

# Thames Valley Police Oxfordshire Social Services

## Joint Protocol Young People September 2006

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## 1. Introduction

1.1 **8888** missing person reports were made to Thames Valley Police in 2005. **4942** of these cases resulted in a formal investigation by the police. The remainder involve people who were quickly traced by family members, police officers or returned home of their own accord prior to the commencement of a formal investigation. The 4942 investigations undertaken annually in the Thames Valley include over 51.5% that involve people under the age of 18 years.

1.2 **74** children in Oxfordshire went missing in 2005 on at least three occasions during the year. These children between them account for **521** reports or 22.2% of all of Oxfordshire's missing person investigations, and 44.9% of all missing children. Many of these cases involve children in care; particularly those resident in children's care homes operated by the local authority or by private care providers. It is also important to note that the majority of looked after children do not experience missing episodes. Moreover, most children in residential care do not go missing.

1.3 Academic research shows that children who run away are often very vulnerable. While each case needs to be considered on its merits, young runaways generally are at a heightened risk of being victims of crime, sexually exploited, involved in substance misuse or of becoming involved in crime and disorder.

1.4 Elsewhere in the country partnership working between police, local authorities and where appropriate education and health agencies have reduced runaway behaviour by around 20%. In addition to reducing the figures this way of working has also helped to safeguard some of the most vulnerable children. As demonstrated above, the issue of young runaways is a serious problem within the Oxfordshire Area. This issue requires our very best attention if we are to protect our children from ruthlessly efficient predatory influences that exist within society and to avoid them becoming socially excluded.

## 2. Legislation

2.1 The legal parameters within which missing person enquiries are conducted can be found in the common law, and international law and especially the provisions of the European Convention of Human Rights (ECHR). Some of the provisions of the ECHR have been given legal effect within the United Kingdom by virtue of the Human Rights Act 1998.

2.2 Data Protection legislation places certain conditions on the 'processing' of information classed as personal data. Data held for policing purposes should only be disclosed for such purposes. Adherence to this Agreement will therefore ensure compliance with the Data Protection Act 1998 and the Thames Valley Constabulary Data Protection policies. Data Protection legislation does not prevent the police and local authority working together to ensure the safe return of a missing young person. Both organisations are registered for the purpose of protecting people and therefore for disclosing information for that purpose.

### **3. Scope**

3.1 The terms child and children refer to any child or young person under the age of 18.

3.2 The Protocol is designed for: -

Children looked after by Oxfordshire County Council placed in County Council Children's homes within the County boundaries.

Children looked after by Oxfordshire County Council placed with foster carers within the county boundaries.

Children looked after by Oxfordshire County Council and placed in private establishments or with agency foster carers within the county boundaries, where compliance with the protocol is specified in the contract or placement agreement.

3.3 Children Looked After refers to children accommodated under Section 20 of the Children Act 1989, children subject to Care Orders including Interim Care Orders, (Sections 31 and 38 of the Children Act 1989), and children who are otherwise provided with accommodation by Section 21 of the Children Act 1989. These include PACE transfers, children on remand and children subject to a supervision order with a residence requirement.

3.4 In addition the Protocol will apply to all young people placed within the county boundaries (including those aged over 18) for whom Oxfordshire County Council have continuing responsibilities under The Children (Leaving Care) Act 2000.

### **4. Principles**

4.1 This Protocol should be read as guidance, which cannot anticipate every situation. Police, Children Young People and Families' Services staff and foster carers should use their professional judgment to take any action that is deemed necessary to protect the safety of the child, based on an assessment of risk for each individual child.

4.2 Children who go missing from care may place themselves and others at risk. The reasons for their absence are often varied and complex and cannot be viewed in isolation from their home circumstances and their experiences of care. Every "missing" episode should attract proper attention from the professionals involved with the missing person and they must collaborate to ensure a consistent and coherent response is given to the missing person on his/her return.

4.3 Nationally, there is a problem of looked after children going missing from their placement. This applies also in Oxfordshire.

4.4 Each missing episode is potentially serious.

4.5 Our joint aim is to reduce the incidents of Oxfordshire's looked after children going missing.

4.6 When a looked after child does go missing, our joint aim is to prevent that child suffering harm and to recover the child to safety as soon as possible.

4.7 We do this by partnership working, information sharing, problem-solving and performance management.

4.8 Interventions are important in attempting to address repeat missing episodes. Interventions must be informed by and reflected in the Care Plan.

4.9 Interventions must also be informed by effective return interviews with returning children. Children's concerns will be taken seriously.

4.10 Interventions may be focused at the individual child, the care establishment or by targeting 'pull' factors in the community.

4.11 Oxfordshire County Council will report a child missing to the police according to this Protocol.

4.12 Oxfordshire County Council and the police will monitor compliance with the Protocol and monitor outcomes jointly via quarterly analysts' reports.

4.13 Together we will take steps to ensure improved responses and practice thereby delivering better outcomes for children.

