

Missing:

Why are children disappearing
from B.C.'s child welfare system?

APRIL 2023



REPRESENTATIVE FOR
CHILDREN AND YOUTH

Forget-me-not

The forget-me-not flower is the symbol for International Missing Children's Day, recognized each year on May 25.* When you give someone a forget-me-not flower, it represents a promise that you will always remember them and keep them in your thoughts. Children and youth involved with the child welfare system are often not given the same attention as their peers when they are lost, missing or disappear. RCY's intention in using this symbol is to honour children and youth who have been – or continue to be – lost, missing or disappeared from the child welfare system and ensure that they are not forgotten.

Cover Art

The forget-me-not beaded flower that appears on the cover was designed for the children and youth whose stories are included in this report. The beadwork was created by Sarah Underdown (Delorme), a Nehiyaw/Saulteaux/Lakota woman from Treaty 4 territory of Ka Awasis Nation (Cowessess). She was taught the medicine of beading by her late GG Maggie Redwood and carries these teachings with deep gratitude. (photo by Aaraksh Siwakoti)

*Amber Kanuckel, "Tips and Symbolism of These Pretty Blue Flowers," *Farmers' Almanac*. Updated March 30, 2023.

Emotional Trigger Warning

This report discusses topics that may trigger feelings of grief and loss, and memories of personal experiences related to loved ones who have been, or continue to be, lost, missing or disappeared.

If you require emotional support, the following resources are available:

Kid's Help Phone (1-800-668-6868, or text CONNECT to 686868) is available 24 hours a day, seven days a week to Canadians ages five to 29 who want confidential and anonymous care from a counsellor.

KUU-US Crisis Line (1-800-588-8717) is available to support Indigenous people in B.C., 24 hours a day, seven days a week.

The Métis Crisis Line (1-833-638-4722) is available 24 hours a day, seven days a week.

Youth in BC (<https://youthinbc.com>) Online Chat is available from noon to 1 a.m. in B.C.

Mental Health Support Line (310-6789 - no area code) will connect you to your local B.C. crisis line without a wait or busy signal, 24 hours a day. Crisis line workers are there to listen and support you as well as refer you to community resources.

Missing and Murdered Indigenous Women and Girls Crisis Line (1-844-413-6649) is available to individuals impacted by missing and murdered Indigenous women, girls and 2SLGBTQQIA+ people, 24 hours a day, seven days a week.

The National Indian Residential School Crisis Line (1-866-925-4419) provides 24-hour crisis support to former Indian Residential School students and their families.

April 27, 2023

The Honourable Raj Chouhan
Speaker of the Legislative Assembly
Suite 207, Parliament Buildings
Victoria, B.C., V8V 1X4

Dear Mr. Speaker,

I have the honour of submitting the issues brief *Missing: Why are children disappearing from B.C.'s child welfare system?* to the Legislative Assembly of British Columbia.

This issues brief is prepared in accordance with Section 20 of the *Representative for Children and Youth Act* which gives the Representative authority to make special reports to the Legislative Assembly if the Representative considers it necessary.

Sincerely,



Dr. Jennifer Charlesworth
Representative for Children and Youth

pc: Ms. Kate Ryan-Lloyd
Clerk of the Legislative Assembly
Ms. Karan Riarh
Committee Clerk, Legislative Assembly

Territorial Acknowledgment

The Representative and staff, who do their work throughout the province, would like to acknowledge that we are living and working with gratitude and respect on the traditional territories of the First Nations peoples of British Columbia. We specifically acknowledge and express our gratitude to the keepers of the lands on the traditional territories of the Lheidli T'enneh peoples (Prince George) and the Songhees and Esquimalt Nations (Victoria), where our offices are located.

We would also like to acknowledge our Métis and Inuit partners and friends living in these beautiful territories.

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Conversations with Galowly

Prayer from Gitxsan Hereditary Chief Audrey Lundquist, for one of the many children who went missing from B.C.'s child welfare system. May we hold in our hearts the 198 children and youth who were missing over the course of RCY's research review, including four young girls – three of whom were First Nations – who died while RCY completed this work.

Galowly (Creator), Michael is AWOL again. He's fleeing from a broken system that's keeping him captive. He's running to Mom somewhere on the streets. She needed help years ago and all they did was rip her precious son from her arms. She has no family as she grew up in the system herself. What hope is there for her and her baby boy? He's 14 now and will soon age out. He longs for her and plans to take care of her. Yet he hasn't had help to deal with the trauma he's endured since being taken into care.

He's on the streets searching. What will he find in this dangerous world? For him and many other foster children and their families, all they will find are blunt systems like child protection, police and the whole justice system that can't meet their needs. Sadly, the mental health and substance use workers don't have the appropriate models of therapy or the skills to effectively help these children and their families. Tragically, Michael will run into predators who will exploit and brutalize him. He's experienced this. These children and their families are kept in their place with ideologies, values, beliefs, labels, judgements and attitudes. Galowly, what chance do they have? Is there any hope? Send more ancestors to take care of them, Galowly.

He's probably staying at the shelter with his friend Willie. Willie is a young 16-year-old who is labelled as oppositional defiant and they describe him as being hard to place. Both boys are alone. They have no buffer against this cruel world. What models of care and support are there to teach and foster resilience? Both boys want their families to love and protect them, but the child protection system doesn't help to build healthy family and community systems. All they have is each other and a strong desire to be with their moms and families. But many of their siblings are also in foster homes.

Michael has been found skinny and bruised but he's home until next time. No-one has seen Mom for a while. Sadly, his foster mom got the call. Mom was found dead on the street. Why would she want to live without her baby? My friend told me he crumbled into her compassionate arms and sobbed until he could sob no more. But he's gone again.

Galowly, I know you are taking him home to be with Mom. They can love each other in peace. But this shouldn't be the only option for these vulnerable children and their families. Please send us compassionate and accountable leadership to build better ecosystems of care. We need to wrap around these families as we build resilience and wellness. We need a just legal system and appropriate and effective mental health systems. Every child deserves to have a sense of belonging, mastery, independence, generosity and self-determination. We need more love and caring. Help us build our collective will and sense of humanity to protect and care for our sacred children and youth who are disappeared or missing. Forget me not.

Representative's Message

Over a nine-month period that ended the 2022 calendar year, my Office received more than 500 reports regarding children and youth in provincial government care who were lost, missing or away from their placement and who experienced a critical injury or were considered at risk of harm during the same time. Those reports to the Office of the Representative for Children and Youth (RCY) represented 198 distinct children, four of whom died.

During this same time period, the Ministry of Children and Family Development (MCFD) received more than 12,000 calls about other children and youth who were also missing or absent from their placements but for whom there were no identified safety concerns.

There is, in fact, a wide spectrum of “missingness” from the system of care – ranging from children who are missing for a short period, to those who disappear and never return home. As Representative, I am extremely concerned at the numbers of young people who are missing from a system that is supposed to protect and nurture them. It should be an issue that troubles all British Columbians.

In the fall of 2022, when my Office first began work in this area, we had a different end-product in mind. The original intention was to prepare a comprehensive report that included available data, reviewed the stories of children and youth who go missing, examined policies and practices in B.C. and elsewhere, reviewed the research literature, and engaged young people, family members and service providers to better understand the issue and what could be done.

However, each week, we continued to receive notices of children lost or missing from care who had died or experienced life-altering critical injuries. We decided that this issue called for more urgent action. Therefore, we opted to act quickly, not perfectly, and release our preliminary findings in this issues brief, which represents a new reporting format for RCY.

This work is not exhaustive and is missing the voices of young people themselves along with their families and communities. It is also missing the voices of social workers, child and youth care workers, caregivers and service providers struggling to meet the needs of these children in the system of care.

To be clear, this project is not meant to cast blame on individuals who work with these children – as part of MCFD or Indigenous Child and Family Services Agencies (ICFSAs) or elsewhere – but rather to begin to explore the role of the child-serving system in creating the conditions that lead to so many children and youth becoming lost, going missing or disappearing from care. We know there is lots of good work happening across the province. We know there are social workers and service providers searching for missing children and youth on their own time, despite systemic restraints that limit their ability to respond to these young people.

We know, too, that the personal characteristics of young people alone do not cause them to become lost or missing. It is vital that we consider the complexity involved and how various systemic factors intersect with the context of each young person and how the societal context and/or system responses can create risk.



Representative's Message

Upon coming into the system of care, young people often become disconnected from their family members and communities and are sometimes relocated to an entirely different area of the province. This experience alone can be a significant source of grief and loss for young people. Many young people who are reported as lost or missing have experienced multiple disruptions of meaningful relationships and lack of connections. The sense of “unbelonging” experienced by many children and youth involved with the child welfare system can create conditions that place them at greater risk of problematic substance use, mental health crises, violence, luring/entrapment and sexual exploitation.

It is clear from our work that this is a systemic problem. RCY found that, for many children and youth who were reported as lost or missing, there has been a pattern of inadequate and ineffective services unable to meet their needs and adequately support them and their families. We also found that the rights of children and youth who were reported as lost or missing were routinely not upheld, including the right to adequate care, the right to protection, and the right to be heard. Our work has identified policy, practice and service barriers that are infringing on those rights.

This issues brief has put a name and a focus to the issue of kids missing from care in B.C. The hope now is that this work will frame engagement and dialogue with all relevant voices to inspire collective action for systemic change.

In addition to making recommendations for specific action by MCFD to improve its monitoring and data collection, policy and practice, I am calling for a special convening of the child-serving systems and the children, youth and their families and communities they serve to respond to the cracks in our care system that are contributing to children going missing and being subjected to increased risks of serious incident, critical injury and death.

This work has shown that there is a need to learn from what the children and youth are trying to tell us when they are consistently missing, lost or fleeing from their care placements. We sincerely hope this issues brief inspires collective learning and action in support of the children and youth we care about and for.



Dr. Jennifer Charlesworth
Representative for Children and Youth



Introduction

Stories of children and youth who are lost or missing from the child welfare system continue to emerge as an area of concern across Canada, in some cases resulting in tragic and preventable injuries and deaths. Multiple public reports have noted concerns of young people involved with the child welfare system going missing,^{1,2,3,4} which raises critical questions about what government, police, service providers and communities are doing to ensure the safety and well-being of children and youth in the system of care. British Columbia's Representative for Children and Youth (RCY) has been monitoring this issue closely and, in the fall of 2022, began exploring **why children are becoming lost or missing from the child welfare system.**

System of care

For the purposes of this report, the system of care refers to an array of designated services, as defined in the *Representative for Children and Youth Act (RCY Act)*, that are intended to support children and youth who are in care under any legal status, in an out-of-care placement, or on a Youth Agreement under the *Child, Family and Community Service Act (CFCS Act)* or in care, custody, or guardianship under the *Adoption Act*.

RCY's subsequent work on this topic has taken the shape of an issues brief, which summarizes what we know about who is missing from care, why they are “running from” or “hiding from” the care system, and how the child welfare system and other child-serving systems have created conditions that lead to children being lost in care. Through the reviews and investigation and advocacy mandates of RCY, our Office regularly reviews stories of children who are missing, and engages with young people before and after they are found. What we have learned is that many are fleeing systems that don't provide adequate care, protect their rights and identity, and listen and respond to their need for belonging. This issues brief outlines the information now available to RCY and aims to shift the conversation away from the current focus on individual “risk factors,” “problems,” “issues,” or “behaviours” and towards systemic factors that lead to children being lost or going missing in the system of care.

¹ Commission for Children and Young People. *Out of Sight: Systemic Inquiry into Children and Young People Who Are Absent or Missing from Residential Care* (Melbourne, Victoria), 2021.

