# CANADA

| International Instrument  | Signature   | Ratification, Acceptance (A),<br>Approval (AA), Accession (a),<br>Succession (d) | Entry Into Force |
|---|-------------|--|------------------|
| UN Convention on the Rights of the Child  | 28 May 1990 | 13 Dec 1991 <sup>1</sup>   | 12 Jan 1992      |
| UN Optional Protocol on the<br>Sale of Children, Child<br>Prostitution and Child<br>Pornography | 10 Nov 2001 | 14 Sep 2005  | 14 Oct 2005      |
| Protocol to Prevent, Suppress<br>and Punish Trafficking in<br>Persons                           | 14 Dec 2000 | 13 May 2002  | 25 Dec 2003      |
| UN Optional Protocol on the<br>Involvement of Children in<br>Armed Conflict                     | 5 Jun 2000  | 7 Jul 2000 <sup>2</sup>  | 12 Feb 2002      |
| International Convention for<br>the Protection of All Persons<br>from Enforced Disappearance    |             |  |                  |
| Hague Convention on<br>International Child Abduction  | 25 Oct 1980 | 2 Jun 1983 <sup>3</sup>  | 1 Dec 1983       |

In Canada, there are two laws that refer directly or indirectly to missing children:

- 1. Criminal Code of 1985; and
- 2. Immigration and Refugee Protection Act of 2001.

# **General Child Protection**

Canada ratified the CRC in December 1991.<sup>4</sup> Since then, a number of laws, policies, and practices related to the protection of children's rights have been implemented throughout Canada at a provincial level. According to the UN CRC Committee's Concluding Observations of September 2012 to Canada's third and fourth periodic reports, a positive policy and institutional measure was taken when Canada adopted the National Action Plan for Children – A Canada Fit for Children – in 2004.<sup>5</sup> A Canada Fit for

See Convention on the Rights of the Child, G.A. Res. 44/25, 61st plen. mtg., U.N. Doc. A / RES / 44 / 25 (Nov. 20, 1989), entered into force Sep. 2, 1992, Declarations and Reservations, at <a href="https://treaties.un.org/Pages/ViewDetails.aspx?src=IND&mtdsg\_no=lv-11&chapter=4&lang=en#EndDec">https://treaties.un.org/Pages/ViewDetails.aspx?src=IND&mtdsg\_no=lv-11&chapter=4&lang=en#EndDec</a> (last visited June 29, 2016) (on file with the International Centre for Missing & Exploited Children).

<sup>&</sup>lt;sup>2</sup> See Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict, G.A. Res. A/RES/54/263 (May 25, 2000), entered into force Feb. 12, 2002, Status of Ratification, Declaration, at <u>http://indicators.ohchr.org/</u> (last visited June 29, 2016) (on file with the International Centre for Missing & Exploited Children).

<sup>&</sup>lt;sup>3</sup> See 1980 Convention on the Civil Aspects of International Child Abduction, Oct. 25, 1980, T.I.A.S. No. 11670, 1343 U.N.T.S. 98 Reservations, at <u>https://www.hcch.net/en/instruments/conventions/status-table/notifications/?csid=608&disp=resdn (last visited June 29, 2016) (on file with the International Centre for Missing & Exploited Children).</u>

<sup>&</sup>lt;sup>4</sup> United Nations Treaty Collection, Status of Treaties, Convention on the Rights of the Child, supra note 31.

<sup>&</sup>lt;sup>5</sup> UN Committee on the Rights of the Child, Concluding observations on the combined third and fourth periodic report of Canada, adopted by the Committee at its sixty-first session (17 September – 5 October 2012) CRC/C/SR.1754, at http://tbinternet.ohchr.org/\_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fCAN%2fCO%2f3-4&Lang=en

Children "re-affirms the Government's commitment to making children and families a national priority and to continue working with governments, stakeholders, and the public" to ensure the best interests of the child continue to be a priority.<sup>6</sup>

# **General Missing Children's Issues**

There is no federal legislation specific to missing children in Canada. The authority of police to investigate missing children cases is derived from their common law powers.<sup>7</sup> Provinces such as Alberta,<sup>8</sup> Manitoba,<sup>9</sup> and Nova Scotia<sup>10</sup> have missing persons legislation that includes special mandates for missing minors.