## **5. Working Procedures**

### **On Admission To The Placement.**

5.1 Each child has a Care Plan and Placement Plan based on a full assessment of the child's current and future needs, including potential risk to self or others. The Care Plan and Placement Plan will therefore take account of any risk that the child may go missing in future and any factors which may increase the risk to the child should they go missing. Children's residential and fostering service staff should contribute to this assessment. All information should be included in the Care Plan and the Placement Plan. As part of this assessment it may be appropriate for Oxfordshire County Council to consult with the police to share information that may be of relevance.

5.2 The Care Plan will remain in the possession of Oxfordshire County Council. It is not a public document. It is not envisaged that the police will need to view the Care Plan at any time. However, there may well be circumstances when it is necessary to involve the police in aspects of the care planning process to safeguard the child.

5.3 Should a child go missing it is vital to the safe recovery of the child that a recent photograph of the child is made available. The photograph must be a good likeness of the child. Most commonly the photograph will be used by local police officers to help them recognise the child when patrolling or when actively looking for the child at relevant locations. The lack of a photograph significantly impairs the ability of the police to recover the missing child and comply with Article 2 European Convention on Human Rights, (Right to Life.) In very serious cases, where the child is believed to be at severe risk, the police and County Council may decide to use the photograph more widely and even involve publishing the photograph to national or local media. If in such

circumstances no such photograph were available we would be missing a vital opportunity to safeguard the child.

5.4 In respect of looked after children, a recent photograph bearing a good likeness to the child will be kept on record by Oxfordshire County Council. When a child is admitted to care, the consent of a person with Parental Responsibility will be sought for a photograph to be used in any subsequent missing person investigation. If possible, the agreement of the child should also be gained.

5.5 Oxfordshire County Council will ensure that sufficient knowledge and information about the child is recorded to enable carers to complete the missing person report (see Appendix A) should the child go missing in the future.

5.6 The residential unit manager/foster carer should consider the most appropriate ways to meet the above requirements and whether it is necessary and appropriate to discuss 'running away' with the child

## **6. When the Child Goes Missing**

6.1 Categories of absence have been agreed between the Police and Oxfordshire County Council. If a child is absent from a care placement Oxfordshire County Council will decide which of the three categories the absence will fit; **unauthorised absence, missing, or absconder.**

6.2 In deciding the category of absence, all staff must consider the circumstances of the child and their absence. This will include detailed consideration of:

- The circumstances of the absence.
- The child's Care Plan.
- The age of the child.
- The maturity of the child.
- Any physical or cognitive disability of the child.
- Any continuing or urgent need for the child to have medication or other medical treatment.
- The legal status of the child.
- Previous behaviour and history of the child.
- Danger posed by the child to themselves or others.
- General vulnerability of the child.
- The child's tendency to drug/substance abuse.
- Whether the child is perceived as running to, or running from, someone or something.
- Any circumstances within the placement, say with carers or other residents, that may be relevant to the absence.
- The risk of offending.
- The influence of peer groups, families or friends.
- Predatory influences on the child. These may relate to others wanting to use the child for crime, sex or drugs.
- Any known risk of abduction.
- Environmental factors including weather, time of year, community events or tensions.

6.3 Children who are absent from their placement can be a matter of considerable concern to their carers and there is a need to locate them and ensure they are safe. The children can be thought of as being on a continuum, with there being little cause for concern at one end, and with significant cause for concern at the other. Children who are a few minutes late home from school would not normally give rise to concerns; they may have missed the bus, or they may be exhibiting normal adolescent testing out, to establish the boundaries of acceptable behaviour, or to show their disagreement with aspects of their placement. **It is not helpful to consider every momentary absence as warranting a formal missing person report.**

6.4 However, at some point, depending upon the child and the circumstances, the child's absence will give rise to justifiable concern and require a formal missing person report to the police. Whilst there can be no substitute for a considered judgement, based on a sound assessment of the child and the circumstances, it is the purpose of this framework to assist carers to structure their thinking with regard to the three categories of absence. This decision should not be taken in isolation, residential staff should consult with the senior member on duty and foster carers should liaise with the child's social worker or EDT staff. The situation should be kept under constant review and changes in circumstances taken into account. If the child is receiving support from Children & Adolescent Mental Health Service professionals, Educational Psychologists and so on, it may be advisable to discuss the case with them. However, if they are not readily available a decision must be made on the basis of the best available information. In cases of doubt it may also be appropriate to discuss the case with a local police supervisor.

6.5 Each case must be decided on merit and a formal missing person report to the police may be actioned earlier in some circumstances than in others. Indeed for a small number of children, it may be appropriate to immediately report them as a missing person. Normally this will have been previously agreed as part of the Care Plan because of the child's vulnerability.

6.6 The fact that the child may have gone missing on a number of previous occasions does not reduce the risk. In fact, children who repeatedly go missing are often being enticed away from their placement by activities that they see as exciting or by predatory influences. Furthermore, short absences may be as risky as lengthy ones.