² Kath McFarlane, “Children and Youth Reported Missing from Out-of-Home Care in Australia: A Review of The Literature and Analysis of Australian Police Data,” *A Report Prepared for the Australian Federal Police Missing Persons Coordination Centre*, 2021.

³ Manitoba Advocate for Children and Youth, *A Place Where It Feels Like Home – The Story of Tina Fontaine*. (Winnipeg, Manitoba), 2019: 89-108.

⁴ The All Party Parliamentary Group (APPG) for Runaway Missing Children and Adults and the APPG for Looked After Children and Care Leavers, *Inquiry Into the Safeguarding of 'Absent' Children* (U.K.), 2016: 6.



From this work, the Representative has concluded that missing children and youth are canaries in the coal mine for the child welfare system and that the system of care is struggling to provide safe, nurturing and timely care for them. To reflect the severity and urgency of this issue, RCY has chosen to use language that honours the experience of young people, replacing terms such as “runaway” with “fleeing” and descriptions such as “absent” or “AWOL” with “lost,” to hold systems accountable for their role in creating the conditions that contribute to children becoming missing or lost. This shift in language is important as it alters how we understand and respond to the issue: children are going missing because systems are unable or failing to meet their needs.

“Missing” Definitions

It is essential that we view the phenomena of missing children and youth as both a form of self-protection and a symptom of the harm that results when systems are unable to respond to the needs of children in care.

Missing from or lost in care – a child whose whereabouts are unknown to the child welfare agency, where information about the circumstances contributing to or arising in the disappearance is often unknown or incomplete.

Over the course of this report, it became evident that many children and youth, characterized as “running away” or “AWOL,” were in fact fleeing from care. Therefore, RCY has added another definition to broaden the understanding of those who are missing.

Fleeing from care – a child who runs away from the child welfare system due to a lack of belonging or lack of meaningful care and support from the child- and youth-serving system.

“Missing” definitions were informed by:

International Centre for Missing and Exploited Children, “Definitions of “Missing,” accessed April 25, 2023, <https://www.icmec.org/global-missing-childrens-center/definition-of-missing/#Canada>.

Smith, Thomas B., Buniak, Kenneth, Condon, Lee, and Reed, Lee. “Children Missing From Care: The Law-Enforcement Response.” *National Center for Missing and Exploited Children*, (2005): xi.



Who is going missing from the child welfare system?

To begin to explore why children and youth are lost in the child welfare system, RCY tried to identify *who* is missing and *what happens to them* while they are missing. Within the B.C. context, an internal document from the Ministry of Children and Family Development (MCFD) indicates that it is estimated that 2.3 per cent of children and youth in care have run away, compared to 0.7 per cent within the general population.⁵ However, other material provided by the ministry suggests this number is likely higher as monitoring data for missing children is inconsistent and unreliable due to reporting compliance and policy issues that will be discussed later in this brief.

There is currently no complete and accurate measure of the number of children who are lost or missing from B.C.'s child welfare system. The Representative was able to identify at least six per cent of children in the system's care whose whereabouts were unknown over the course of this review, and suspects the number is likely considerably higher given the ministry's (self-assessed) poor reporting compliance.⁶

Between April 1 and Dec. 31, 2022, RCY received 520 reports regarding children and youth whose whereabouts were unknown and for whom there were safety concerns.⁷ These reports represented 198 distinct children, and an average of 37 children who went missing one or more times per month. During the same time frame, the ministry's Provincial Centralized Screening received 12,262 reports regarding children and youth whose whereabouts were unknown and for whom there were no safety concerns, for an average of 432 distinct children each month who went missing one or more times. Taken together,

Provincial Centralized Screening

Provincial Centralized Screening (PCS) is an MCFD call centre that provides 24/7 child protection service across the province. PCS accepts reports regarding child protection concerns and is also responsible for the Helpline for Children and the Foster Parent Support Line.

When a caregiver calls PCS to report a young person as missing/absent from home, they are greeted with a message to ensure that they do not report urgent concerns in this queue:

"Thank you for calling the Foster Parent and Contract Agency Caregiver Support Line. This is a non-urgent line for reports of missing or absent youth after hours and non-urgent foster parent support. For all other situations regarding a child or youth in care, please press 1 and then select option 1 for our immediate queue. Otherwise, please stay on the line."

If a caregiver does have additional safety concerns and the whereabouts of the child/youth are unknown, the caregiver is required to call the immediate queue to reach a social worker to address any safety and/or guardianship responsibilities. The PCS social worker will consult with a team leader with respect to the report. PCS uses the notification process to report a death, critical injury or serious incident involving a child or youth in care after hours, weekends and holidays.

⁵ Information provided to RCY from MCFD on Sept. 22, 2022.

⁶ The 2021 MCFD Care Plan Audit noted a compliance rate of 31 per cent on the measure related to the safety of the child/youth. Of the 40 records rated "not achieved," 19 (47.5 per cent) did not contain the required reportable circumstance (RC) reports.

⁷ MCFD provided data on April 6, 2023 for children and youth reported to PCS between April 1, 2022 and Dec. 31, 2022 whose *"whereabouts were unknown but there were not additional safety concerns."* During the administrative fairness review, MCFD reported that these figures may also include children and youth whose whereabouts were known.



this information suggests that nearly 470 children in care whose whereabouts are unknown are reported within/to MCFD every month.

To learn more about the B.C. context, RCY requested all available monitoring data on lost and missing children from MCFD, including the ministry's provincial monitoring reports, and any research that had been completed to date to better understand this population. The information provided included lost and missing rates of children served through MCFD and ICFSAs. Included with this material was a draft report, *Children and youth in care who have been reported lost or missing (2019)*,⁸ that was shared internally with Child Welfare Branch, the project's reference group, directors of practice, ICFSA practice leads, executive directors of service, Strategic Integration Branch and designated directors.

This report was initiated at the request of the Provincial Director of Child Welfare, to better understand the issues related to children and youth reported as lost or missing and to consider ways to inform and improve practice. MCFD's draft report looked at children and youth served by MCFD and ICFSAs who had at least one "lost or missing" reportable circumstance (RC) submitted over a three-year period (April 1, 2015 to March 31, 2018). The report also included a demographic profile of children and youth reported as missing and an electronic file review of 55 children to determine how long children's whereabouts were unknown, how long they were away from their assigned placements, and whether the ministry or ICFSA had contact with the youth while missing. Below are excerpts from the report's findings:

- The majority of young people who were lost or missing in B.C. during this time were between the ages of 14 and 18. Older children were more likely to be missing for longer periods of time.
- Sixty-five per cent of the young people reported as lost or missing were Indigenous.
- Indigenous females (40 per cent) were found to be over-represented among the young people reported as lost or missing.
- Nearly half the children and youth who were reported as lost or missing from care were in a contracted residential resource.
- Of the children and youth with a sibling also in care, less than 20 per cent were placed with one of their siblings.

Office of the Provincial Director of Child Welfare and Aboriginal Services (PDCW)

The *Child, Family and Community Service Act (CFCS Act)* is the legislative authority for the ministry's Child Protection Services. Under the Act, the Minister designates the Director of Child Protection (PDCW), who in turn delegates the provision of child protection services and residential resources across the province to social workers. The PDCW is responsible for delegation authority and oversight of MCFD Service Delivery Division and Indigenous Child and Family Service Agencies (ICFSAs).

⁸ Ministry of Children and Family Development Office of the Provincial Director of Child Welfare and Aboriginal Services, *Children and Youth in Care Who Have Been Reported Lost or Missing – Draft Report* (Victoria, B.C.), 2019.



Reportable Circumstances

Practitioners and other staff hear of concerning events in the lives of children, youth and their families. Some of these events require that a Reportable Circumstance (RC) report be completed and sent within 24 hours to the PDCW, other relevant directors, the Representative for Children and Youth, and, in some cases, the Office of the Public Guardian and Trustee.

Events that require an RC report include:

- the death of a child or youth in care or in receipt of services
- the critical injury of a child or youth in care or in receipt of services.

RC reports are also required when a serious incident occurs, including when a child or youth is:

- lost or missing
- witness to, or otherwise involved in, another person's critical injury or death
- diagnosed with a life-threatening illness
- the subject of a report of abuse or neglect by a caregiver or in a care facility
- involved in high-risk behaviour
- involved in a motor vehicle accident
- involved in any event which may mean that the child or youth could be sued, charged with an offense, and/or entitled to compensation for a loss or an injury, either physical or emotional, and/or other circumstances of a similar, serious nature.

In the file review of 55 young people who were reported as lost or missing, the following findings were noted:

- The average time that children and youth were missing from care was 13 days.
- Patterns of frequently running away were noted in 71 per cent of files reviewed. Although policy requires a plan to address the reasons a child or youth in care runs away, electronic records did not include information on what planning had occurred with youth to stop this pattern.
- Either the social worker or foster parent had contact with the missing child or youth in 31 per cent of cases.⁹

⁹ The project's reference group noted that it is possible and likely that some additional contact did occur but was not recorded in the file.



Who is going missing from the child welfare system?

- Consistent with MCFD policy that only considers a young person to be lost or missing when their whereabouts are unknown and there are additional safety concerns,¹⁰ most children and youth had concerns noted that placed them at risk of harm while missing. The most prevalent safety concerns identified for young people who were reported as lost or missing were related to being at risk from others (45 per cent). Risk of harm from others included a risk of sexualized violence including assault or exploitation. Within the ministry's report, all but one of the children and youth identified as being at risk of harm from others were female. Among these youth, 62 per cent were Indigenous females.
- Nearly 20 per cent of youth were arrested and placed in a correctional facility before returning to a placement. This happened much more frequently for Indigenous children and youth; one-quarter of Indigenous children and youth were arrested and jailed when found compared to only five per cent of non-Indigenous children and youth.
- Following risk of harm from others, mental health concerns (44 per cent) and substance use (35 per cent) were also identified amongst the most prevalent safety concerns overall. Female youth were considered most likely to be at risk due to a mental health concern (47 per cent), while male youth were most likely to be identified as at risk due to youth justice involvement and/or violence toward others (57 per cent).¹¹

The findings of the MCFD draft report must be interpreted with caution as it was developed using reporting data from RCs, which are known to be inconsistent and often not completed at all. The most recent *MCFD Provincial Care Plan Audit Report*,¹² in June 2021 by the Quality Assurance Branch of the PDCW, reports that 47.5 per cent of the records rated as not compliant with the “safety of child/youth measure” did not contain the required RC reports for the PDCW. Similarly, recent ICFSA audits indicated the records reviewed that did not contain the required RC reports for the PDCW¹³ ranged between 29 per cent and 69 per cent. Delayed or missing RCs are an ongoing concern for the Representative as the Office's Reviews and Investigations team has noted several instances in which RCs were not received for young people at the time that they were lost or missing. Notably, in one circumstance, a young person who had been reported as a missing person to police at least 80 times had only been reported to the PDCW and RCY three times.

¹⁰ See Ministry of Children and Family Development, Reportable Circumstances Policy - Policy 3: Serious Incidents, last revised June 2018.

¹¹ Ministry of Children and Family Development Office of the Provincial Director of Child Welfare and Aboriginal Services, Children and Youth in Care Who Have Been Reported Lost or Missing – Draft Report (Victoria, B.C.), 2019.

¹² Ministry of Children and Family Development, Provincial Care Plan Audit Report, (Office of the Provincial Director of Child Welfare and Aboriginal Services Quality Assurance Branch), 2021.

¹³ Ayás Méñmen Child and Family Services Practice Audit Report (February 2023), Lii Michif Otipemisiwak Family and Community Services Practice Audit Report (November 2022), Secwepémc Child and Family Services Practice Audit Report (November 2022).



