

COMPLIANCE DETERMINATION

Tina Fontaine – Recommendation 5

Recommendation Summary: Protocol to ensure that response plans are created for missing youth receiving child welfare services, and SEY in particular.

Primary Public Body: Manitoba Families

6. Responses to missing children must be 24/7 and be joint between child welfare and justice in rural areas

The department advised that response plans have not yet been completed for all eligible missing youth at risk of imminent harm, and that further work is in progress to improve the roll out of this initiative. MACY looks forward to meeting with Manitoba Families and relevant stakeholders related to implementation problem solving, and is undertaking further consultation to clarify the intended scope of this recommendation and its reported impacts on service providers.

5. Response plans to include known addresses

Intent met in 2020.

4. Response plans to be initiated the first time a child is reported missing

MACY is undertaking further consultation related to this intent and its reported impacts on service providers.

3. Protocol to define timelines for service providers to report missing children

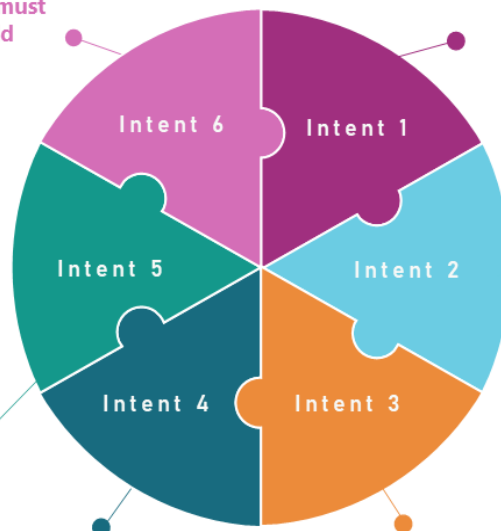
Intent met in 2021.

1. Create a new protocol to ensure that plans are created for missing youth in general (youth with an open CFS case) and sexually exploited youth who are at risk of imminent harm, in particular

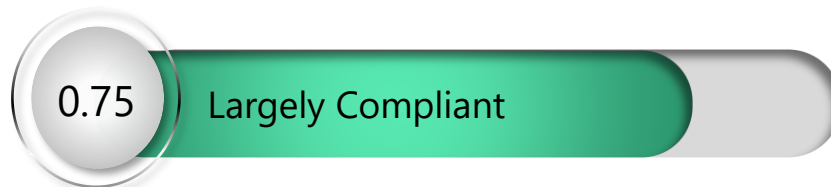
Intent met in 2021.

2. Protocol to distinguish between absent and missing youth

Intent met in 2020.



COMPLIANCE DETERMINATION



Recommendation Compliance Summary

In accordance with subsection 11(1) clause (d) of *The Advocate for Children and Youth Act (ACYA)*, the Advocate retains the responsibility "to monitor the implementation of recommendations included in reports made under section 27 (investigation) or special reports made under section 31."

This form details the assessment of implementation of compliance made under the referenced subsection of the ACYA. MACY assesses implementation of compliance with recommendations once a year but receives updates from public bodies every six months.

1. Recommendation Information	
Special Report Name:	A Place Where It Feels Like Home: The Story of Tina Fontaine
Date Released:	3/12/2019
Full Recommendation: (including details)	<p>Recommendation Five: The Manitoba Advocate for Children and Youth recommends that Manitoba Families, in consultation with other government departments and relevant stakeholders, create a new protocol to ensure that response plans are created for missing youth in general, and sexually exploited youth in particular who are at risk of imminent harm.</p> <p>DETAILS: Manitoba Families to ensure that this protocol:</p> <ul style="list-style-type: none"> • Distinguishes between absent and missing youth. • Require that plans are initiated the first time a child goes missing, and that there is a further requirement to ensure the response plan is consistently reflective of the harm and dangers that are present in the individual child's life. • Provide timelines for when service providers must report missing children and act to locate them as quickly as possible, including when their whereabouts are known, when and how to report their absence to police. • Include clear components for response plans and include any known addresses where the youth may be located or is known to frequent. • Include 24/7 provisions for a joint child welfare and justice response in Winnipeg and ongoing capacity for a joint child welfare and justice response for missing and sexually exploited youth in rural areas. • Includes consultation with persons with lived experience, community members, and relevant stakeholders.
Intent(s) of Recommendation:	<p>The intents of the recommendation are to:</p> <ol style="list-style-type: none"> 1. Create a new protocol to ensure that plans are created for missing youth in general and sexually exploited youth who are at risk of imminent harm, in particular. 2. Protocol to distinguish between absent and missing youth. 3. Protocol to define timelines for service providers to report missing children. 4. Response plans to be initiated the first time a child is reported missing. 5. Response plans to include known addresses.