The Categories and consequent actions are outlined below: -

## **7. Unauthorised absence**

7.1 There are a number of situations where children will be considered as absent without authority, most commonly when they are accidentally or deliberately late home to the placement or when their whereabouts are known and do not jeopardise their safety or well-being.

7.2 If the child's whereabouts are known or suspected, Oxfordshire County Council staff will decide whether to allow the child to remain at that location, albeit temporarily, or to arrange for their return. If the decision is to arrange their return and there is reason to believe that there may be public order difficulties, the police will assist. Police assistance in these circumstances does not mean that the child is categorised as missing.

7.3 Another example of unauthorised absence is the child who is late home. Each such occurrence needs to be evaluated based upon the factors mentioned in paragraph 6.2 and upon other information gleaned from the child themselves, friends, family and associates.

7.4 It is not usually expected that the first response of a carer in circumstances where a child is late home will be to report the child as missing to the police. Before doing so, the carer should, within the constraints of the care setting, take all steps a responsible parent would take, to try to locate the child and to make a careful assessment in accordance with paragraph 6.2.

7.5 Another example of an unauthorised absence could be when a child runs away from a placement following an incident or occurrence at the placement. Here, as with lateness, it is not usually expected that the first response of a carer will be to report the child as missing to the police. Before doing so, the carer should, within the constraints of the care setting, take all steps a responsible parent would take, to try to locate the child and to make a careful assessment in accordance with paragraph 6.2.

7.6 In respect of exceptional unauthorised absence, carers may still report the matter to the police but without insisting on a full missing person investigation.

7.6 This can be done by telephoning the police, explaining the circumstances and asking to report an 'unauthorised absence', which the police will record on Command & Control as a miscellaneous incident/request for observations. The effect of this will be that local officers will be alerted by radio to the case and be aware of the absentee should they see them whilst on patrol. In these circumstances the officers will return the child to the children's home.

7.7 The police will not normally, in such circumstances, proactively search for the absentee. They will not require a detailed missing person report. The case will not be circulated on the police national computer to officers nationwide.

7.8 However, a clear judgement needs to be made in each individual case as to the length of time that elapses before a child who is absent becomes categorised as missing.

7.9 The initial responsibility for this judgement must rest with the carer (see also paragraph 6.4)

7.10 Certainly, it will not be appropriate for any child whose whereabouts are not known and who cannot be contacted, to remain out overnight, without being formally reported as missing.

7.11 Moreover, a period of six hours should normally be regarded as the absolute maximum for any child whose whereabouts are not known and who cannot be contacted, to remain categorised as absent without authority, rather than being formally reported as missing; in many cases a shorter period will be appropriate. It is the responsibility of the carer to report the child as missing even where they have previously been reported as absent.

7.12 In exceptional circumstances a senior police officer, not below the rank of Inspector, may decide that a child who has been reported as absent without authority may remain categorised as such beyond six hours. On the rare occasions this course of action is taken the officer must document the reasons for their decision.



## 8. Missing

8.1 Where the child's location or reason for absence is unknown and/or due to the circumstances, there is cause for concern for the child or potential danger to the public.

8.2 Reporting a child missing involves providing detailed information to the police on the missing person form as well as information for the extended risk assessment element of the process (see Appendix A). The report will be made on the telephone number 0845 8 505 505. It is important that the carer makes it clear to the police that they are reporting a child as **missing** and not as an 'unauthorised absence'. The carer should always ask for and record a police Command & Control and Missing Person Database (MPDB) reference. The police will record the case as a Missing person. It will lead to a proactive police investigation managed locally by the police on the Missing Person Database. Moreover, the individual will be circulated nationwide via the Police National computer System. (See also paragraph 9.1)

8.3 When receiving a missing person report the police will tailor their response to the circumstances.

8.4 While the decision to categorise an absent child as 'missing' ultimately lies with the carer, the decision about the risk level attributed to the case lies with the police. In making both decisions, dialogue between carers and police is paramount.

8.5 The carer will provide information about risk factors when reporting the case. These factors will be recorded by the police on the MPDB. After considering this and other information the police will decide the risk level to be assigned to the case. This will be high, medium or low. Oxfordshire BCU has decided that no case involving a child under 16 years will be classified as low risk.

8.6 In accordance with a National Protocol the police will also inform The National Missing Persons Helpline of the case:

- In high-risk cases after a period of 3 hours has elapsed.
- In medium-risk cases after a period of 72 hours has elapsed.
- In Low risk cases after a period of 14 days has elapsed.

The National Missing Persons Helpline will adopt a passive role in High and Medium Risk cases unless otherwise tasked. They will adopt an active role in Low Risk cases after 14 days after consultation with police and carers.

8.7 Carers must also inform without delay:

- The parents/those who have parental responsibility (unless indicated otherwise on the Care Plan).
- The social worker or the accountable team manager.
- The emergency duty team if out of hours and the social worker and accountable team manager the next working day.