Data and Information Gathered by RCY

In recognition of the limitations of monitoring data and reporting compliance at the ministry, RCY looked for other ways to better understand who is lost or going missing from care: RCY's Individual Advocacy, First Nations, Métis and Inuit Engagement team (IAFNMIE) canvassed Advocates about young people who were known to flee their placements; the Reviews and Investigations team reviewed RCs and identified themes that emerged among stories of young people who were reported to the Representative as lost or missing; and the Systemic Advocacy, First Nations, Métis and Inuit Research team (SAFNMIR) reviewed the ministry's current approach to monitoring missing children and youth and conducted an electronic file review to gain a deeper understanding of those reported as lost or missing over a one-month period. A jurisdictional/research review was also completed to identify patterns related to missing children and youth and relevant recommendations made by other reports, other Canadian child and youth advocates' offices, and Coroners Service inquests. The findings from this work were consistent with the internal draft MCFD report, but also illuminated that there is much more complexity to be considered within the stories of each young person who is lost or missing from care, regardless of how long their whereabouts were unknown.

Individual Advocacy, First Nations, Métis and Inuit Engagement Findings

RCY Advocates provided information on children and youth who were regularly lost or missing for periods of time and/or considered homeless. These youth were often reported as “missing” or “AWOL” from their residences.

Advocates highlighted a number of commonalities for these young people:

- Multiple service streams are involved in the lives of these young people, including child welfare, mental health, substance use and police. Advocates further noted that these services do not always work well together. Further to this point, there can be a disconnect between policing practices and MCFD practices in responding to “missing” youth. In addition, there is often a mental health and/or developmental disability diagnosis and issues with these systems collaborating.
- Many have experienced multiple traumatic events in their lives, including multiple moves, being placed outside of their community, and physical and emotional harm. They also have often had multiple social workers and service providers over time and may not have developed a strong relationship with the professionals in their lives. Where relationships have been built, the nature of care and staff mobility is such that some relationships have been broken.
- Themes of grief, loss and unbelonging are evident due to a lack of connection with siblings, key family members, and/or the death of loved ones.
- Young people have demonstrated a lack of trust in people offering support and the system in general due to negative experiences. In some cases, the young person may have experienced little to no control and self-determination in their own life.
- The lack of suitable placements to meet the needs of children and youth in care and placement shortages overall have resulted in the use of shelters as placements, unapproved caregiver arrangements or homelessness.



Advocates suggest that these observations indicate the need to further consider how the system of services is engaging with and impacting young people. More specifically, the team asks:

- *How might the system more effectively coordinate and work across sectors?*
- *Are young people being over-diagnosed and/or pathologized?*
- *How is the system working for young people who have experienced trauma?*
- *How are young people being supported to maintain a sense of belonging in terms of their family, cultural and community connections?*

Reviews and Investigations Findings

Reportable Circumstances

RCY's Reviews and Investigations team reviewed all RCs received from MCFD and ICFSAs for children and youth who were reported as lost or missing between April 1 and Dec. 31, 2022. The review revealed the following:

- RCY received 397 RCs where a young person receiving a reviewable service in B.C. was identified as lost, missing or not living in their placement (representing 152 total children and youth).
- Most RCs received during this period were for children and youth who were in the care of the Director (95.5 per cent). The remaining 4.5 per cent were for children and youth who were placed with extended family members in out-of-care options or on Youth Agreements.
- The highest proportion of reports received were for cis-females (47.6 per cent), followed by cis-males (44.1 per cent) and gender diverse children and youth (8.3 per cent).
- Indigenous children and youth were represented in 54.4 per cent of the RCs received:
 - 43.8 per cent of RCs received involved First Nations children and youth
 - 10.6 per cent of RCs received involved Métis children and youth
- 32.9 per cent of the children and youth were reported more than once to the RCY as lost, missing, or away from their placement within this time period.
- Only 24 per cent of the RCs for children and youth who were lost or missing were reported within the required 24-hour time frame. The remaining RCs were received between two and 2,187 days after the child or youth was identified as missing. The average number of days between the incident and the date reported to RCY was 53, the median number of days was seven. In circumstances where multiple years pass between an incident and when it is reported to RCY, this may be due to the closing of a child/youth's file – if an RC is written but not submitted, the information system will not allow file closure until the RC is sent to RCY.



During this same time period, 123 reports of critical injuries and deaths (representing 73 individual children and youth) were received which RCY coded as lost or missing at the time of the incident.^{14,15} Among the critical injuries and deaths reported, the most frequent types reported were for sexualized violence, substance-related harm, and suicidal attempts or suicidal ideation.

Initial Review of Reportable Circumstances

The Reviews and Investigations team reviewed RCs related to young people who were frequently away from staffed residential resources, or without placements that were received between April 1 and Dec. 31, 2022. From the reports received, a representative sample was reviewed to better understand their experiences with the child welfare system. In reviewing this information, it became evident that many of these young people also had open RCY Advocacy files and therefore mirrored many of the themes identified by RCY Advocates.

In addition to the themes previously identified, the following observations were noted in reviewing the stories of each of these young people:

- RCY received multiple reports of critical injuries and serious incidents for each young person who was reported as lost or missing, ranging from six to 86 RCs received across their lifetime.
- Despite the high number of RCs received for each young person, serious and critical injuries were not reported to RCY when they should have been.
- There were a number of circumstances where stories of children and youth were particularly concerning due to the evident link between services, the co-occurring injuries they experienced, and the length of time they were missing.
- Themes of entrapment,¹⁶ the use of substances, the conditions in which the child lives and the system's representation and responses to children and youth appear to have created conditions that contributed to their disappearances.

Initial Review

All RCs received by the Representative are recorded and reviewed. A determination is made on whether they are within RCY's mandate, i.e., the child has received reviewable services in the past year, and the injuries meet the threshold of "critical" (life altering). As part of this process, additional information is gathered and reviewed by the Representative to determine next steps. All information reviewed at this stage has been recorded by public bodies (e.g., MCFD, health authorities), and is thus reflective of a care provider's perspective. The child, family and community voice is not directly reflected. However, the team endeavours to record the information for each child or youth in a way that conveys respect for the child, is trauma aware and culturally attuned.

¹⁴ Children and youth included within this count may not be considered as "lost" or "missing" based on MCFD's definition.

¹⁵ Note: Some children and youth may have had two reports submitted for the same incident and could be double counted within this information. In some circumstances, RCY receives an RC for a child or youth being lost, missing or away from their placement and another for a critical injury or death during the same time.

¹⁶ Entrapment refers to the strategies or tactics used by traffickers to engage with youth and recruit them into sex trafficking referenced in Kyla Baird and Jennifer Connolly, "Recruitment and Entrapment Pathways of Minors into Sex Trafficking in Canada and the United States: A Systemic Review," *Trauma, Violence and Abuse* 24, no. 1 (June 2021): 195.



Systemic Advocacy, First Nations, Métis and Inuit Research Findings

RCY's Systemic Advocacy, First Nations, Métis and Inuit Research team (SAFNMIR) sought to gain an understanding of how MCFD monitors children and youth who are lost or missing throughout the province, and the systemic issues evident within each of their stories.

Monitoring Approaches

In the fall of 2022, RCY learned that MCFD monitors children and youth who are considered as lost or missing through a provincial weekly log called the “Lost/Missing Child & Youth Report” in addition to tracking RCs. The log was developed at the request of the PDCW to identify situations where Practice Support and Issues Management and the Deputy Directors of Child Welfare should offer additional support and consultation to Service Delivery Area leaders and staff regarding children who go missing for several days.¹⁷ In reviewing the weekly logs, RCY was concerned that they revealed little about who was missing from care because they depend on RC reports or media coverage of missing persons and only include children or youth who are missing for seven days or more. RCY also noted that the type and extensiveness of information collected on young people within this log changed over time and consequently didn't function as a reliable source of information about who was missing from care. In cross-referencing with other sources of information, RCY concluded that the weekly logs were not an effective systematic tool to identify situations for the PDCW to offer additional support and consultation.¹⁸ RCY also noted that 27 per cent of the logs in the review period were unaccounted for. When RCY contacted MCFD to request the information, the ministry reported that absent logs were the result of either no child or youth reported missing those weeks or because no monitoring report was completed due to reduced staffing.

Electronic File Review of Children and Youth Reported as Lost or Missing in October 2022

The SAFNMIR team conducted an electronic file review to gain a deeper understanding of a small subsample of 19 children and youth reported as lost or missing¹⁹ during October 2022. The purpose of this review was to gain a better understanding of these young people beyond the information that is recorded within RCs. Through this file review, it became apparent that there was more to be understood about each young person's lifetime of experiences and the systemic issues impacting them. The most notable findings of this review include:

- In 59 per cent of the files reviewed (representing 10 of the 17 youth who were in care), parent/caregiver concerns of not feeling that they could support the needs of the young person or keep them safe at home were noted as a contributing factor that led them to being placed in care. This finding raises questions about the adequacy and responsiveness of community-based supports for families and their children.

¹⁷ Email correspondence from MCFD Interface Jan. 12, 2023.

¹⁸ During the administrative fairness process, the PDCW advised that the log was not intended to serve as a systematic tool for tracking missing children. Instead, it was initiated to enable the PDCW to obtain a better understanding about children who were missing from care in light of the findings from the 2019 internal report, and to assist in determining where the provincial office could play a consultative role.

¹⁹ In some circumstances, the child/youth was not reported to RCY as missing, but the Reviews and Investigations team noted the young person as “missing at time of incident” for their critical injury reports.



- A substantial number of young people who were reported as lost or missing were noted to have a disability²⁰ (63 per cent), mental health condition (79 per cent) and/or use substances (79 per cent) – both confirmed and suspected.
- An overwhelming number of children and youth who were reported as lost or missing were not living in family-based home environments – 68 per cent were placed in staffed residential resources compared to 18 per cent of all children and youth in care. This means that children and youth in staffed residential resources are over-represented among those who are reported as lost or missing. An additional 21 per cent of children and youth reported as lost or missing were living in shelters or at an unknown location.

Looking beyond individual characteristics, the SAFNMIR team sought to understand the intersection between Indigeneity, gender, sexuality, mental health, substance use and disabilities observed in the reports and the experience of children who are lost or missing from care. The literature reviewed for this issues brief stresses the importance of considering the many social factors that impact the experience of children and youth in the child-serving systems including colonialism, racism and social prejudice.²¹ Therefore, RCY went back to its findings to explore the root causes of over-representation in order to determine how the systemic response – or lack of response – to the distinct and unique needs of marginalized and oppressed children might be contributing to them being missing or lost.

Indigeneity

All the monitoring and research data reviewed for this issues brief note the over-representation of Indigenous children and youth in missing populations both in the child welfare system and the general population. A missing persons review of police data in Australia, revealed that 26 per cent of the children who went missing and 34 per cent of youth who went missing from their care system were Indigenous. MCFD reported that 65 per cent of its April 2015 to March 2018 sample were Indigenous and RCY found that 54.4 per cent of its April to December 2022 sample were Indigenous.²² These findings mirror the higher-than-average missing person rates for Indigenous people across Canada, particularly for Indigenous women and girls.

Canada's National Inquiry into Missing and Murdered Indigenous Women and Girls²³ confirmed this over-representation in its report *Reclaiming Power and Place: The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls* and identified “persistent and deliberate human and Indigenous rights violations and abuses [that] are the root cause behind Canada's staggering rates of violence against Indigenous women, girls and 2SLGBTQQIA+ people.”²⁴ Research shows that historical and ongoing systemic inequalities have created conditions of unbelonging for Indigenous children and youth and that

²⁰ Disabilities noted included physical disabilities, learning disabilities, attention deficit hyperactivity disorder (ADHD), and fetal alcohol spectrum disorder (FASD).