The Royal Canadian Mounted Police's (RCMP) National Centre for Missing Persons and Unidentified Remains (NCMPUR) "assists law enforcement, medical examiners and chief coroners with missing persons and unidentified remains investigation across the country."<sup>11</sup> NCMPUR has a national website for missing persons and unidentified remains, a best practices compendium for police partner agencies, and training to increase investigative effectiveness. National Missing Children Operations (formerly known as National Missing Children Services) have been incorporated into NCMPUR.<sup>12</sup>

NCMPUR also is a member of the "Our Missing Children" program, which is comprised of five federal government agencies: NCMPUR Operations; Canada Border Services Agency; Global Affairs Canada; Immigration, Refugees and Citizenship Canada; and the Department of Justice Canada. These five agencies coordinate and work together at the national level to locate and return missing children to their parents and legal guardians.<sup>13</sup>

There are several organizations such as the Missing Children Society of Canada, which work to build national awareness and a national response through programs to help recover missing children and prevent children from going missing.<sup>14</sup>

# Definition of "Missing Child"

The term "missing child" is not defined in federal legislation. However, the NCMPUR developed definitions of "missing persons" and "missing child" in consultation with law enforcement personnel in Canada and internationally<sup>15</sup>:

"Anyone reported to police or by police as someone whose whereabouts are unknown, whatever the circumstances of their disappearance, and they are considered missing

<sup>&</sup>lt;sup>6</sup> Canadian Children's Rights Council, "A Canada Fit for Children" released by Government of Canada, at <a href="http://canadiancrc.com/Canadian\_governments\_plan\_2004\_en.aspx">http://canadiancrc.com/Canadian\_governments\_plan\_2004\_en.aspx</a> (last visited July 22, 2016).

<sup>&</sup>lt;sup>7</sup> Comment by Sergeant Jane Boissoneault of the Royal Canadian Mounted Police to the verification letter sent by ICMEC (June 1, 2016).

<sup>&</sup>lt;sup>8</sup> Province of Alberta, Missing Persons Act, Missing Persons Regulation, Alberta Regulation 151/2012, at <u>http://www.qp.alberta.ca/documents/Regs/2012\_151.pdf</u> (last visited July 22, 2016).

<sup>&</sup>lt;sup>9</sup> Government Bill 4, *Missing Persons Act*, 1st Session, 40th Legislature, Manitoba, 61 Elizabeth II, 2012, at <u>https://web2.gov.mb.ca/bills/40-1/pdf/b004.pdf</u> (last visited July 22, 2016).

<sup>&</sup>lt;sup>10</sup> *Missing Persons Act,* S.N.S. 2012, c. 47, O.I.C. 2015-137 (April 21, 2015), N.S. Reg. 202/2015, at https://www.novascotia.ca/just/regulations/regs/missing.htm (last visited July 22, 2016).

<sup>&</sup>lt;sup>11</sup> Government of Canada, *Canada's Missing – About, at <u>http://www.canadasmissing.ca/about-ausujet/index-eng.htm</u> (last visited July 22, 2016).* 

<sup>&</sup>lt;sup>12</sup> Id.

<sup>&</sup>lt;sup>13</sup> Government of Canada, Canada's Missing – What is AMBER Alert?, at <u>http://www.canadasmissing.ca/part/index-eng.htm</u> (last visited July 22, 2016); This information was also confirmed by Sergeant Jane Boissoneault of the Royal Canadian Mounted Police to the verification letter sent by ICMEC (June 1, 2016).

<sup>&</sup>lt;sup>14</sup> Missing Children Society of Canada, *About Us, at* <u>http://mcsc.ca/about-us/</u> (last visited July 25, 2016) (on file with the International Centre for Missing & Exploited Children).