## 9. Absconder

9.1 An Absconder is a child who is absent from the placement without permission and who is subject to an order or requirement resulting from the criminal justice process (e.g. remands, curfews, tagging, conditions of residence, other bail conditions, PACE detention or Anti-Social Behaviour Orders (ASBO)), or a secure order made in either civil or criminal proceedings. A child in this category must be reported to the police without delay.

9.2 If an absconder is under the age of 16 years, or if the absconding does not involve a power of arrest, the police will treat the case as BOTH a missing person case AND an absconder. This means that it will be necessary to provide detailed information to the police on the missing person form (see Appendix A). The paragraphs in section 8 and section 9 of this Protocol will apply. This will lead to a proactive police investigation managed locally by the police on the MPDB computer system. Moreover, the individual will be circulated nationwide via the Police National Computer System. When the person is traced however, it is likely that they will also be arrested or dealt with by the police in relation to any offence or breach.

9.3 However, if the person is aged 16 or over and is liable to arrest the police will treat the person solely as an absconder and not as a missing person, unless there are grounds to suspect that factors other than the absconders desire to evade justice are involved in their disappearance. If the police treat the case solely as one of absconding, in these circumstances they will actively seek the absconder for arrest. Notwithstanding, absconders in this category must also be reported to the police without delay.

## **10. Division of Responsibilities**

10.1 Before reporting a missing child to the police it will normally fall to carers to

- Thoroughly search the care establishment and its grounds to verify that the child is in fact absent.
- Search the establishment for any important leads (i.e. mobile phones, diaries, letters, notes explaining absence, email and website activity etc), which may inform the investigation and/or assist in protecting or recovering the child.
- Speak with other residents to obtain relevant information about the missing child.
- Make all appropriate telephone enquiries regarding the whereabouts of the child. This will involve trying to contact the child themselves, friends, family, associates, appropriate locations, local hospitals and the local police custody office.
- If the above enquiries fail to recover the missing child, the case will be reported to the police, together with the details of enquiries completed above and the results.

10.2 Even after reporting a child missing, Children Young People and Families' Services remain responsible for the child in their care. This responsibility is not absolved when the child has been reported missing to the police.

10.3 Carers and the child's social worker will be responsible for liaising with the police, taking an active interest in the investigation and passing on all

information, which may help to inform the investigation and assist in protecting the child while absent.

10.4 Carers and the child's social worker should continue to make appropriate enquiries with other residents or by telephone with all persons who may be able to assist with the investigation unless they are requested not to do so by the police. All information gleaned from these enquiries should be passed to the police.

10.5 Once a child is reported missing to the police, the police will have primacy in respect of the investigation to trace the child.

10.6 The police will normally conduct all physical enquiries away from the premises from which the child is absent.

10.7 In certain circumstances the police may need to revisit the duties initially performed by care staff at paragraph 10.1. When necessary they will do so in liaison with appropriate staff and will do so sensitively, causing as little disruption as possible to the establishment and residents.

10.8 Throughout the process in this Protocol, residential staff, carers and social workers must keep a full record of all actions taken and messages received and given. Police will likewise keep a record of all aspects of the investigation on the MPDB Computerised Missing Person Case Management System.

10.9 In some cases, particularly where a missing child is felt to be especially vulnerable or where they have been missing for a long period of time, it may be necessary to publicise the case via the media. Such an approach is not routine but is usually a response to very serious concerns for the child's safety. Either the carers or the police may suggest such an approach. Normally, such decisions to publicise will be jointly made, and where appropriate, in consultation with parents. However, for operational reasons, primacy over such decisions must lie with the police.

10.10 If the case falls within the criteria for 'Child Rescue Alert' (see separate policy) then any decision to publicise the case is likely to be urgent. It will be made in accordance with nationally agreed procedures by a police officer of the rank of Detective Superintendent. Where practicable, Oxfordshire County Council will be consulted in advance.

## **11. Enquiry Review**

11.1 When a child has been absent for a period of 48 hours the responsible social worker should inform their supervisors via the usual line management route.

11.2 A detective inspector will review any case where the child has been missing for a period of 48 hours.

11.3 Throughout the enquiry, carers and the police will continually review the case. After the child has been missing for 5 days, **or earlier, if deemed appropriate**, the police and child's social worker will hold an urgent case review meeting. It will involve police officers, carers, the child's social worker, and any other care professional involved in the care of the child.

The meeting will review: -

- What action has been taken so far by the police and care professionals;
- What action needs to be taken by the police and care professionals;
- Decide whether the child should return to that placement when located;
- Consider any other relevant information.

Further such reviews will take place at least every 5 days thereafter **or earlier, if deemed appropriate.**

## **12. Return of the Child**

12.1 If the whereabouts are known or suspected, it is the responsibility of Oxfordshire County Council to arrange for the child's return.