²¹ Richardson, C., and Bonnah. S. “Taking Children's Resistance Seriously: A Response-Based Approach to Children Experiencing Violence.” *Walking this Path Together: Anti-racist and Anti-Oppressive Child Welfare Practice*. Winnipeg, Canada: Fernwood (2015).

²² Kath McFarlane, “Children and Youth Reported Missing from Out-of-Home Care in Australia: A Review of The Literature and Analysis of Australian Police Data,” *A Report Prepared for the Australian Federal Police Missing Persons Coordination Centre* (2021).

²³ Canada Privy Council Office, *Reclaiming Power and Place: The Final Report of The National Inquiry into Missing and Murdered Indigenous Women and Girls* (Vancouver, B.C., Privy Council Office), 2019.

²⁴ Canada Privy Council Office, *Reclaiming Power and Place: The Final Report of The National Inquiry into Missing and Murdered Indigenous Women and Girls* (Vancouver, B.C., Privy Council Office), 2019.



these inequalities can be attributed to acts of colonial violence that displace Indigenous children from their traditional homelands, disconnect them from their culture and languages, and disadvantage them through the acceptance of high rates of poverty, homelessness, food insecurity and violence.²⁵ None of the stories examined by RCY in October 2022 reported collaborative planning with Nations in response to their missing or lost children in the child welfare system. As Indigenous Governing Bodies in B.C. begin to walk together with the child welfare system on the path toward resumption of jurisdiction over child and family services, the Representative is hopeful that inherent rights of Indigenous communities to support and protect their children will be upheld through information-sharing and co-developed, culturally appropriate responses for Indigenous children who are lost or missing in the system of care.

Gender and Sexual Identity

The MCFD internal draft report did not speak to gender beyond male/female due to limitations of ministry data at that time. RCY has made documenting gender identity a priority in recent years, enabling a more nuanced understanding of the intersectionality between gender identity and a young person's experience in the system of care. The review of RCs for children and youth who were missing during the April 1 to Dec. 31 2022 review period revealed that 8.3 per cent were identified in their records as gender diverse.

Research into individual characteristics of missing populations confirm that 2SLGBTQQA+²⁶ youth are over-represented possibly due to inadequate caregiver training and response to their distinct needs and the experiences of discrimination within staffed residential facilities.²⁷ It is important to note that data related to gender and sexual identity are limited as the collection of such data relies on practitioners asking and documenting identity and orientation in files. RCY Advocates have reported concerns over mis-gendering and the use of incorrect pronouns in both care settings and MCFD records, suggesting the child welfare system has work to do to support gender diverse youth in a safe and supportive way that reaffirms their identity and sense of belonging.

Mental Health, Substance Use and Disabilities

The MCFD draft 2019 report and the RCY RCs reviewed also point to the intersection of mental health and substance use with experiences of being missing from care. Like the research on Indigeneity and gender, mental health disorders and disabilities are framed in the research as compounding vulnerability of risk, with children and youth with complex needs experiencing more frequent incidents of being missing than their peers. Mental health disorders associated with early childhood trauma, developmental and behavioural disabilities, and substance use have all been identified as risk factors to being missing, however the direct relationship is unclear.²⁸ Research has yet to examine how the intersection of mental health, substance use and disabilities can make children and youth in care who go missing more vulnerable, or what role the system plays in marginalizing these populations from services and supports

²⁵ Scribe, Megan. "Pedagogy of Indifference: State responses to Violence Against Indigenous Girls." *Canadian Woman Studies/les cahiers de la femme* (2018).

²⁶ LGBTQA, lesbian, gay, bisexual, transgender, queer (or questioning), and intersex, is the description used in the research study cited in our report. RCY uses an expanded definition of 2STNBDG related to two-spirit, trans, non-binary and other gender diverse peoples.

²⁷ Nesmith, Andrea. "Predictors of Running Away from Family Foster Care." *Child Welfare* 85, no. 3 (2006).

²⁸ Kath McFarlane, "Children and Youth Reported Missing from Out-of-Home Care in Australia: A Review of the Literature and Analysis of Australian Police Data," *A Report Prepared for the Australian Federal Police Missing Persons Coordination Centre* (2021).



that may prevent them from being missing in the first place. MCFD has begun to explore prevalence rates on several indicators related to mental health, substance use and disability by comparing children and youth in care with the general population,²⁹ but the linkages and compounding effects need to be explored further.

Neither MCFD nor the RCY data based on RCs provide information on the number of children and youth with disabilities who are missing. To address this, RCY reviewed the electronic files of a small subsample of 19 children and youth reported missing during October 2022 and determined that 63 per cent of the young people had an assessed or suspected disability noted in their files. This same group was evaluated for mental health concerns (79 per cent) and substance use (79 per cent) and showed considerably higher prevalence rates than reported in the MCFD draft report. Further, the subsample showed that the majority of children and youth (74 per cent) were reported as experiencing co-occurring and concurrent diagnosis, with nearly half (47 per cent) reportedly experiencing mental health, substance use and disabilities. Given the impacts of the toxic drug supply and the increasing wait times for mental health and disability services since the MCFD draft was prepared, this raises a question: *What is the current prevalence of mental health disorders, substance use disorder and disability for children and youth who go missing and how do their (unmet) mental health, substance use and disability needs intersect with their experiences of being missing?*

²⁹ Information provided to RCY from MCFD on Sept. 22, 2022.



Why are children going missing from the child welfare system?

It is important to note that the personal characteristics of a young person alone do not cause or contribute to risk of becoming lost or missing.^{30,31} It is vital that we consider the complexity involved, and how these factors intersect with the context of the young person and how the “societal context and/or system response creates the risk.”³²

Although the motivation to leave a care placement varies and is unique to each young person, the literature describes many of the reasons in terms of “push and pull factors.”^{33,34} RCY sees these push/pull factors as being shaped by both longing for – and seeking – belonging. Dr. Martin Brokenleg highlights that “belonging is the most necessary human experience – it is in every child.”³⁵ All children and youth seek a sense of belonging – to feel connected to family and loved ones, culture, community and a sense of place, and to their identity.³⁶

In response to media coverage of the Ontario Coroner's Inquest on the death of a 16-year-old First Nations youth who disappeared from care, a reporter wrote: "When Blackstock hears about children running away, her question is: What are they running from? She equated it to children who would run away from residential schools, only to be captured and brought back and under the law."

Source: Nicole O'Reilly, "Your Story Does Not End Here': Inquest Begins into Hamilton Teen's Death" *Hamilton Spectator*, Sept. 27, 2022.

³⁰ Kath McFarlane, “Children and Youth Reported Missing from Out-of-Home Care in Australia: A Review of the Literature and Analysis of Australian Police Data,” *A Report Prepared for the Australian Federal Police Missing Persons Coordination Centre* (2021).

³¹ Ministry of Children and Family Development Office of the Provincial Director of Child Welfare and Aboriginal Services, *Children and Youth in Care Who Have Been Reported Lost or Missing – Draft Report* (Victoria, B.C.), 2019.

³² Ministry of Children and Family Development Office of the Provincial Director of Child Welfare and Aboriginal Services, *Children and Youth in Care Who Have Been Reported Lost or Missing – Draft Report* (Victoria, B.C.), 2019.

³³ Julie Kerr, Judy Finlay, *Youth Running from Residential Care: “The Push” and “The Pull”* (Ontario: Office of the Child and Family Service Advocacy Province of Ontario), 2006.

³⁴ Kath McFarlane, “Children and Youth Reported Missing from Out-of-Home Care in Australia: A Review of the Literature and Analysis of Australian Police Data,” *A Report Prepared for the Australian Federal Police Missing Persons Coordination Centre* (2021).

³⁵ Martin Brokenleg, “First Nations Principles of Learning,” Dec. 1, 2015, video, 3:19-3:24. <https://www.youtube.com/watch?v=2Z4Bn44giR8>.

³⁶ Representative for Children and Youth, *Skye's Legacy: A Focus on Belonging* (Victoria, B.C.: Representative for Children and Youth), 2017: 36-37.



“Push” factors can be best understood as environmental factors that drive or motivate a young person to leave.^{37,38} Rigid rules, lack of engagement in placement planning, lack of autonomy, boredom and insufficient/ineffective therapeutic options are cited as dominant push factors. In Ontario, youth focus groups cited problems with placement, views of residences as being excessively restrictive, unfair and unrealistic rules and curfew, relationships with staff, and teasing as factors that contribute to why youth run away from the system of care.³⁹ As part of this same study, in response to being asked why they left, some youth highlighted “*Because I hate living in this place,*” “*Supposed to be like home, but it’s not,*” and “*Staff aren’t our parents – not concerned for us.*”⁴⁰ Within more recent reviews, some young people have reported that they went missing because they wanted to remove themselves from the environment and did not wish to return to the residence.^{41,42}

RCY Advocates have echoed that many of these sentiments are shared by the young people they work with, particularly by those who are not living in family-based care environments. This is especially concerning given the number of children and youth reported as lost or missing in RCY’s review period who were not living in family home environments. RCY recognizes that many of the young people placed in staffed residential resources may require more intensive and therapeutic care due to complex needs, and that family care arrangements may not be available or appropriate. Nonetheless, RCY is concerned that many young people who are placed in staffed homes are not receiving the skilled, quality therapeutic care that they need and are experiencing further trauma and unbelonging. Young people are taking themselves out of these situations and seeking care, nurturance, belonging and often distraction and ‘numbing’ of pain elsewhere.^{43,44}

‘Pull’ factors are described as those that draw young people away from where they live, which can include seeking connection to family, friends, community and culture, returning to familiar places, and seeking freedom or a sense of ‘normalcy’ (or autonomy).^{45,46} As learned from earlier reports, including

³⁷ Kath McFarlane, “Children and Youth Reported Missing from Out-of-Home Care in Australia: A Review of the Literature and Analysis of Australian Police,” *A Report Prepared for the Australian Federal Police Missing Persons Coordination Centre* (2021).

³⁸ Kath McFarlane, “Children and Youth Reported Missing from Out-of-Home Care in Australia: A Review of the Literature and Analysis of Australian Police Data,” *A Report Prepared for the Australian Federal Police Missing Persons Coordination Centre* (2021).

³⁹ Julie Kerr, Judy Finlay, *Youth Running from Residential Care: “The Push” and “The Pull”* (Ontario: Office of the Child and Family Service Advocacy Province of Ontario), 2006.

⁴⁰ Julie Kerr, Judy Finlay, *Youth Running from Residential Care: “The Push” and “The Pull”* (Ontario: Office of the Child and Family Service Advocacy Province of Ontario), 2006: 5.

⁴¹ Ontario Provincial Advocate for Children and Youth and Kim Snow, *In Harm’s Way? Serious Occurrences Report Vol. 2* (Ontario: Office of the Provincial Advocate for Children and Youth), 2017.

⁴² Edwards, Travonne, King, Brynn, Risidore, Jordan and Parada, Henry. “Many Households but Never A Home: Stories Of Resistance From Black Youth Navigating Placement Instability In Ontario’s Child Welfare System.” *Journal of Youth Studies* (2022): 12.

⁴³ Representative for Children and Youth, *Time to Listen: Youth Voices on Substance Use* (Victoria, B.C.: Representative for Children and Youth), 2018.

⁴⁴ Katherine McParland, *From Marginalized to Magnified: Youth Homelessness Solutions from Those With Lived Expertise* (Victoria, B.C.: Representative for Children and Youth), 2020.