<sup>&</sup>lt;sup>15</sup> Comment by Sergeant Jane Boissoneault of the Royal Canadian Mounted Police to the verification letter sent by ICMEC (June 1, 2016).

until located. A missing person under the age of 18 is classified as a missing child. In the case of a missing child, they are considered missing if they are no longer in the care or control of their legal guardian and have not been removed by law, and they are considered missing until returned to appropriate care and control."<sup>16</sup>

The Canadian Police Information Centre (CPIC) national law enforcement database, which includes records of missing persons and missing children, utilizes the following categorizations: runaway, parental abduction, stranger abduction, unknown, accident (if no one is recovered), wandered off (when it is presumed the child has wandered away and not returned when expected; sometimes also used to enter youth who are missing from social services care); and other (when a child/youth has not returned to a detention home or institution housing).<sup>17</sup>

# **Kidnapping and Abduction**

Canada's Criminal Code of 1985 contains provisions prohibiting kidnapping and abduction of a child (both family and non-family). For example, Section 279 of the Criminal Code criminalizes kidnapping of a person with intent (a) to cause the person to be confined or imprisoned, (b) to cause a person to be unlawfully sent or transported out of Canada, or (c) to hold the person for ransom. This crime may be punishable with imprisonment for a term of five years to life.<sup>18</sup>

Section 280 of the Criminal Code prohibits abduction of a child who is 14 years of age, but is under the age of 16 years. This section applies both to family and non-family abductions. An abductor may be charged with imprisonment for a term of up to five years. Section 281 criminalizes non-family abduction of a child under 14 years punishable by imprisonment for a term not to exceed ten years. Sections 282 and 283 prohibit family abductions of a child under 14 years either in contravention of a custody order or when there is no such custody order. This offense is punishable by imprisonment for a term of up to ten years.<sup>19</sup>

Section 273.3 of the Criminal Code prohibits adults from taking children abroad to commit certain sexual offenses against them. The penalty for this crime is imprisonment for up to five years.<sup>20</sup>

# Parental Abduction

Canada is party to the Hague Convention on International Child Abduction.<sup>21</sup> Each province and territory of Canada has developed provincial and territorial law to implement Canada's obligations under the Convention.<sup>22</sup> At the federal level, the Central Authority for cases of international parental abduction is the Minster of Justice and Attorney General of Canada as represented by the Justice Legal

<sup>&</sup>lt;sup>16</sup> Government of Canada, Canada's Missing – Report a Missing Person/Unidentified Remains, at <u>http://www.canadasmissing.ca/report-signale/index-eng.htm#rmpur-spdrni</u> (last visited July 22, 2016).

<sup>&</sup>lt;sup>17</sup> Government of Canada, *Canada's Missing – Introduction, at <u>http://www.canadasmissing.ca/pubs/2015/index-eng.htm</u> (last visited on July 11, 2016).* 

<sup>&</sup>lt;sup>18</sup> Section 279 of the Criminal Code, R.S.C., 1985, c. C-46, at <u>http://laws-lois.justice.gc.ca/eng/acts/C-46/page-66.html#h-83</u> (last visited July 22, 2016).

<sup>&</sup>lt;sup>19</sup> Sections 280-283 of the Criminal Code, R.S.C., 1985, c. C-46, *at* <u>http://laws-lois.justice.gc.ca/eng/acts/C-46/page-68.html#docCont</u> (last visited July 22, 2016).

<sup>&</sup>lt;sup>20</sup> Section 273.3 of the Criminal Code, R.S.C. 1985, c. C-46, at <u>http://laws-lois.justice.gc.ca/eng/acts/C-46/page-63.html#docCont</u> (last visited July 22, 2016).

<sup>&</sup>lt;sup>21</sup> Convention of 25 October 1980 on the Civil Aspects of International Child Abduction: Status Table, *supra* note 47.

<sup>22</sup> Report for the Congress, The Hague Convention on International Child Abduction: An Analysis of the Applicable Law and Institutional Framework of fifty one Jurisdictions and the European Union 86, Law LIBRARY OF CONGRESS, June 2004, at http://www.brownwelsh.com/Archive/2004-00092\_Hague\_Convention\_on\_International\_Child\_Abduction\_2004-06-22.pdf (last visited July 22. 2016): Justice Quebec, International Child Abduction. at http://www.justice.gouv.qc.ca/english/publications/generale/enlevement-a.htm#central (last visited July 22, 2016).