12.2 However, there will be circumstances when, in the interests of the safe and speedy return of the child, the police may accede to requests from Oxfordshire County Council to assist. The police should not unreasonably withhold assistance in cases involving local recovery and transport missions for vulnerable children. However, the police will not accede to requests to provide escorts for young runaways, which would involve officers leaving their normal areas of patrol.

12.3 It is the responsibility of the carer to contact the police by telephone and to confirm that the missing child has returned to the home. The police will accept confirmation from care professionals without the need for an officer to attend the home and visit the returnee. This will lead to the police closing the missing person investigation and the case being cancelled on the police national computer.

12.4 If it is apparent, upon the return of a child, that they have been the victim of a sexual crime whilst absent, or that they may be in danger or at risk from any person arising out of circumstances that have occurred whilst they were absent then the police must be called and asked to attend without delay. This is vital for the protection of the child and for the speedy recovery of evidence.

12.5 In such circumstances, the missing child's clothing, mobile phone and trace evidence from their body, fingernails or hair may be crucial. In cases of sexual abuse the child should be discouraged from washing and immediate advice sought from the police. If carers become aware of the location of the scene of any crime committed against the child, or of the location of any crucial evidence (i.e. a used condom) they must notify the police without delay. This will enable the police to take steps to secure and preserve evidence.

12.6 In sexual cases the police have access to specially trained officers, doctors and facilities designed to care for the victim and obtain evidence.

12.7 Additionally, in matters of sexual exploitation, or any other situation which indicates that the child may have been subject to, or at risk of, significant harm, referral must be made under Oxfordshire or the relevant Local Safeguarding Children Board's Policy and Procedures.

12.8 When a child returns to the placement it is the responsibility of the carers to notify any person notified of the missing episode under paragraph 8.7.

### **13. Return Interviews.**

13.1 Oxfordshire County Council are responsible for ensuring that a return interview is conducted for each missing episode.

13.2 Ideally, this should be conducted by a person independent of the care placement. Account should also be taken over any preference the child has for the conducting of the return interview. It should not be conducted by a police officer except in exceptional circumstances, and by the agreement of both agencies.

13.3 When it is not practicable for a return interview to be conducted by the most suitable person, or an independent person, it is better that an interview is conducted by any care professional than no interview being conducted at all.

13.4 The return interview should be completed as soon as possible. It is expected that it will be conducted within 48 hours of the child's return. However, a late return interview is better than no return interview at all.

13.5 The purpose of the interview is:

- To discover the factors which led to the missing episode
- To inform efforts to prevent further missing episodes.
- To inform any future missing person investigation should that child go missing again
- To learn of the activities, associates, risks and victimisation involved in the missing episode, and where possible to address those risks.

13.6 The return interview is important in safeguarding the child in future. It must not be viewed or conducted as a routine administrative task.

13.7 The interview will be recorded on the form shown at Appendix B.

13.8 The record of interview will be forwarded to the police where the details it provides will be added to the MPDB for that episode. A copy will also be sent to the child's social worker, and information shared with the carers as appropriate.

13.9 In some circumstances the child may make extremely sensitive disclosures that the carer feels need particularly careful management. If so, the carer may disclose on the report that there are sensitive matters disclosed by the child, which are not being shared on the form. These disclosures should be the subject of a separate record retained by the placement. In such circumstances it will usually be appropriate for the carer to discuss such cases with the police missing person coordinator for the area. Such records must be kept in such a manner that will become immediately accessible in the event of a future missing episode, when they may become relevant to the investigation to recover and safeguard the child.

13.10 The procedure outlined at 13.9 should not become the default response for the majority of return interview records. It is an option in exceptional cases.

If the police are to recover missing children quickly after future episodes and thus protect them from predatory influences they need to be sighted on the relevant issues.

13.11 Where a return interview leads to a disclosure that needs specific action, say, to investigate a crime against or by the child or require measures to safeguard the child, the matter should be referred:

- In urgent cases to the police, via telephone.
- In non-urgent cases to the police missing person coordinator for Oxfordshire.
- The child's social worker should also be informed (if urgent and out of hours, EDT)
- Additionally, in matters of sexual exploitation, or any other situation that indicates that the child may have been subject to, or at risk of, significant harm, referral must be made under the Oxfordshire Safeguarding Children Board's Policy and Procedures.

## **14. Police Powers**

14.1 The police have significant powers to safeguard vulnerable children.

14.2 These include powers to enter premises, to recover children and to make place children in Police Protection.

14.3 When a missing child is found or known to have been in company with any older person during any missing episode, in circumstances which afford reasonable grounds to suspect that an offence has been committed by that older person relating in any way to that child (i.e. child abduction, sexual offence, drug offence, assault, aid, abet, counsel or procuring child to commit an offence etc), the incident will be taken seriously throughout the process of reporting, investigation and provision of follow up care. The police priority is the safety and well being of the child; thereafter, the police will take 'positive action' against any perpetrators, hold them accountable for their actions and prefer charges where appropriate.