⁴⁵ Julie Kerr, Judy Finlay, *Youth Running from Residential Care: “The Push” and “The Pull”* (Ontario: Office of the Child and Family Service Advocacy Province of Ontario), 2006.

⁴⁶ Kath McFarlane, “Children and Youth Reported Missing from Out-of-Home Care in Australia: A Review of the Literature and Analysis of Australian Police Data,” *A Report Prepared for the Australian Federal Police Missing Persons Coordination Centre* (2021).



Relationships Matter for Youth 'Aging out' of Care,⁴⁷ *From Marginalized to Magnified*⁴⁸ and *Skye's Legacy*,⁴⁹ children, youth, families and communities value the relationships in their lives and long to be together. In efforts to resist the harm created by the child welfare response that further isolates them from their family, community and culture, children will seek belonging in other ways. In the Ontario context, 68 per cent of lost and missing reports that included a reason why the young person left indicated that it was because they were visiting friends or family.⁵⁰ Within focus groups, youth in Ontario stated that they left care to “*be with real family,*” “*if they cancel your home visit,*” “*to be with mom. Haven't seen her,*” “*to see our friend – go out and party like normal teenagers do,*” and “*AWOL because not enough time to be with friends.*”⁵¹ Leaving to be with friends and family was also observed as a trend within RCY's review of missing reports for October 2022.

Within the literature and the RCs and weekly log information from MCFD reviewed by RCY regarding young people who were reported missing from the child welfare system, it became apparent that their life experiences were not adequately captured. Within its review, RCY sought to dig deeper and learned that there were many indications that children and youth who are reported as lost or missing had experienced patterns of disconnection, grief and loss – before and during their time in the child welfare system – that resulted in further unbelonging.

Disconnection, Grief and Loss

Upon coming into the system of care, young people often become disconnected from their family members and communities, and are sometimes moved to a different area of the province. This experience alone can be a significant source of grief and loss for young people and have a lasting impact on their sense of belonging. Compounded with the initial loss at the time of coming into care, many young people who are reported as lost or missing have experienced multiple disruptions of meaningful relationships and a lack of connection with others while in the system of care. RCY's Advocacy and Reviews and Investigations teams have also observed that young people who are reported missing experience co-occurring disruptions of belonging including disconnection from siblings or other key family members, death of an immediate family member (parent or sibling), multiple social workers, and multiple moves, including being placed outside their community. These systemic disruptions create a sense of unbelonging for children and youth in care, which may add to their vulnerability.

⁴⁷ Melanie Doucet & Co-researchers: Harrison Pratt, Jordan Read, Keeshana Emmanuel, Raina Jules, Ronda Merrill-Parkin, Sabien Vanderwal, Tahsina Al-aibi, Martha Dzhenganin, *Relationships Matter for Youth 'Aging Out' of Care* (Victoria, B.C.: Representative for Children and Youth), 2018.

⁴⁸ Katherine McParland, *From Marginalized to Magnified: Youth Homelessness Solutions from Those With Lived Expertise* (Victoria, B.C.: Representative for Children and Youth), 2020.

⁴⁹ Representative for Children and Youth, *Skye's Legacy: A Focus on Belonging* (Victoria, B.C.: Representative for Children and Youth), 2021.

⁵⁰ Ontario Provincial Advocate for Children and Youth and Kim Snow, *In Harm's Way? Serious Occurrences Report Vol. 2* (Ontario: Office of the Provincial Advocate for Children and Youth), 2017.

⁵¹ Julie Kerr, Judy Finlay, *Youth Running from Residential Care: "The Push" and "The Pull"* (Ontario: Office of the Child and Family Service Advocacy Province of Ontario), 2006: 5.



Sexualized Violence and Exploitation

The sense of unbelonging experienced by many young people involved with the child welfare system can create conditions that place them at greater risk of luring/entrapment⁵² and sexual exploitation. RCY's Advocacy and Reviews and Investigations teams have identified growing concerns regarding sexualized violence and sexual exploitation experienced by female youth who are lost or missing from care, particularly Indigenous females.

This finding comes years after a public report by RCY that pointed to the highly disproportionate number of Indigenous girls who have become victims of sexualized violence while in care.⁵³ A public review in Quebec noted that placements often fail to offer components of belonging to young people, and that the need for recognition, love and investment are factors that contribute to young people becoming entrapped.⁵⁴ The literature also emphasizes that being a child or youth in care (specifically in staffed residential facilities) is a risk factor for overt predatory situations such as Internet luring, gang recruitment and violence, entrapment by way of substances, and the many forms of sexualized violence and exploitation of children and youth.^{55,56,57} A lack of action by authorities has resulted in the child welfare system continuing to function as “a pipeline” to child exploitation, sex trafficking and murdered and missing Indigenous women and girls.⁵⁸ In accordance with the *United Nations Convention on the Rights of the Child (UNCRC)*, it is essential that the government takes action to ensure that children and youth are protected from sexual abuse and exploitation, which simultaneously requires attention to ensuring that there are spaces that create and foster belonging.

Beyond individual and push/pull factors, what appears to be absent from much of the conversation are the underlying systemic issues that contribute to unbelonging and continue to result in children and youth going missing from the system of care. For a child to experience belonging, their sense of connection to people, community, culture, place and a positive sense of identity must be fostered through strong relationships with family, extended family, friends, community, service providers and constant connection to supports.⁵⁹ As RCY sought to understand circumstances in which young people were reported as lost or missing, it soon became clear that children are seeking belonging and fleeing from systems that are failing to meet their needs.

⁵² Entrapment refers to the strategies or tactics used by traffickers to engage with youth and recruit them into sex trafficking referenced in Kyla Baird and Jennifer Connolly, “Recruitment and Entrapment Pathways of Minors into Sex Trafficking in Canada and the United States: A Systemic Review,” *Trauma, Violence and Abuse* 24, no. 1 (June 2021): 195.

⁵³ Representative for Children and Youth, *Too Many Victims: Sexualized Violence in the Lives of Children and Youth in Care* (Victoria, B.C.: Representative for Children and Youth), 2016.

⁵⁴ André Lebon, *Les Fugues Reliées À L'exploitation Sexuelle: État De Situation Et Solutions, Rapport présenté à la ministre déléguée à la Réadaptation, à la Protection de la jeunesse, à la Santé publique et aux Saines habitudes de vie*, madame Lucie Charlebois (Quebec), 2016: 23.

⁵⁵ Baird, Kyla, McDonald, Kyla P. and Connolly, Jennifer. “Sex Trafficking of Women and Girls in a Southern Ontario Region: Police File Review Exploring Victim Characteristics, Trafficking Experiences, and the Intersection with Child Welfare.” *Canadian Journal of Behavioural Science/Revue canadienne des sciences du comportement* 52, no. 1 (2020).

⁵⁶ Kyla Baird and Jennifer Connolly, “Recruitment and Entrapment Pathways of Minors into Sex Trafficking in Canada and the United States: A Systemic Review,” *Trauma, Violence and Abuse* 24, no. 1 (June 2021): 193.

⁵⁷ O'Brien, Jennifer E. ““Sometimes, Somebody Just Needs Somebody—Anybody—to Care:” The Power of Interpersonal Relationships in the Lives of Domestic Minor Sex Trafficking Survivors.” *Child abuse & neglect* 81 (2018).

⁵⁸ Pam Palmater, “From Foster Care to Missing or Murdered: Canada's Other Tragic Pipeline,” *Macleans Magazine*, April 12, 2017.

⁵⁹ Representative for Children and Youth, *Skye's Legacy: A Focus on Belonging* (Victoria, B.C.: Representative for Children and Youth), 2017.



Systemic factors that lead to children disappearing from B.C.'s child welfare system

The stories of the 198 children and youth who were reported as lost or missing and unsafe, and the four children who died during the time period of the RCY review, are troubling indicators of a child welfare system that is unable on its own to provide the necessary and adequate care for children and youth. The stories of these children highlight systemic challenges across child-serving systems including health, education, mental health and substance use, justice and housing. Focusing solely on the challenges of the child welfare system offers the same limited view of the issue as the review of individual characteristics of missing children.

Language Matters

The contextual factors and systemic linkages for children and youth who go missing can be seen throughout the descriptions of lost children in RCs and weekly logs:

Refuses to stay in placement. Mother on DTES. Last seen [date].

Youth has history of family conflict due to trans issue.

Youth spotted sleeping at [fast food outlet] in home community and is refusing to return to emergency shelter outside community. Technically not missing 7+ days since last sighting but has failed to return to safe place to live and is at risk on her own.

Child has been referred to CYMH multiple times but is not currently willing to have services through them.

... was connected with the youth team where she had access to a psychiatrist. However, she has yet to engage and was discharged from the program.

When those descriptions are rewritten with child-centred, person-first or identity-first and destigmatizing language, the systemic challenges emerge:

Staffed residential facility unable to meet youth's needs. Mother unhoused and unable to access support. Last seen [date].

Family breakdown due to lack of public resources to understand gender identity/ gender expression and anti-transgender discrimination.

Youth sleeping outside at (fast food outlet) as ministry is unable to provide care close to culture and family in home community. There has been no meaningful connection with youth in more than 7 days.

Child has been referred to CYMH but the services provided by the mental health system do not meet her needs. Ministry has been unable to locate services for the child.

Youth was connected with the youth team which included a psychiatrist. However, the service was not accessible or appropriate for her. The youth's file was closed with no alternative care provided by the mental health system.



Researchers who study under-resourced and over-stretched child-serving systems call for a more critical understanding of the behaviour of children and youth and to scrutinize such dismissive statements to highlight the systems' accountability: children are not refusing care; the system is unable to provide care that meets their needs.⁶⁰

Destigmatizing language reveals how the residential placement crisis, mental health wait times, toxic drug crisis, lack of resources in family preservation and the child-serving workforce shortage all intersect and compound to create conditions where children and youth go missing. As this language shifts to raise awareness about the systemic challenges that lead to children being lost or going missing, it quickly becomes evident that the rights of children in care are not being upheld by systems, especially when children are lost or missing. RCY's review found that the rights of children and youth who were reported as lost or missing to the PDCW are routinely not having their needs met, including the right to adequate care, the right to protection, and the right to be heard.

Language Changes Underway

In October 2022, Provincial Centralized Screening (PCS) discontinued its use of the term AWOL "because the term was from World War I and is associated with military duties and not appropriate to describe youth behaviour." While the term still appears across other service areas, areas such as the Maples Adolescent Treatment Centre, the Representative is encouraged to see a more critical lens being applied to how language shapes services and supports.

Information provided to RCY from MCFD on April 6, 2023.

Right to adequate care

For many children and youth who were reported as lost or missing, there appeared to be a pattern of inadequate and ineffective services available to meet their needs and adequately support them and their families. Under the *UNCRC*, children have a right to protection from violence and neglect by anyone who looks after them. The Representative believe this includes a right to protection from systemic harm and neglect. Children's rights must be protected and responded to in a timely and effective manner.

Prevention/Upstream

Within RCY's review of young people who were reported as missing from care in October 2022, 59 per cent had been placed in government care due, in part, to the fact that their family/caregiver did not feel they could support their children's needs, or keep them safe in their home. This raises questions about the adequacy and responsiveness of community-based supports.

The Child and Family Service Legislation Reform promises⁶¹ to promote prevention supports and keep

UNCRC Article 27 (Adequate Standard of Living)

Every child has the right to a standard of living that is good enough to meet their physical and social needs and support their development. Governments must help families who cannot afford to provide this.