	6. Responses to missing children must be 24/7 and be joint between child welfare and justice in rural areas.
Issue:	Sexual Exploitation
Primary Department:	Manitoba Families
Dates of Previous Official Updates from Public Body:	June 30, 2022
	May 31, 2021
	June 30, 2020
	December 31, 2019
	June 30, 2019
2. Compliance Determination	
Largely Compliant 0.75	Requirements have been met almost entirely and only negligible requirements remain to be implemented.
Self-Assessment	Fully Compliant
Previous Compliance Determination	Largely Compliant
3. Rationale for Determination <i>(How did you reach this compliance determination)</i>	
<p>Intent 1: Create a new protocol to ensure that plans are created for missing youth generally and sexually exploited youth who are at risk of imminent harm, in particular.</p> <p>2022</p> <ul style="list-style-type: none"> • Intent met in 2021 response. <p>2021</p> <ul style="list-style-type: none"> • The Child and Youth Services Division (CYSD) led the creation of a missing child in care (CIC) protocol and response plan form. Community stakeholders were engaged in its creation and a final draft of the CIC protocol was presented to Standing Committee and approved. The CIC protocol is applicable to all children in care. Per this protocol, a Missing CIC Response Plan is created for children over the age of 12, reviewed every 90 days, posted on the Child and Family Services Information System (CFSIS), and shared with law enforcement. The CIC protocol meets the intent of this recommendation. <p>2020</p> <ul style="list-style-type: none"> • No action was reported on the creation of a new protocol to ensure plans are created for missing youth in general (youth involved in child welfare). The Department of Families indicated that StreetReach watches for youth who are unknown to the program and frequent the missing person's list. StreetReach will reach out to the youth's legal guardian to advise of the program and encourage a referral by which they can get involved and mitigate risk as best as possible. This process is not followed for all missing youth, and no definition of a frequently missing youth was provided. No protocol outlining the process of identifying frequently missing youth was provided. • For sexually exploited youth, the Department of Families indicated that a High-Risk Response Plan is coordinated by StreetReach when a youth is deemed a high-risk victim for sexual exploitation in coordination with Winnipeg Police Services (WPS). The process includes biannual response meetings with collaterals to create a plan for the missing youth. The response indicates that for all youth deemed high-risk victims and attached to StreetReach, the case managers are continuously engaged in the systems planning meeting. It remains unclear, however, how the protocol in the recommendation engages youth who are categorized as 	

levels 2-4 in their risk assessment (i.e., transitioning, entrenched, and transitioning away from the sex trade) and who are not actively attached to StreetReach.

- There is currently no protocol or policy to create plans for missing children or youth. There is no protocol to produce response plans for missing children or youth in general. Once a youth is deemed a high-risk victim for sexual exploitation, response plans are created. StreetReach only serves high-risk victims in Winnipeg with some services also available in Thompson. The Department of Families has demonstrated that response plans are created for high-risk youth in StreetReach and those in group care facilities but not for youth in foster care.

Intent 2: Protocol to distinguish between absent and missing youth.

2021

- This intent was met as per the 2020 compliance determination.

2020

- The Department of Families noted that the Facility Standard on Absences was updated in 2017. Facility Standards 2.4.3 distinguish between absent and missing youth. Absences are defined as planned or unplanned, and they do not automatically require a report to local law enforcement Missing Person Units. An Endangered Missing Person is defined as someone with a physical or mental disability or someone who is very young, someone dependent on prescription medication, or someone who is unfamiliar with the city, it also includes youth with violent behaviours or those “engaged in a high-risk lifestyle.”
- In addition, Agency Standards 1.4.7 further details that an unplanned absence may pose an immediate risk to the safety and health of the child, including dangerous environments such as open water, severe weather, and nightfall, appropriateness of dress for weather conditions, and any high-risk indicators which includes the definition of Endangered Missing Person. From the information and evidence provided, a protocol currently exists which distinguishes between absent and missing youth.

Intent 3: Protocol to define timelines for service providers to report missing children.

2022

- Intent met in 2021 response.