14.4 Police officers dealing with such incidents are encouraged to use the full range of powers of arrest available to them. Police officers should ensure that all the available evidence is collated in order that an informed decision can be made relating to whether a prosecution should be pursued. It is recognised that children who have been the victim of a serious offence may not always see themselves as victims or be willing to assist in the investigation, particularly in the early stages. Likewise those whom others have used for criminal purposes may not be willing to assist the police. A complaint from a victim is not required to make an arrest. Usually 'reasonable suspicion' is enough to arrest. When such an offence has occurred and a power of arrest exists, the offender should normally be arrested. An officer should be prepared to justify a decision not to arrest in these circumstances.

14.5 Officers will not be deterred from making appropriate lawful arrests in these cases by real difficulties often faced in obtaining sufficient evidence to mount successful prosecutions.

14.6 Circumstantial evidence, together with evidence from scenes, vehicles, mobile telephony and carers may well assist to build a case further. Moreover,

children who initially refuse to assist police investigations may later agree, particularly when those who have preyed upon them have been arrested.

14.7 Finally, it is much better to arrest and investigate thoroughly, even if a successful prosecution cannot be brought, than it is to give tacit approval to those who abuse missing children by failing to arrest them in the first place.

14.8 Without prejudice to the welfare of any child, Oxfordshire County Council will support the police in taking appropriate but strong action against those who involve looked after children in their offending behaviour.

## **15. Prevention Strategy**

15.1 Oxfordshire County Council and police will monitor the incidents of missing reports of individual children from each residential establishment. This monitoring will be presented in a quarterly report prepared by the police and shared with Oxfordshire County Council. (See paragraph 4.12)

15.2 Oxfordshire BCU and Oxfordshire County Council will operate an escalating system of interventions to reduce the likelihood of a child repeatedly going missing.

15.3 Intervention meetings should take place in the event of repeat episodes of children going missing from care. For these meetings to work, and thereby improve our collective responses, appropriate attendance and clarity of purpose are essential. The intervention meetings should be held within a week of any trigger episode. The meetings should be chaired and recorded and the increased levels of concern reflected in the seniority of those attending as follows:

**15.4 After three episodes within a 90-day period:** This has been labelled as 'Three strikes and you are in.' Social worker (chair), local police officer (inspector/missing person coordinator), residential worker or foster carer/family placement worker (as appropriate), person who conducted return interview if different to above.

15.5 This meeting should try to identify any 'push' or 'pull' factor in the case and any other voluntary or statutory agency, which has an interest, or may take an interest, in the missing person's welfare and circumstances. In the case of 'pull' factors it may be necessary to target those in the community who harbour the missing person or exploit them with regard to crime, sex or drugs

**15.6 After five episodes within a 90-day period:** Independent Reviewing Officer (chair), team manager from children's services, deputy police missing person champion (DCI or representative), residential unit manager/assistant or family placement manager (as appropriate), social worker, representatives from health and/or education (as appropriate) person who conducted return interview if different to above.

15.7 This level of intervention meeting is the crucial stage in avoiding serious escalation and must, therefore, be given high priority by all concerned.

**15.8 After nine episodes within a 90-day period:** Independent Reviewing Officer (chair), team manager from children's services, police missing person champion (Superintendent Operational Support), residential manager or

family placement manager (as appropriate), social worker, representatives from health and/or education (as appropriate) person who conducted return interview if different to above.

15.9 Meetings at this level should be rare provided that this protocol has been followed with regard to earlier intervention meetings and return interviews. In addition to seeking to reduce future missing episodes and reduce any apparent risks to the child, this meeting should also quality assure compliance with the protocols and the efficacy of earlier intervention meetings and return interviews.

15.10 At this stage a report about the case should be forwarded to The Force Missing Person Champion (DC/I Force Crime Management Unit), as the case will feature in the quarterly analysts report on missing persons.

15.11 If the child continues to be reported missing beyond this level the Senior Management Team for the BCU should discuss the case and consider whether it is appropriate them to intervene further or for the Assistant Chief Constable (Operations) to be asked to intervene.

15.12 It should be noted, however, that the **volume** of cases is not the only reason to launch an intervention or to escalate the level of intervention. The following are both examples of other reasons to launch or escalate interventions:

- Any case where the risks involved in even a single future-missing episode is very high.
- Cases where it has been identified that immediate action is necessary to ensure the well being of the child.

15.13 A record shall be made of all interventions in the notes section of the MPDB for the case which has triggered the meeting.

15.14 When the local authority or police believe that an adult is adversely involved with a child or children who are going missing from home, in addition to any action taken under section 14 of this protocol, the police and Oxfordshire County Council will consider what more can be done to protect the child(ren).

15.15 This may involve the making of a formal witness statement by the local authority manager, specifically prohibiting that adult from having any contact with named children, without exceptions. The police would then show the adult a copy of the statement, a photograph of the child (which they would not be allowed to keep) and serve upon that adult a notice prohibiting the adult from having any contact whatsoever with the child and explaining any breach would be dealt with by arrest under section 2 Child Abduction Act 1984. (See Appendix C for specimen statements and notices)

15.16 Alternatively the local authority, supported by the police, may decide to institute civil proceedings to obtain an injunction preventing any particular adult having any contact with a named child.