⁶⁰ Scribe, Megan. "Pedagogy of Indifference: State Responses to Violence Against Indigenous Girls." *Canadian Woman Studies/les cahiers de la femme* (2018).

⁶¹ The B.C. government is reforming child and family service legislation with the intent of improving services for all children and families. The goals of this initiative are: (1) Changing the current legislative model to one that promotes prevention supports and keeps children within their families, communities and cultures; (2) Alignment of child and family service legislation with the federal *Act respecting First Nations, Inuit, and Métis children, youth and families* and the *Declaration of the Rights of Indigenous Peoples Act*; and (3) Pursuing both short-term and longer-term legislative amendments to support systemic transformation.



children within their families, communities and culture. In November 2022, Bill 38, Indigenous Self-Government in Child and Family Services Act was passed into law, which has changed legislation to remove barriers for Indigenous Governing Bodies exercising jurisdiction over child and family services. With barriers to Nations exercising jurisdiction now removed, the Representative will be paying close attention to how supports are provided to Nations to restore traditional systems of care that prevent children from entering the child welfare system in the first place. This includes access to early intervention services and whole family well-being services, as well as social supports for families including employment opportunities and housing. *How do we support families to safely keep and support their children within their family, community and culture?*

Child Protection

Today's child welfare system was built upon colonial values of "protection" and "safety." These values prioritize risk aversion and liability mitigation over relationships, connection to culture and belonging for children, youth and their families. The historic and ongoing disruptions to belonging created by colonization and embedded within the current child welfare system pose significant systemic threats to the well-being of young people. Many of the stories reviewed for this brief spoke about children fleeing the child welfare system to return to family, culture and community, to find siblings and friends, and return to places that nurture their sense of identity and belonging. If children are running home, this prompts the question: *How are systems supporting the continuity of relationships and identity for children who are unable to live at home?*

One of the major systemic challenges facing the child welfare system today is the recruitment and retention of a skilled workforce. In December 2021, the PDCW and the Assistant Deputy Ministry of Service Delivery Division put out an urgent call for volunteers to assist offices facing critical staffing levels over the holiday season after seeing an 11 per cent decrease in child protection workers since April that year and shortages in child and youth mental health (nine per cent) and community youth justice services (seven per cent) as well.⁶² ICFSAs also experience similar and unique recruitment and retention emergencies but do not have the same provincial network to draw on. In January 2022, MCFD implemented temporary modification of duties for social workers which reduced the minimum standards for children at risk, to allow telephone (rather than in-person) safety planning for immediate or within 24 hour child protection concerns and extended response times for lower-priority child protection reports and temporary deferral of care plans. This temporary solution to an urgent crisis has continued, with the PDCW reporting in March 2023 that the workforce crisis has now resulted in ongoing modified work duties in some areas.

The workforce crisis has been exacerbated by a number of influences beyond the child welfare system including ongoing challenges with recruitment and retention of qualified staff and seemingly competing labour strategies across the child-serving system. RCY Advocates have reported that the workforce crisis

UNCRC Article 9 (Separation from Parents)

Children must not be separated from their parents against their will unless it is in their best interests (for example, if a parent is hurting or neglecting a child). Children who have been separated from their parents have the right to stay in contact with both parents, unless this could cause them harm.

UNCRC Article 15 (Freedom of Association)

Every child has the right to meet with other children and to join groups and organizations, as long as this does not stop other people from enjoying their rights.

⁶² Service Delivery Division Active Employee Count March 31, 2021 - Dec. 31, 2021.



is resulting in inconsistent and delayed response from social workers and discontinuity in planning and relationship-building for youth seeking a sense of belonging. *What efforts are being made to secure a skilled and stable workforce for children in the system of care?*

Mental Health, Substance Use and Disability Supports

Most of the children and youth whose stories RCY reviewed for this work had unmet mental health, substance use and/or disability needs, with the majority facing co-occurring and concurrent complexities. The lack of available and acceptable services is evident throughout the language of the RCs and reveals a system that is both under-resourced and uncertain about how to meet the often complex needs of children and youth who go missing. Long wait times, non-Indigenous clinical care, and faraway treatment services are some of the barriers children face when trying to access mental health, substance use and disability supports. RCY's review of October 2022 RCs determined that mental health concerns (confirmed or suspected) were reported for 79 per cent of the children, yet only 33 per cent appeared to have an open Child and Youth Mental Health (CYMH) services file. Substance use was noted among 79 per cent of the young people who were lost or missing in October 2022. In some circumstances, RCY noted that social workers were offering referrals to substance use services, but it remains unclear whether they would have been available or appropriate to meet the young peoples' needs. The review also noted that 63 per cent of the children and youth were noted to have a disability (confirmed or suspected), yet only 25 per cent of those had an open Children and Youth with Support Needs (CYSN) file. Despite having open files, RCY found that not all young people were actively receiving services as they were reportedly "not engaging in" or "refusing services." *What are the unmet mental health, substance use and disability support needs of children who go missing and how can the system provide better care for them?*

Residential Care

The over-representation of young people who are lost or missing from staffed residential resources and the use of shelters found in this review is especially concerning. The number of children and youth placed in staffed residential resources appears to be on the rise, and has increased by 10.4 per cent over the past five years.⁶³ It is noteworthy that being missing or unaccounted for from staffed residential resources and

UNDRIP Article 22 (1) (Protection for Children, Elders, Women and Individuals with Disabilities)

Particular attention shall be paid to the rights and special needs of Indigenous elders, women, youth, children and persons with disabilities in the implementation of the *Declaration*.

UNCRC Article 23 (Children with a Disability)

A child with a disability has the right to live a full and decent life with dignity and, as far as possible, independence and to play an active part in the community. Governments must do all they can to support disabled children and their families.

UNCRC Article 24 (Health and Health Services)

Every child has the right to the best possible health. Governments must provide good quality health care, clean water, nutritious food, and a clean environment and education on health and well-being so that children can stay healthy.

UNCRC Article 39 (Recovery from Trauma and Reintegration)

Children who have experienced neglect, abuse, exploitation, torture or who are victims of war must receive special support to help them recover their health, dignity, self-respect and social life.

⁶³ MCFD Corporate Data Warehouse (as of Jan. 12, 2023) – comparing Dec. 31, 2022 to Dec. 31, 2018.



hotel placements appears to be a common thread emerging within recent coroners inquests and a public report on the tragic and avoidable deaths of young people in the system of care in B.C. and other parts of the country.^{64,65,66} We must view this as a warning sign that these settings, when not adequately resourced with skilled staff and supported by a cross-system approach, are not meeting the complex needs of young people. The inadequacies of the residential care system have been well-documented in B.C.^{67,68,69} and efforts are underway to pilot a new model of care. MCFD advised RCY during the administrative review process that the new residential model in development will include policy and contractual changes addressing issues facing children and youth at risk of becoming missing (e.g., actively searching for children/youth who have not returned to the care setting when expected and/or involved in high-risk activities per policies and standards). However, the Representative is concerned that, without the support of the health care, mental health, substance use care and other enabling systems, the model will be unable to address the intersecting contexts and systemic challenges identified in this brief. *If the whole system was wrapped around residential care services, how would the outcomes of children who are unable to be cared for in a family home setting be improved?*

Many of the children and youth whose stories were reviewed for this brief had large care teams with multi-disciplinary professionals providing consultation to social workers responsible for the well-being of the child. Unfortunately, consultation does not always lead to collaboration and the size of the team is not necessarily correlated with improved outcomes. RCY Advocates identified several circumstances where multiple service streams are involved (i.e., child protection, mental health, acute health care, substance use and police) but systems do not always work well together and are sometimes in conflict. Advocates report that, with large teams, differences in perspectives, risk tolerance or clinical judgement can result in disagreements and lack of collaboration. Over time, faced with systemic challenges and limited resources, meetings can become unproductive and collaboration can become performative. In fact, all of the youth who died during our review period had multiple professionals on their care teams and yet they struggled to provide the care the young people needed. This suggests to the Representative that the answer goes beyond an integrated case management approach to working together effectively by empowering teams to be

UNCRC Article 20 (Children Unable to Live with Their Family)

If a child cannot be looked after by their immediate family, the government must give them special protection and assistance. This includes making sure the child is provided with alternative care that is continuous and respects the child's culture, language and religion.

UNCRC Article 25 (Review of Treatment in Care)

If a child has been placed away from home for the purpose of care or protection (for example, with a foster family or in hospital), they have the right to a regular review of their treatment, the way they are cared for and their wider circumstances.

⁶⁴ Danielle Paradis, "B.C. Inquest Begins into Death of a First Nations Teenager in Care," *APTN National News*, Nov. 28, 2022.

⁶⁵ APTN National News, "Ontario Inquest Begins in Death of Devon Freeman Who Was Found Near Hamilton Group Home," *APTN National News*, Sept. 26, 2022.

⁶⁶ Manitoba Advocate for Children and Youth, *A Place Where It Feels Like Home – The Story of Tina Fontaine*. (Winnipeg, Manitoba), 2019: 89-108

⁶⁷ Federation of Community & Social Services and MCFD, Residential Review Project – Final Report, 2012

⁶⁸ Auditor General of BC, *Oversight of Contracted Residential Care Services for Children and Youth in Care*, (Victoria, B.C.: Auditor General), 2019.

⁶⁹ MCFD Contract Management Review Project – Current state assessment – 2019.



creative, get involved early, be flexible to the needs of the children, and to share accountability across the system. *What is needed to work effectively across systems for children and youth who go missing?*

Right to Protection from Harm

The *UNCRC* identifies several rights related to protection for children and youth, including protection from harm, violence, sexual abuse and exploitation, illegal drugs and other forms of exploitation such as criminal exploitation. These rights apply to children and youth in the system of care, however, RCY has identified policy, practice and service barriers that are infringing on these rights for children who are lost or missing.

The current MCFD policy defines a missing child or youth as “*any child/youth in care, including respite care, whose whereabouts are unknown and there are additional concerns about their safety.*”⁷⁰ This definition requires that there be known safety concerns in order for a child or youth in the system of care to be considered absent or missing.

What is meant by: “Actions Taken by a Prudent and Responsible Parent?”

Actions taken by a prudent and responsible parent are actions taken in an effort to locate a child or youth. These actions include, but are not limited to:

- actively trying to contact the youth directly via calling or texting their cell phone or a friend's phone or via social media,* preferably via private messaging;
- actively seeking out and contacting anyone, such as friends, coaches, or teachers who may know the child/youth's current or recent whereabouts; and
- actively identifying and checking likely locations where the child/youth may be located.

Caregivers are expected to have taken the above steps prior to calling Provincial Centralized Screening or police to report a missing child or youth, unless a caregiver believes the child or youth to be unsafe. If there is reason to believe the child or youth is unsafe, Centralized Screening and/or the police should be contacted immediately.

*Note: The foster caregiver must not post anything on social media that identifies the individual as a child or youth in care, or that they are the child or youth's foster parent.

Source: MCFD Orientation to Revised Missing Children and Youth Policy (May 2016).

MCFD policy and the Protocol Agreement between MCFD, ICFSAs and police propose two courses of action for when the whereabouts of a child or youth in the system of care is unknown:

1. If there are no known safety concerns, the caregiver is expected to act “as a prudent and responsible parent” and conduct searches prior to contacting the worker, Provincial Centralized Screening or police.
2. If the child or youth's whereabouts are unknown and there are additional concerns about their safety, their caregiver, the child/youth's worker, or Provincial Centralized Screening are expected to immediately call police to take action and locate the missing child/youth.

⁷⁰ See Ministry of Children and Family Development, Chapter 5: Children and Youth in Care - Policy 5.12: When a Child/Youth is Missing, Effective Date of Policy February 2016.



