

Recommendation Compliance Summary

This form details the assessment of compliance with recommendations made under Section 27 and Section 31 of *The Advocate for Children and Youth Act*. MACY assesses recommendations for compliance once a year but receives updates from the public bodies every six months.

1. Recommendation Information	
Report Name:	A Place Where it Feels like Home (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 intent of the recommendation is 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, 2020
	December 31, 2019
	June 30, 2019
2. Compliance Determination	
Limitedly Compliant 0.25	Actions taken fulfill requirements to a limited degree resulting in significant deficiency in implementation.
3. Rationale for Determination <i>(How did you reach this compliance determination)</i>	
<p>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> <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 they can get involved and mitigate risk as best as possible. This process is not followed for all missing youth, no definition of 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 bi-annual 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. However, it remains unclear 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 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. . <p>2. Protocol to distinguish between absent and missing youth</p> <ul style="list-style-type: none"> The Department of Families noted that the Facility Standard on Absences was updated in 2017. Facilities Standards 2.4.3 distinguish between absent and missing youth. Absences are defined as planned or unplanned, 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 “engaged in a high-risk lifestyle.”

- In addition, [Agency Standards 1.4.7](#) further detail 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.

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

- 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 which is described in the Facility Standards. However, the Facility Standard 2.4.3, Section 3: Absences does not clearly outline timelines for service providers to report missing children. For children where whereabouts are unknown or they are believed to be at high or immediate danger it states that “a call to local law enforcement Missing Persons Unit *may be* required.” (**emphasis added**)
- 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.

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

- 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 Manitoba Families Annual Report from 2019-2020, 6, 853 children or youth were placed in foster home, 2,385 in place 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. 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, but there is no mention of a response plan.

5. Response plans to include known addresses

- 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.

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

- 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 and 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
- The actions taken show that response plans are created for youth that are missing and deemed at high risk victims of sexual exploitation in Winnipeg and Thompson. However, response plans are not currently created for missing children and youth in care who are not already identified as being victims of sexual exploitation or in a group home, which are the majority of children involved in the child welfare system. Inconsistencies remain in policies on the timing of reporting children in child welfare care who are missing to law enforcement. **For a youth such as Tina Fontaine who was not in a group care facility or in foster care, actions taken would not have changed the trajectory of her story.** As such, the requirements of this recommendation have been fulfilled to a limited degree, resulting in significant deficiency in the implementation.