SIGNED.....Date.....



PRINT NAME. ....

JOB TITLE & ORGANISATION.....

SIGNED.....Date.....

PRINT NAME. ....

JOB TITLE & ORGANISATION.....

SIGNED.....Date.....

PRINT NAME. ....

JOB TITLE & ORGANISATION.....

SIGNED.....Date.....

PRINT NAME. ....

JOB TITLE & ORGANISATION.....

SIGNED.....Date.....

PRINT NAME. ....

JOB TITLE & ORGANISATION.....

**Full name**

**Date of Birth**

**Full address missing from and familial home address including land line telephone numbers**

**Mobile telephone number of missing person**

**Time and location when the person was last seen and by whom (with telephone numbers where known)**

**Physical description (ethnic origin, height, build/weight, hair colour/style, facial hair colour/style, eye colour, glasses, distinguishing marks, scars & tattoos)**

**Existence of picture confirmed**

**Clothing worn**

**Known contacts – names, addresses, telephone numbers and significance to missing person**

**Places known to frequent**

**Risk Assessment Matters –**

- Are they likely to self harm
- Are they known to be subject to crime (e.g. abduction)
- Is the missing person under 16yrs
- Inclement weather conditions
- Does person need medication
- Is person suffering from mental illness or condition
- Is the person unable to interact safely with others e.g. physical disability
- Has person been involved in violent racist / homophobic incident immediately prior to disappearance
- Have they suffered harm when missing previously
- Ongoing victim of bullying
- Are they on Child Protection Register
- Do they suffer from drug / alcohol dependency
- Family relationship problems
- Employment problems
- Financial problems
- School / college problems
- Are they normally resident in UK and believed to have gone abroad
- Normally resident abroad and gone missing in UK.

**Oxfordshire County Council**  
**MISSING FROM HOME**  
**RETURN INTERVIEW**

YP Name

Date Reported  
Missing

YP Age

Gender

MPDB Number

Disability

Ethnicity

Legal Status

Why were you reported missing? (What incidents/events happened)?

Did anybody assault you, abuse you or threaten to harm you whilst you were missing?  
Are you afraid of anybody?

When you were missing what happened?  
(Where did you stay, who did you meet, who returned you home?)

What might have made you safer when you were missing?

What do you feel can be done to support you now? (Someone to talk to, speak to parents/school etc.)

What is the likelihood of you going missing again?

Further action/support (Named person to carry out action)

Child Protection Referral

YES

NO

If **YES** who has made CP referral and when

No further action - If so, why

Does YP agree with the decision and written content of the report?

YES

NO

Child/YP signature:

WORKERS: \_\_\_\_\_

\_\_\_\_\_

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

**Please now fax a copy of this record to the Thames Valley Police (01865 335287).**

**Appendix C: Section 2 Child Abduction Act**

**Specimen Statements and Notices**

**Section 2 – Child Abduction Act 1984**

On (date) .....

You,.....  
.....  
(insert full name & DoB of person receiving notice)

are now receiving an official warning that the parent / carer of  
.....  
(insert full name & DoB of young person)

being a child under the age of 16 years has **absolutely banned outright**  
**with no exceptions** .....  
(insert full name of young person)

from visiting any address which you reside, or you are at, and / or from  
associating with you at any place. If you subsequently allow  
.....  
(insert full name of young person) to be at an address at which you reside  
or are at and / or associate with this child **you will be arrested for Child**  
**Abduction.**

You have now been shown a photograph of  
.....  
(insert full name of young person)

PC.....

**Child Abduction carries a maximum sentence of seven years imprisonment**

THIS FORM MUST BE FAXED THROUGH TO THE PNC BUREAU AS SOON AS POSSIBLE ON EXT  
– TOGETHER WITH THE SUPPORTING MG11 STATEMENT.

**Please ensure you include details of all vehicles known to be used by the ‘offender’ and all addresses markers will be placed against the PNC for ANPR purposes. (enter on a separate sheet if necessary)**