The *MCFD Child and Youth in Care Policy (5.12)*,⁷¹ and the Protocol Agreement⁷² appear to provide a considerable amount of responsibility and discretion for the caregiver to act as a prudent parent and assess safety on their own when a child or youth first goes missing. In addition, they are directed to call MCFD's Missing and/or Absent from Home Queue, which is not prioritized. The ministry indicated that between January and June 2022, the queue had an average wait time of 19 minutes and 49 seconds. RCY noted that between April and July 2022, the queue's average wait time was 48 minutes, extending up to one hour and 59 minutes. This suggests that there are seasonal differences that need to be accounted for.

Efficiency over Safety

Prior to 2016, MCFD's missing child policy did not include any reference to additional concerns about their safety.⁷³ This additional qualifier was added as "*calls identifying late returning home youth as 'a missing person' place[d] an unnecessary and unmanageable burden on both MCFD/DAA Centralized Screening Staff and Police/RCMP resources.*"⁷⁴ It must be noted that no such qualifiers exist for children and youth who are not involved with the child welfare system. This policy fails to offer the same level of protection to all children. In fact, B.C. Provincial Policing Standards define a "missing person" as "*anyone reported to police or by police as someone whose whereabouts are unknown, **whatever the circumstances of their disappearance**, and who are considered missing until located.*"⁷⁵

Given the number of children and youth identified in the RCY review who experienced life-altering critical injuries including toxic drug poisoning, sexual exploitation and mental health crises including self-harm and suicide attempts while missing, children in the system of care face considerable risk when missing and must be responded to with haste. The guiding principles for responding to missing persons investigations within B.C. Provincial Policing Standards further emphasize how critical a swift initial response is to the outcome of a missing person investigation. Among the underlying principles of the missing persons standards, the following are noteworthy:

- There should be no barriers to reporting a missing person and investigations should begin without delay
- Investigations into persons reported missing should initially be approached as high risk until a risk assessment is completed
- "Aboriginal" women and girls are at increased risk of harm.

⁷¹ See Ministry of Children and Family Development, Chapter 5: Children and Youth in Care- Policy 5.12: When a Child/Youth is Missing, Effective Date of Policy February 2016.

⁷² See Ministry of Children and Family Development and Delegated Aboriginal Agencies and the British Columbia Association of Chiefs of Police, Protocol Agreement Regarding Missing Children and Youth, October 2018.

⁷³ See Child and Family Development Service Standards: Child in Care Service Standards, Standard 14: When a Child is Missing or Has Run Away, Revised June, 2004.

⁷⁴ Ministry of Child and Family Development Practice and Policy. *Orientation to Revised Missing Children and Youth Policy*, May, 2016.

⁷⁵ See British Columbia Provincial Policing Standards Child in Care Service Standards Section 5.1: Missing Persons Investigations, 2016.



In other jurisdictions, the term ‘absent’ is used to describe situations where a person’s whereabouts is unknown and there are no concerns for their safety.^{76,77} A report from Australia found that this term is almost exclusively applied to children in the care of the child welfare system, and often occurs in circumstances where there is no knowledge of their whereabouts or the circumstances around them being missing.⁷⁸ The same report further indicated that “*The potential that vulnerable youth in [child welfare] will receive a less robust police response because they are deemed to be absent rather than genuinely missing, has been identified as a real concern...*” Based on the ministry’s policy and practice materials reviewed by RCY, the Representative has the same concern for children in B.C.’s child welfare system.

The decision to require “*additional safety concerns*” as a condition for being considered as missing also contradicts findings of a literature review conducted by the Office of Child & Family Service Advocacy in Ontario, which highlighted that:

- There is no pattern or method of “running away” that is correlated with particular types of risk exposure.
- There is very little correlation between the frequency with which youth run away and the type of risk that youth may be exposed to in any specific incident.
- Because there is no associated pattern to risk, each absence should be treated as equally concerning, no matter how many times the youth has run away or the particular combination of push and pull factors involved in the incident.⁷⁹

The Representative is concerned by the inconsistencies between ministry and policing policies and believes this requires further discussion with the aim of ensuring that the threshold for reporting lost or missing children and youth in care is not higher than for their peers who are not in the system of care.

UNCRC Article 19 (Violence, Abuse and Neglect)

Governments must do all they can to ensure that children are protected from all forms of violence, abuse, neglect and bad treatment by their parents or anyone else who looks after them.

UNCRC Article 33 (Harmful Drugs)

Governments must protect children from the illegal use of drugs and from being involved in the production or distribution of drugs.

UNCRC Article 34 (Sexual Exploitation)

Governments must protect children from all forms of sexual abuse and exploitation.

⁷⁶ Kath McFarlane, “Children and Youth Reported Missing from Out-of-Home Care in Australia: A Review of the Literature and Analysis of Australian Police data,” *A Report Prepared for the Australian Federal Police Missing Persons Coordination Centre* (2021): 29.

⁷⁷ The All Party Parliamentary Group (APPG) for Runaway Missing Children and Adults and the APPG for Looked After Children and Care Leavers, *Inquiry Into the Safeguarding of ‘Absent’ Children* (U.K.), 2016: 6.

⁷⁸ Kath McFarlane, “Children and Youth Reported Missing from Out-of-Home Care in Australia: A Review of the Literature and Analysis of Australian Police data,” *A Report Prepared for the Australian Federal Police Missing Persons Coordination Centre* (2021): 29.

⁷⁹ Julie Kerr, Judy Finlay, *Youth Running from Residential Care: “The Push” and “The Pull”* (Ontario: Office of the Child and Family Service Advocacy Province of Ontario), 2006.



In addition to policy barriers potentially impacting the response to lost or missing children in B.C.'s system of care, the *Provincial Care Plan Audit Report*,⁸⁰ also identifies policy compliance issues with respect to responding to lost or missing children. The Quality Assurance Branch of the PDCW evaluated compliance with *Policy 5.12: When a Child is Lost/Missing* in its 2021 provincial audit and found, of the nine records of children or youth who went missing or had run away while there were additional concerns about their safety, **none complied with policy**:

- Two did not confirm that the social workers had notified police.
- Three confirmed that social workers had notified police but not immediately.
- Six did not contain safety plans after the children/youth were found.
- One did not confirm that the social workers notified the child/youth's parents.

It is important to note that, despite low compliance scores, MCFD's electronic file review during its missing research in 2019 did report evidence that staff are taking steps to find children and youth who are missing. But there is little information about what staff and caregivers do once the child has been found, "*both in terms of responding to the incident itself and preventing future incident.*"⁸¹ Although the *MCFD Provincial Care Plan Audit* did not include ICFSAs, it is noteworthy that the practice audits completed for individual agencies over the last two years indicate 100 per cent compliance rates for responding to circumstances where a child or youth was lost, missing or runaway and may have been at elevated risk of harm.⁸²

The Representative notes the lack of adherence to policy and delay in reporting is contrary to the swift response suggested within the underlying principles of the B.C. Policing Standards regarding missing persons and suggests children in B.C.'s child welfare system are at greater risk of harm when lost or missing due to policy barriers to protection, response delays and practice concerns. *What resources and support are necessary for the child welfare system to respond to missing children in the same way a prudent parent caring for their own child would?*

Further, the existing policy leaves little guidance for how to respond in circumstances where a young person in the system of care is away from their placement, but their whereabouts are known and/or there are no known concerns for their safety. Within RCY's review of information, the Representative became aware of some young people who are not considered missing because their whereabouts are known but there are immediate risks to their safety. For example, a young person was identified as frequently visiting a residence where they were known to actively use substances and experience drug poisonings. The young person's circle of support (including caregivers, social workers, outreach workers and police) were all aware of the residence and did not have the training or policy guidelines to intervene in a meaningful way. The limited availability of harm reduction services may also play a role, as youth who were regularly missing to access substances subsequently experienced drug poisonings. *In circumstances where a young person's whereabouts are known but their safety is at risk, how does the system protect these children from harm?*

⁸⁰ Ministry of Children and Family Development, *Provincial Care Plan Audit Report*, (Office of the Provincial Director of Child Welfare and Aboriginal Services Quality Assurance Branch), 2021.

⁸¹ Ministry of Children and Family Development Office of the Provincial Director of Child Welfare and Aboriginal Services, *Children and Youth in Care Who Have Been Reported Lost or Missing – Draft Report* (Victoria, B.C.), 2019: 12.

⁸² Note: ICFSAs are evaluated for this measure based on compliance with AOPSI Standard 13, rather than the MCFD Ch 5.12 policy. ICFSAs are considered to be compliant with AOPSI Standard 13 if there is confirmation that the police were notified, the family was notified and, once found, the social worker made efforts to develop a safety plan to resolve the issue.



The policy is also silent on how to protect the children and youth who were the subjects of 12,262 reports between April 1, 2022 and Dec. 31, 2022 whose whereabouts were unknown, but who were assumed to be safe.⁸³ *How is the ministry able to ensure the safety and well-being of the children it cares for without knowing where they are?*

Right to be Heard

The *UNCRC* highlights that children have the right to share their opinion on issues that affect them, and adults should listen and take children seriously. The importance of listening to youth voice and their meaningful participation in decisions that impact their lives is highlighted within the key findings of MCFD's draft internal report on children and youth who were reported as lost or missing. It states that "*a review of the literature on children and youth who run away from care confirm the importance of treating children and youth in care with respect by listening to them and hearing their concerns and views including their perspectives on placement.*"⁸⁴ The report further suggests that "*preferred practice is to involve children and youth in care in planning in a way that supports meaningful, two-way communication.*"⁸⁵ The RCY report, *Beyond Compliance: Ensuring Quality in Care Planning*, also reinforces that children should be at the centre of the care planning process and inform decisions that are made about their care and their lives.⁸⁶ In applying the lens of belonging, children and youth should be nested within a network of supportive, healthy and loving relationships.

The Representative is concerned that youth voice does not appear to be adequately addressed within the current practice and policy response to young people who are lost or missing in care. Within MCFD policy on lost/missing children and youth, there is some direction provided for gathering a youth's perspective but only for children and youth who are considered "*habitually missing.*" MCFD

UNCRC Article 12 (Respect for the Views of the Child)

Every child has the right to express their views, feelings and wishes in all matters affecting them, and to have their views considered and taken seriously. This right applies at all times, for example during immigration proceedings, housing decisions or the child's day-to-day home life.

UNDRIP Article 18 (Right to Self-Representation)

Indigenous peoples have the right to participate in decision-making in matters which would affect their rights, through representatives chosen by themselves in accordance with their own procedures, as well as to maintain and develop their own Indigenous decision-making institutions.

UNCRC Article 25 (Review of Treatment in Care)

If a child has been placed away from home for the purpose of care or protection (for example, with a foster family or in hospital), they have the right to a regular review of their treatment, the way they are cared for and their wider circumstances.

⁸³ MCFD provided data on April 6, 2023 for children and youth reported to PCS between April 1, 2022 and Dec. 31, 2022 whose "whereabouts were unknown but there were not additional safety concerns." During the administrative fairness review, the ministry reported that these figures may also include children and youth whose whereabouts were known.

⁸⁴ Ministry of Children and Family Development Office of the Provincial Director of Child Welfare and Aboriginal Services, *Children and Youth in Care Who Have Been Reported Lost or Missing – Draft Report* (Victoria, B.C.), 2019: 2.

⁸⁵ Ministry of Children and Family Development Office of the Provincial Director of Child Welfare and Aboriginal Services, *Children and Youth in Care Who Have Been Reported Lost or Missing – Draft Report* (Victoria, B.C.), 2019: 2.