2021

- Manitoba Families provided a final *Missing CIC Procedure*. According to the procedure, reporting a child missing is based on a concern for a child’s whereabouts. *The Missing CIC Procedure* outlines responses for care providers and agency workers when contact with a child is lost or a child does not return from school or day program, adhering to a care plan and concerns about a child’s whereabouts. Importantly, the procedure clarifies and stresses that “it is not necessary to wait 24 hours before reporting a missing child to law enforcement.” Therefore, the *Missing CIC Procedure* meets the intent of the recommendation.

2020

- The Department of Families indicated that training is provided by the department to group care providers on incident reporting which includes protocol for calling in youth who are absent from placement and which is described in the Facility Standards. The Facility Standard 2.4.3, Section 3: Absences, however, does not clearly outline timelines for service providers to report missing children. For children whose whereabouts are unknown or who are believed to be at high or immediate danger, it states that “a call to local law enforcement Missing Persons Unit may be required.”

- Agency Standards 1.4.7 Section 7: Absent and Missing Children, states that “should an unplanned absence pose an immediate risk to the safety and health of the child the care provider or agency worker must call law enforcement immediately.” Immediate risk is defined in the Standard. Inconsistencies between the Agency Standards 1.4.7 and Facility Standard 2.4.3 introduce ambiguity to the timelines required for service providers to report missing children.

Intent 4: Response plans to be initiated the first time a child is reported missing.

2022

- MACY is undertaking further consultation related to this Intent and its reported impacts on service providers.

2021

- Manitoba Families reported a finalized *Missing CIC Procedure and Missing CIC Response Plan* form completed for all children in care over the ages of 12. The procedure calls for the plan to be reviewed every 90 days or quarterly at a minimum, or following a change in placement and/or as required.
- The *Missing CIC Procedure and Missing CIC Response Plan* indicates that response plans will be initiated for all children in care regardless of whether they have been missing. The work reported related to this recommendation meets this intent of the recommendation.

2020

- There is evidence that response plans are developed in group care facilities and known as the Unplanned Absence/ Whereabouts Unknown Plan. These plans are developed jointly by the group care facility and guardian agency and describe the action to be taken when a youth is absent.
- According to the Manitoba Families Annual Report from 2019-2020, 6, 853 children or youth were placed in foster homes, 2,385 in places of safety, 354 in group care facilities, 146 in other care, and 111 in independent living. There is no indication that response plans are being initiated the first time a child or youth is reported missing in other placements such as foster homes, place of safety, other care, or independent living. There is ambiguity as to whether unplanned absences from foster homes have a similar Unplanned Absence/ Whereabouts Unknown Plan as that in group care facilities.
- Furthermore, the response indicates that there are internal guidelines in place which prioritize when youth are away from placement, such as following a daily missing persons list from WPS, to track the frequency and length of time a youth is missing and subsequently connecting with social workers regarding communication they may have had with the missing youth. Although in an excerpt from the Winnipeg Police Missing Persons Unit found in Facility Standard 2.4.3, a risk assessment is conducted on every reported missing person and if the assessment dictates, a uniform car will be dispatched, there is no mention of a response plan.

Intent 5: Response plans to include known addresses.

2022

- The *CIC Unplanned Absence Form* includes the requirement for the inclusion of any known addresses of the CIC.

2021

- The *Missing CIC Procedure* submitted as evidence for this recommendation indicates that all children in care should have a completed a *CIC Unplanned Absence Form*.

- The procedure and unplanned absence forms are both finalized. Implementation will be carried out in a phased approach, whereby high-risk youth that are frequently reported missing will have a CIC Response plan developed first. Next, youth in group care facilities must have a completed response plan. Lastly, all remaining response plans for youth in care will be developed, ensuring children over the age of 12 will have a CIC response plan completed by February 28, 2022.

2020

- In general, children and youth that are missing do not have response plans. Response plans are developed for youth deemed high-risk victims (HRV). For HRVs, response plans include known addresses.
- The Unplanned Absence/Whereabouts Unknown Plan for use in group care facilities, includes a section on known addresses.

Intent 6: Responses to missing children must be 24/7 and be joint between child welfare and justice in rural areas.