1. National Insurance Number: .....

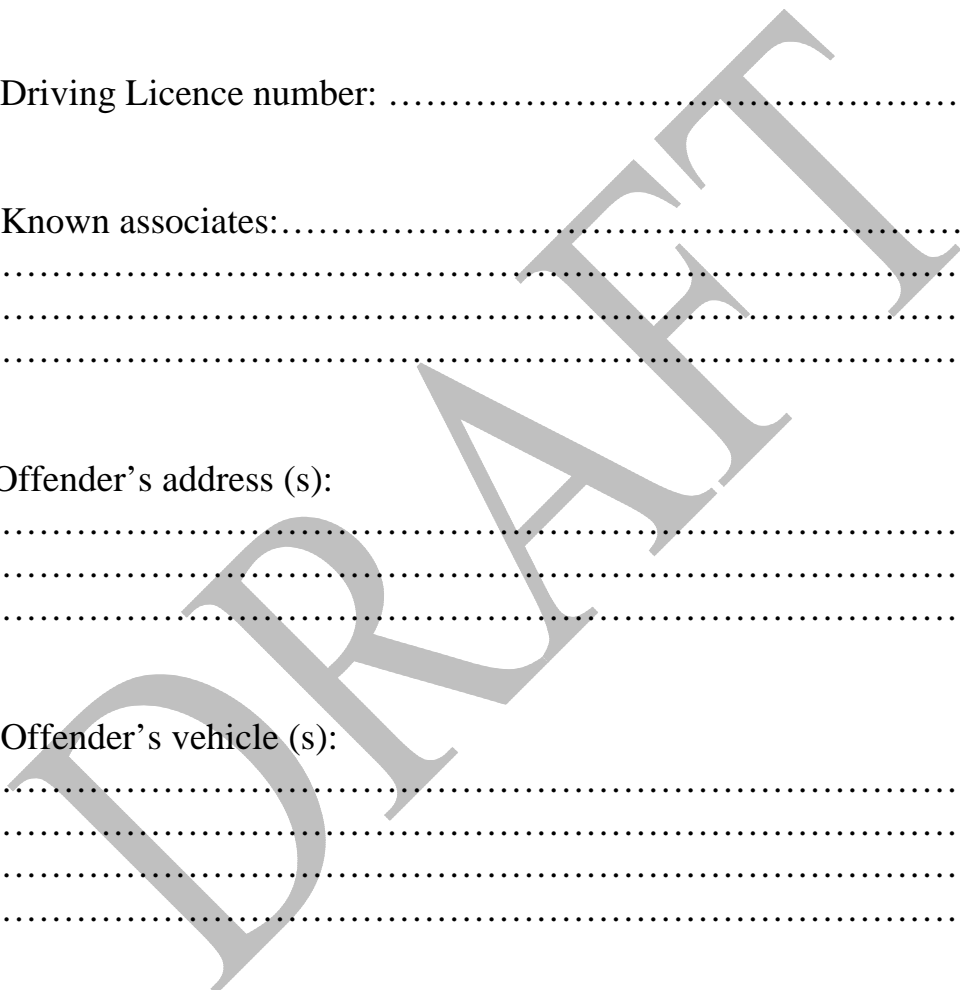
2. Passport Number: .....

3. Driving Licence number: .....

4. Known associates:.....  
.....  
.....

5. Offender’s address (s):  
.....  
.....  
.....

6. Offender’s vehicle (s):  
.....  
.....  
.....



**Section 2 – Child Abduction Act 1984**

On .....

You,....., are now receiving an official warning that the parent / carer of ..... being a child under the age of 16 years has **absolutely banned outright with no exceptions** ..... from visiting any address which you reside, or you are at, and / or from associating with you at any place.

If you subsequently allow ..... to be at an address at which you reside or are at and / or associate with this child **you will be arrested for Child Abduction.**

You have now been shown a photograph of .....

P.C .....

**Child Abduction carries a maximum sentence of seven years imprisonment**

**Witness Statement**

(CJ Act 1967, s.9 MC Act 1980, s.s.5A (3a) and 5B MC Rules 1981, r.70)

Statement of

Age if under 18 (if over 18 insert "over 18"). Occupation

This statement (consisting of page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated the  day of 20

Tick if witness evidence is visually recorded

(supply witness details on rear)

Signature

I am ..... a Police Officer in the Thames Valley Police.

At .....hrs on ..... I attended ..... and spoke to the defendant .....

I formally cautioned her and issued a warning notice to ..... under Section 2 of the Child Abduction Act 1984.

I also verbally explained the notice and confirmed that she understood it.

The notice was in relation to the child, .....

I also showed ..... a photograph of that child.

She replied .....

Signature

Signature witnessed by



**Witness Statement**

(CJ Act 1967, s.9 MC Act 1980, s.s.5A (3a) and 5B MC Rules 1981, r.70)

Statement of

Age if under 18 (if over 18 insert "over 18"). Occupation

This statement (consisting of page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated the day of 20

Tick if witness evidence is visually recorded   
(supply witness details on rear)

Signature

I am ..... the parent / carer of  
..... who is a child under the age of sixteen  
years, date of birth being.....

At .....hrs on ..... I have absolutely banned outright,  
with no exceptions ..... from visiting any address at which  
..... is residing or at and / or from associating with  
..... at any place whatsoever.

I am the person with lawful control over ..... and can say that  
..... has no lawful authority to take, remove, keep  
or detain ..... from my lawful control.

I believe that by making this statement I am acting in the best interest of  
..... and support Police action.

I also consent to the use of a photograph of ..... when the Police  
issue a warning to .....

Signature

Signature witnessed by