⁸⁶ Representative for Children and Youth, *Beyond Compliance: Ensuring Quality in Care Planning* (Victoria, B.C.: Representative for Children and Youth), 2021.



policy directs workers as follows: “For a child/youth who is habitually missing, work with the child/youth, the caregiver and others to determine information such as:

- The reasons why the child/youth repeatedly goes missing;
- Where the child/youth goes, with whom and what they do while they are gone;
- Other information that could be used to locate the missing child/youth in the future; and
- Whether there is a protocol in place between police/RCMP and MCFD/ICFS agencies regarding habitually missing children/youth.
- Develop a plan with the child/youth and relevant service providers, including those providing residential care, to address identified issues and offer resources and services to help prevent the child/youth from going missing again.”⁸⁷

Given the number of injuries youth experience while missing, waiting for recurrent incidents before asking them why they are fleeing care seems to put youth at increased risk as research indicates that youth who have gone missing once are at an increased likelihood of going missing again.⁸⁸ The report, *In Harm's Way? Serious Occurrences Report (Volume 2)*, revealed a similar trend in Ontario with respect to the lack of youth voice included for children and youth who were reported as missing – of the 798 reports of children and youth who were missing over a three-month period, only 10 per cent included an indication that youth had been asked why they left their placement.⁸⁹

In Quebec, the Ministry of Health and Social Services published a practice guide for responding to circumstances where young people “run away,” which identified three critical moments to respond to young people who are missing: before, during and after.⁹⁰ These guidelines suggest that ongoing dialogue prior to any instances of becoming lost or missing offers the opportunity to identify and implement actions to prevent it, both at a structural and relational level, including but not limited to understanding their attachment styles and creating a sense of belonging. While young people are missing, the guidelines stress that it is imperative that communication is maintained and that young people are encouraged to contact service providers. Upon a child's return, the guidelines emphasize the need to be attentive and welcome feedback on the meaning and function of running away for the young person.

⁸⁷ See Ministry of Children and Family Development, Chapter 5: Children and Youth in Care- Policy 5.12: When a Child/Youth is Missing, Effective Date of Policy February 2016.

⁸⁸ Kath McFarlane, “Children and Youth Reported Missing from Out-of-Home Care in Australia: A Review of the Literature and Analysis of Australian Police data,” *A Report Prepared for the Australian Federal Police Missing Persons Coordination Centre* (2021).

⁸⁹ Ontario Provincial Advocate for Children and Youth and Kim Snow, *In Harm's Way? Serious Occurrences Report Vol. 2* (Ontario: Office of the Provincial Advocate for Children and Youth), 2017: 37.

⁹⁰ André Lebon, *Les Fugues Reliées À L'exploitation Sexuelle: État De Situation Et Solutions, Rapport présenté à la ministre déléguée à la Réadaptation, à la Protection de la jeunesse, à la Santé publique et aux Saines habitudes de vie, madame Lucie Charlebois* (Quebec), 2016: 24.



The release of the *In Harm's Way? Serious Occurrences Report* in Ontario also included recommendations to redevelop documentation to ensure youth voice is heard after a child goes missing, and required that (1) the viewpoint of the child was sought, and (2) documentation included a place specific to “missing children” that prompts staff to inquire about and record: why the child left, what happened while they were away, and what could be done to prevent them from leaving again.⁹¹ In response, the Ministry of Children, Community and Social Services (MCCSS) published new reporting guidelines for their reportable circumstance reports, which state that “*service providers should include the individual's view/perspective of the serious occurrence in the report*” and “*to the extent possible, the individual's view/perspective should be in the individual's own words.*”⁹²

Relationships between social workers and youth are important for providing meaningful and quality care planning, safety planning when needed, and for connection before events such as a child going missing occur so that, when children and youth face crisis, social workers are able to respond in ways that best fit the child or youth's needs. Despite the importance of this relationship, MCFD's 2021 *Provincial Care Plan Audit* revealed that only seven per cent of files reviewed confirmed that workers maintained in-person, private contact with the child or youth at least every 90 days as required by policy.⁹³ This finding raises the question: *How are social workers being supported to develop the necessary relationships with children and youth to listen to and respond to their needs?*

⁹¹ Ontario Provincial Advocate for Children and Youth and Kim Snow, *In Harm's Way? Serious Occurrences Report Vol. 2* (Ontario: Office of the Provincial Advocate for Children and Youth), 2017: 71-72.

⁹² Ministry of Children, Community and Social Services, *Serious Occurrence Reporting Guidelines-2.4 Inclusion of an Individual's View/Perspective*, 2019: 51.

⁹³ Ministry of Children and Family Development, *Provincial Care Plan Audit Report*, (Office of the Provincial Director of Child Welfare and Aboriginal Services Quality Assurance Branch), 2021: 23.



A Call to Action and Recommendations

The issues identified in this review raise significant concerns about children and youth who are lost or missing from B.C.'s child welfare system. These young people are often dealing with multiple challenges, some of which have been created or exacerbated by their experiences in the system, as described within this report. This issue is complex and rooted in systemic and structural challenges that must be carefully examined. Further analysis and dialogue is required before effective and meaningful long-term solutions can be determined. Public inquiries,⁹⁴ police commissioned reports⁹⁵ and independent reviews^{96,97} have called for changes in policy and practices to ensure timely response, provision of needed services and improved outcomes for children and youth who are lost or missing.⁹⁸ However, the findings of this issues brief make clear that this is not a child welfare issue alone – all child-caring systems must do their part to respond, in a timely and effective manner, to the needs of children and youth. The national and international findings in this brief also demonstrate that this is not a partisan issue. Governments around the world and across time have grappled with the issue of missing children. All parties must make the rights and well-being of children in care a top priority for collective action. The way forward will require effective cooperation and co-development that is inclusive of young people with lived experience and their families, Indigenous communities, service providers, policing services and government.

The Representative is calling for a special convening of the child-serving systems and the children, youth, families and communities they serve to respond to the cracks in our care system that are contributing to children and youth being pushed and pulled away from the systems of care and being subjected to increased risks of serious incidents or critical injuries and deaths. To address the root systemic and structural causes of children and youth going missing from the child welfare system we need to collectively explore:

1. What are the conditions of unbelonging that lead to children becoming lost or missing in the child welfare system?
2. How are children's unmet needs across systems contributing to them going missing?
3. How do we align systems of care and protection to respond more effectively and uphold the rights of children who have disappeared in the system?

⁹⁴ Commission for Children and Young People, *Out of Sight: Systemic Inquiry Into Children And Young People Who Are Absent Or Missing From Residential Care*, (Melbourne: Commission for Children and Young People), 2021.); The All Party Parliamentary Group (APPG) for Runaway Missing Children and Adults and the APPG for Looked After Children and Care Leavers, *Report from the Joint Inquiry into Children Who Go Missing from Care* (U.K.), 2012.

⁹⁵ Kath McFarlane, "Children and Youth Reported Missing from Out-of-Home Care in Australia: A Review of The Literature and Analysis of Australian Police Data," *A Report Prepared for the Australian Federal Police Missing Persons Coordination Centre* (2021): 26.

⁹⁶ André Lebon, *Les Fugues Reliées À L'exploitation Sexuelle: État De Situation Et Solutions, Rapport présenté à la ministre déléguée à la Réadaptation, à la Protection de la jeunesse, à la Santé publique et aux Saines habitudes de vie*, madame Lucie Charlebois (Quebec), 2016.

⁹⁷ Manitoba Advocate for Children and Youth, *A Place Where It Feels Like Home – The Story of Tina Fontaine*. March 2019. (Sexual exploitation is discussed at pp. 89-108)

⁹⁸ Rico Bacaltos, "Traveon Chalifoux-Desjarlais' Mom Testifies Her Son Was Mistreated, Forbidden from Eating," *The Langara Voice*, November 29, 2022.



“Through dialogue, we will learn what is being called in for our children and youth who are lost or missing. The wisdom of all is needed to understand and determine how we must respond and move this forward together.”

– Wedlidi Speck, Head Chief of the Gixsam namima (clan) of the Kwagul tribe

However, as we prepare to deepen our understanding of children who go missing and engage in further dialogue and solution-finding, the Representative wants to ensure that the immediate risk and safety concerns for young people who are currently lost or missing, or who will be lost or missing in the child welfare system in the coming months, are addressed to the greatest extent possible. To do this, the Representative recommends the following short-term action in collaboration with ICFSA Directors, in the next six months (by Nov. 1, 2023):

It is recommended that the Provincial Director of Child Welfare (PDCW):

Monitoring

1. Develop and implement an interim plan to improve the collection of reliable information and data to enable the PDCW to more effectively identify, monitor and respond to children and youth who are lost or missing in B.C.’s child welfare system.
2. Work with RCY to identify opportunities to enhance the quality and consistency of reporting on lost and missing children, inclusive of notifications when lost and missing children have been found.

Policy

3. Immediately remove the requirement for missing children in the system of care to require additional safety concerns before a child is reported lost or missing and approach as high-risk until a risk assessment is completed to ensure an equitable and robust response to the disappearance of all children and youth in B.C. to align MCFD policy with the B.C. Provincial Policing Standards concerning missing children.

Practice

4. Pending the development and implementation of a congruent whole-of-system response that addresses the push and pull factors contributing to children and youth being lost or missing in the child welfare system, adopt interim practice guidelines that support social workers and care teams to meaningfully engage with and respond to children and youth during and after incidents of them going missing. Interim practice guidelines to be informed by research evidence and effective practices employed in other jurisdictions.



Child and Youth Voice

5. Immediately remove the requirement for youth to be ‘habitually’ missing before workers are directed to work with the child or youth to determine why they go missing.
6. Adopt the recommendations from *In Harm’s Way? Serious Occurrences Report Vol. 2, 2017*, to include information on: why the child left, what happened while they were away, if medical care was required, and what could be done to prevent them from needing to leave again.

(Note: this should be sent as a resubmission and should not delay the initial reportable timeline)

Language

7. Immediately develop resources and guidelines for staff on the use of child-centred, person-first and identity-first, destigmatizing language when speaking to and documenting the lives of children and youth in the child-serving system.
8. MCFD should also begin a full learning and development initiative, for all service lines, to train staff on the use of child-centred, person-first and identity-first, destigmatizing language when speaking to, and documenting the lives of, children and youth in the child-serving system.

To be implemented by Sept. 1, 2024.


Belonging

9. This review of lost and missing children highlights cross-jurisdictional research that speaks to the critical importance of a child’s sense of belonging in the child welfare system. These findings are not new for RCY and recommendations to address belonging have been made in the Representative’s report *Skye’s Legacy: A focus on belonging*, but progress has yet to be made to implement this recommendation. Therefore, the Representative reiterates the recommendation from RCY’s 2021 *Skye’s Legacy*:

MCFD to conduct a systemic needs analysis of cultural and family support resources required to ensure that social workers are better supported to promote a sense of belonging and identity for First Nations, Métis, Inuit and Urban Indigenous children and youth in care in relation to their families, culture and cultural community over time and at different stages in their lives and identity development. This review will inform the development of a longer-term resourcing and implementation plan. However, given the urgent need to address the significant over-involvement of the child welfare system in the lives of Indigenous children and families and poor outcomes for Indigenous children in the child welfare system, a substantive investment of new resources should be made immediately that can be considered a down payment on the resources identified for the longer term plan.

Implementation of new resources was recommended by April 1, 2023, and is now **overdue**.



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On May 25, please join us for International Missing Children's Day in honouring and remembering young people involved with the child welfare system who have been and continue to be lost, missing and disappeared.

May they never be forgotten.

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