Services, Department of Legal Affairs, and Trade and Development Canada, which coordinate directly with the provinces and territories.<sup>23</sup>

Parental abduction is a crime under Sections 282 and 283 of the Criminal Code of Canada. While there are no legislative exit controls for children, specific provisions may be included in individual custody orders.<sup>24</sup> To avoid false accusations of international child abduction, Canada's Foreign Affairs and International Trade Office recommends that children traveling abroad alone, with groups, or with only one of their custodial parents carry a consent letter completed and signed by the parent(s) or legal guardian(s).<sup>25</sup> It is advised that the consent letter be certified, stamped, or sealed by an official who has the authority to determine the validity of the letter.<sup>26</sup> However, a consent letter is only of use if required by the destination country and otherwise would not be seen by Canadian officials upon departure from the country.<sup>27</sup> The Government of Canada also suggests that individuals speak with a lawyer and obtain proper identification for themselves and each child they are accompanying prior to traveling with a child.<sup>28</sup>

A parent who fears that the other parent may remove their child(ren) from the country may request that their child(ren) be entered into Passport Canada's "System Lookout" by contacting Passport Canada.<sup>29</sup> Entry into System Lookout activates additional investigative steps to be taken before a Canadian passport can be issued in the child's name.<sup>30</sup>

The NCMPUR has special arrangements with the federal, provincial, and territorial Central Authorities under the Hague Convention on International Child Abduction to provide assistance in locating abducting parents and their children who have entered Canada from abroad, or who have left Canada and traveled to another Hague signatory state.<sup>31</sup>

# Reporting Mechanism

The Government of Canada notes that cases of missing persons, including missing children, should be reported by contacting the local police service or by dialing 911.<sup>32</sup> Similarly, information on unidentified remains that have been located can be reported by contacting the local police service or by dialing 911.<sup>33</sup>

Possible leads or sightings of missing children can be reported by calling 911, or, if the caller wishes to remain anonymous, by calling Crime Stoppers toll-free (1-800-222-8477).<sup>34</sup> Tips or information

<sup>&</sup>lt;sup>23</sup> HCCH, Canada – Central Authority, at <u>https://www.hcch.net/en/states/authorities/details3/?aid=75</u> (last visited August 8, 2016).

<sup>&</sup>lt;sup>24</sup> Government of Canada, International Child Abduction: A Guidebook for Left-behind Parents, at <u>http://www.voyage.gc.ca/publications/child-abductions\_enlevements-enfants-eng.asp#1</u> (last visited July 22, 2016).

<sup>&</sup>lt;sup>25</sup> Government of Canada, *Children and travel*, at <u>https://travel.gc.ca/travelling/children/children-travel</u> (last visited July 22, 2016).

<sup>&</sup>lt;sup>26</sup> Government of Canada, Recommended consent letter for children travelling abroad, at <u>http://www.voyage.gc.ca/preparation\_information/consent-letter\_lettre-consentement-eng.asp</u> (last visited July 22, 2016).

<sup>&</sup>lt;sup>27</sup> Comment by Sergeant Jane Boissoneault of the Royal Canadian Mounted Police to the verification letter sent by ICMEC (June 1, 2016).

<sup>&</sup>lt;sup>28</sup> Government of Canada, Recommended consent letter for children travelling abroad, supra note 228.

<sup>&</sup>lt;sup>29</sup> Government of Canada, *Child* safety – extra precautions for passports issued to children under 16 years of age, at <a href="http://www.cic.gc.ca/english/passport/child/safety.asp">http://www.cic.gc.ca/english/passport/child/safety.asp</a> (last visited July 22, 2016).

<sup>&</sup>lt;sup>30</sup> Comment by Sergeant Jane Boissoneault of the Royal Canadian Mounted Police to the verification letter sent by ICMEC (June 1, 2016).

