

## Social Work Scotland's response to Consultation on "Working Together for People who go missing in Scotland"

### **Q1 What are your views on the proposed purpose of the strategy?**

We are generally in support of the strategy and its purpose but are concerned that it should not stand alone but should be incorporated into other protective strategies. For some people that go missing there are already statutory duties for agencies to work together to protect them and manage risk.

We agree that it would raise the profile of the impact of going missing. We consider that an awareness campaign and training would raise the profile of this issue effectively.

The strategy is an opportunity to link different areas of public protection (child protection, adult protection, violence against women, offender management/MAPPA, mental health and alcohol and drug misuse). We welcome this approach but needs to be more explicit about existing legislation and relevant policy areas and the links between them.

The strategy should help agencies to legitimately share information and work together where there is concern about a missing person.

### **Q2 Are we right to have a national definition?**

We agree that there should be a national definition of "missing". Any definition needs to take account of people who choose to leave their domestic situation and have the capacity to do so.

### **Q3 What are your comments on the proposed definition above?**

The definition does not take into account of people's rights to leave their domestic situation and have the capacity to do so. It may be seen as being "out of character" but until someone actually makes contact with them it is not known whether they are in fact missing or not missing.

It is not always in a person's best interests to be treated as a missing person. People fleeing domestic abuse are "missing" voluntarily and the person that reports them missing is often the perpetrator. This needs to be taken into account as there are victims who want to disappear and perpetrators should not be given help in tracking those victims down.

#### **Q4 What works well in the strategy**

The proposed strategy would raise awareness about the issues of going missing and the potential harm that can occur during a missing episode. It also raises awareness about the underlying issues faced by people going missing.

The Prevent, Protect, Respond, Support approach gives opportunity to signpost and offer informal interventions where there is no statutory responsibility/right to intervene

Ensuring the assessment process has an inbuilt prevention of missing incidents is positive.

It would facilitate a more consistent approach across geographical areas.

#### **Q5 What could we do better or differently in the strategy?**

The strategy needs a better balance around adults and older people as it is very child/young person focused. It needs to reflect the variety of adults and older people who may go missing - at risk adults, those with a mental illness, dementia, learning or physical disability, and those affected by hate crime or who are a suicide risk. Almost all the examples given are for children.

The Strategy needs to add value in terms of what is possible under existing legislation to protect vulnerable people. With no new legislative requirements the strategy should provide a framework for working together to improve the situation for missing persons without the need for new/separate systems

Currently the strategy does not explicitly link with the Adult Support and Protection Scotland Act as a piece of protective legislation that may apply to missing people who have mental health problems, disability, dementia or frailty due to age. Multi-agency partners already work together to manage risk for adults who meet the three point criteria under the ASP Act.

The strategy needs to recognise the challenge in relation to adults who do not meet the 3 point criteria under ASP Act and where there is no other right or responsibility to intervene.

The strategy needs to link effectively with other protective legislation and policy areas such as forced marriage, FGM, honour based violence, suicide prevention, domestic abuse, human trafficking.

It is not unusual for a "missing" victim of domestic abuse to be within the network of Women's Aid services and refuges and it would be useful if there was a mechanism for checking for missing people that enabled the police to check with women's aid organisations if the "missing" individual is in the network. This has been the practice in the past but is not current practice.

The strategy should be more explicit about the role of named person in relation to children and young people and should be more robust around 16-18 year olds.

The strategy needs to highlight the link between children and young people who are looked after formally or in kinship care arrangements and child sexual exploitation.

The strategy needs to be clearer about the role of the NHS in relation to low level mental health issues. This also ties in with the People in Distress work.

The needs of carers and families should be highlighted.

We need to consider methods of measuring impacts and outcomes when preventing missing episodes.

Language could be more person centred. For example page 3 - Commitment 5 - "Return interviews are provided to...." should read "Young people and adults have the opportunity to participate in.....".

Final paragraph - Whilst missing, people may "put themselves in dangerous positions" - should read, " be at risk of exploitation", or "be harmed".

p13 - Adults who go missing from care homes in Scotland - most adults who are vulnerable do not live in care settings, they live in supported accommodation or in their own home.

p14 - This is very focused on children - there are also screening groups for adults who consider adult concern reports from Police and other referrers.

p16 Local partnership - Information sharing protocol/agreements will already exist in many areas, so only need to establish them where they don't exist.

p17 - some reference should be made to GIRFEC.

