they be provided?
- Q4 - How can police-community partnerships be developed and used effectively in both prevention and investigation efforts in the context of missing persons, particularly vulnerable and marginalized women who face high risks of going missing?
- Q5 - How can we best use websites and social media to provide information and increase public awareness about missing persons? How can these tools/strategies be used in prevention efforts? How can these tools/strategies be used to facilitate the missing person investigation process?
- Q6 - What steps can be taken to build community skills and community engagement in missing person investigations? Are different strategies required in the urban and rural contexts? What steps can be taken to foster positive bystander attitudes, engagement and intervention skills?
- Q7 - Should police agencies develop specific media protocols to deal with missing person investigations? If so, what best practices should be included in these protocols? What resources do families, friends and community groups need to support their interactions with the media in this context?
- Q8 - Should the media be encouraged to develop standards for reporting in missing person cases? If so, what steps can be taken to initiate this process?

Q9 - What types of capacity building and support are required at the national level? What are the priority requirements and how can they be met? Could the National Police Support Centre for Missing Persons carry out these functions? Are there other organizations that could carry out these functions?