2022

- As indicated in previous responses to this recommendation, as well as in the *Missing Child in Care Protocol*, it is clearly identified that response plans must include care provider and agency worker responsibilities in responding to a missing or absent child in care. The protocol indicates a variety of generalized situations such as losing contact with a child or children not returning from school, and indicates the type of response that should occur in those situations. All response plans must indicate under what circumstances police are to be contacted. The protocol reiterates that one does not have to wait 24 hours to report a child missing to police, and also includes a note that contacting police does not relieve care providers and agency workers of the responsibility to continue searching for a child.
- The response from Manitoba Families identifies that the protocol came into effect in November 2021. A webinar was hosted on the protocol with over 200 participants. The webinar was recorded and disbursed to CFS Agencies and community care providers.
- Information on the protocol was also released to the Manitoba Association of Chiefs of Police, with law enforcement representation noted at the original webinar release.
- CFSIS was updated to account for the attachment of the missing youth response plans, so that all DIA's have after hours access to the response plans. Law enforcement is able to request the plan through a DIA 24/7.
- The department advised that response plans have not yet been completed for all eligible missing youth at risk of imminent harm, and that further work is in progress to improve the roll out of this initiative.

2021

- StreetReach Thompson, which was developed alongside RCMP, Thompson's mayor, and other local programs, is operational full-time. Manitoba Families reported that youth have provided positive feedback about the program.
- Interventions, such as a recent announcement of a Youth Hub, were started in Brandon and have continued. The Brandon Youth Hub is led by Westman Youth for Christ in partnership with the Brandon Friendship Centre, Career and Employment Youth Services (C.E.Y.S Brandon), and the Addictions Foundation of Manitoba.
- StreetReach Thompson's development indicates service availability within Thompson. Furthermore, the Brandon Youth Hub referenced is meant to provide integrated youth services, including counselling and peer support, addictions support, Indigenous cultural

services, immigration services, and others. Both the StreetReach expansion and new Youth Hubs are examples of work underway to improve service coordination.

- Additional information provided by Manitoba Families indicates that a policy to respond to children missing in rural areas is finalized. The policy applies across the province. Manitoba Families has consulted with a number of stakeholders, including the RCMP, Winnipeg Police Service, Provincial Licensing, experiential persons, Youth Probations, and CFS Authorities and agencies. The policy, as implemented, includes all law enforcement agencies in the province to ensure coordinated responses between child welfare and local law enforcement. That said, however, it is not clear if the 24/7 responses to missing children are to be joint between child welfare and local law enforcement agencies. Information to confirm this is needed to move this recommendation to fully compliant.

2020

- The Department of Families indicated that enhancement and expansion of services to Thompson is in the early stages of development and StreetReach Winnipeg will coordinate with RCMP and Brandon Police Service if a missing child is believed to be in Winnipeg. There is no inclusion of 24/7 provisions for a joint child welfare and justice response in Winnipeg nor ongoing capacity for a joint child welfare and justice response for missing and sexually exploited youth in rural areas.
- The Department of Families on the community response to StreetReach North in Thompson reported the following statistics: 167 returns of children/youth to placements or place of safety; 261 address checks were conducted; 733 relationship building contacts with youth (this number includes multiple points of contact with a single youth); and 3 transport assists.

Analysis Summary: The launch of the *Missing CIC Protocol*, along with the February 2022 launch of a high-risk youth safe ride project, indicates that these intents of this recommendation have been met and fulfilled. The 2021 analysis indicated further information was needed regarding the 24/7 response to missing children, and the joint responsibility of child welfare and law enforcement in rural areas. The information provided by Manitoba Families in the latest response satisfies these requirements. The creation of response plans to be initiated the first time a child is reported missing is an important factor in the success of this recommendation. Manitoba Families provided information to MACY on efforts being made to ensure youth have response plans, as needed. Manitoba Families further reported that Authorities and agencies received communication to triage the implementation of this protocol, starting with the highest risk youth, then youth in group care, and then rolling out to other youth. In addition, the department advised that training will be provided on a regular basis as of November 2022 to support agencies in completing the forms, including a triage guide and training developed to assist service providers in understanding the definitions of absent, missing, and endangered missing as well as to understand when to contact workers, DIA's, and/or law enforcement. Along with other initiatives, including regular communication with Streetreach on completed response plans for high risk youth, Manitoba Families indicated their commitment to continue to follow-up on implementation challenges, and share those details with the Manitoba Advocate. To this end, the Manitoba Advocate looks forward to meeting with Manitoba Families and relevant stakeholders related to implementation problem solving, and is undertaking further consultation to clarify the intended scope of this recommendation and its reported impacts on service providers. As such, this recommendation remains largely compliant.