This page is also very child focused. Some more balance should be included around those adults and older people identified in p6 above. We also need to consider staff and the impact on staff members.

p18 - Language of Commitment 5 again - "provided to" needs to be changed to "Young people and adults have the opportunity to participate in.....". and any supports should be linked to structures for longer-term support, not just this one-off interview.

## **Q6 What would be vital to the implementation and success of the strategy**

It is important that the strategy reflects all the ages of people who go missing and that adults at risk of going missing and the complex reasons they may do so, are better reflected in the strategy. That way all workers will see its significance.

There should be a nationally agreed pathway that can be localised.

Provision of return interviews should not fall to local authorities during a time of increasing budgetary pressures and decreasing capacity. Return interviews could be facilitated through the third sector but they should be funded centrally.

**Q7 Do you see any challenges to the implementation of the strategy**

The statutory agencies are under increasing financial pressures and if there is no relevant legislation making it a duty to respond there may be lack of commitment to respond. For adults who go missing with no identifiable mental health problem, disability, violent or coercive relationship issue or risk of suicide, they are unlikely to be a priority for agencies other than police.

There is a need to be balanced in responding to people who choose to absent themselves from their lives and appear to have capacity to do so.

There may be situations where treating someone as missing raises the level of risk, e.g. people fleeing domestic violence or forced marriage.

It may be a challenge to provide adults and their families with support.

**Q8 What issues are raised by the strategy for people with protected characteristics**

The strategy should generally have a positive impact on people with protected characteristics.

People who have protected characteristics may potentially be more vulnerable to CSE, forced marriage etc

Harmful practices such as FGM, honour based violence and forced marriage could all be reasons for someone going missing as a child or adult and this link needs to be firmer.

**Q9 Are there likely to be any negative implications particularly regarding children's wellbeing**

Care should be taken that adults and young people fleeing domestic abuse, forced marriage, sexual exploitation, FGM, honour based violence should not be put at greater risk through efforts to locate them.

**Q10 Are there any other equality issues that we should consider**

The language associated with going missing needs consideration to address issues of stigma, particularly where people do not see themselves as missing.

**Q11 What are your views on the proposed objectives and commitments**

The 4 objectives provide an opportunity for signposting or informal interventions where there is no statutory responsibility or right to intervene.

Training for staff is an important aspect as is the proposed public awareness campaign.

Commitment 1: Prevention planning takes place for vulnerable individuals and groups. Identification of individuals who are at risk of going missing may be problematic. It would be a more feasible task to identify people who have gone missing and are at risk of repeat episodes and it may be that research can inform development of a

national risk assessment tool. However it would not be possible to have a plan in place for all "vulnerable" individuals, the vast majority of adults with a disability, mental illness or dementia will never go missing.

Commitment 5: Return interviews are provided to young people and adults after returning from being missing.

Return interviews for adults are routinely undertaken by police who indicate that they may not be the best agency. Whilst this is accepted the issue of funding and capacity would need to be resolved. The third sector could provide return interviews but funding would be an issue.

## **Q12 What are the challenges to delivering these objectives and commitments**

There are resource implications to the implementation of the strategy and this should not be promoted as an add-on. Rather the approach should be the coordination of an appropriate response using existing processes.

Practice skills will need to be augmented in relation to return interviews and risk assessment.

Human rights and the right to choose to leave a domestic situation need to be balanced with an appropriate response.

Information sharing is always a difficulty where there is no legislative requirement to share.

## **Q13 What are your views on the supporting actions? Are there any additional actions that would support the delivery of the strategy**

A pathway approach to missing people would promote partnership working and ensure clarity of responsibility and actions across agencies. It would clarify information sharing under existing protocols.

It is important to develop training for staff in relation to missing people and awareness raising campaigns alongside the launch of the strategy.

There is a need to draw on knowledge, research and good practice and the need to share this for improvement nationally. The development of a national risk assessment tool would benefit practitioners.

The supporting actions in relation to adults with dementia focuses on going missing from care homes and hospitals. Older people go missing from home and community settings and there should not be a delineation or a different response.

The use of social media in relation to finding missing people needs further debate. The use of the local media is important but needs to be balanced with the risk of exposing vulnerable people to more harm. This could be part of the individual risk assessment process.

We suggest an additional supporting action relating to domestic violence and Police liaison with Women's Aid. In Scotland alone there are 35 Women's Aid groups and they can be collectively e-mailed through Scottish Women's Aid in regards to missing people. This would cut down on wasting police time looking for women who don't want to be found, enable victims to be able to disappear, and enable women's aid organisations to report that a victim is safe and well and does not want to be located by the perpetrator.

01/12/15