<sup>&</sup>lt;sup>31</sup> Id.

<sup>&</sup>lt;sup>32</sup> Government of Canada, Canada's Missing – Report a Missing Person/Unidentified Remains, supra note 218.

<sup>&</sup>lt;sup>33</sup> Id.

<sup>&</sup>lt;sup>34</sup> Id.; Comment by Sergeant Jane Boissoneault of the Royal Canadian Mounted Police to the verification letter sent by ICMEC (June 1, 2016).

about a missing child also can be reported through the Missing Children Society of Canada's toll-free hotline (1-800-661-6160).<sup>35</sup>

## **Investigation of Missing Child Cases**

There is no federal legislation mandating the immediate investigation of missing children's cases. However, such a requirement is found in operational policing policies.<sup>36</sup> All police agencies in Canada have committed to maintaining a policy on the immediate investigation of missing children reports.<sup>37</sup> The NCMPUR maintains the RCMP's national policy on the investigation of missing children.<sup>38</sup> This policy applies in RCMP jurisdictions across the country. In areas where the RCMP does not have primary jurisdiction, missing children investigation policies are the responsibility of the local police.<sup>39</sup>

The NCMPUR also has compiled a Best Practices Compendium through consultation with police services from across the country, as well as internationally, where appropriate. This Compendium has been distributed to law enforcement agencies across the country through the Canadian Association of Chiefs of Police.<sup>40</sup> Many police services across the country have amended their policies to reflect these best practices.<sup>41</sup>

The primary responsibilities of local police are to communicate with the parent(s) during the search and recovery process, conduct the criminal investigation, and reunite the child with the searching parent(s).<sup>42</sup> The NCMPUR provides support to law enforcement, coroners, and medical examiners across the country. This support consists of enhanced analysis of cases across jurisdictions and agencies, the facilitation of age-progressed photos, the coordination of the Air Canada Foundation Travel Reunification Service, and assistance on any international investigations.<sup>43</sup>

There are several formal agreements between different organizations working on missing children cases. For example, the RCMP has a national agreement with the Canadian Wireless Telecommunication Association for the distribution of AMBER Alerts.<sup>44</sup> Additionally, the Our Missing Children program provides a framework for the NCMPUR to work with other federal government agencies to coordinate efforts to return children to their lawful parent/guardian.<sup>45</sup>

# National Database

The RCMP oversees the management of the national CPIC database for the entire Canadian law enforcement community. It was established in 1972 and provides information about crimes and

<sup>&</sup>lt;sup>35</sup> Missing Children Society of Canada, Contact Us, at <u>http://mcsc.ca/about-us/contact-us/</u> (last visited July 22, 2016).

<sup>&</sup>lt;sup>36</sup> Government of Canada, Canada's Missing – Report a Missing Person/Unidentified Remains, supra note 218.

<sup>&</sup>lt;sup>37</sup> Id.

<sup>&</sup>lt;sup>38</sup> Comment by Sergeant Jane Boissoneault of the Royal Canadian Mounted Police to the verification letter sent by ICMEC (June 1, 2016).

<sup>&</sup>lt;sup>39</sup> Id.

<sup>&</sup>lt;sup>40</sup> Id.

<sup>&</sup>lt;sup>41</sup> Id.

<sup>&</sup>lt;sup>42</sup> Foreign Affairs and International Trade Canada, *International Child Abductions: A Manual for Parents* 9 (2009) (on file with the International Centre for Missing & Exploited Children).

<sup>&</sup>lt;sup>43</sup> Comment by Sergeant Jane Boissoneault of the Royal Canadian Mounted Police to the verification letter sent by ICMEC (June 1, 2016).

<sup>&</sup>lt;sup>44</sup> Government of Canada, Canada's Missing – What is AMBER Alert?, supra note 215.

<sup>&</sup>lt;sup>45</sup> Comment by Sergeant Jane Boissoneault of the Royal Canadian Mounted Police to the verification letter sent by ICMEC (June 1, 2016).

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criminals to law enforcement across the country including children reported as missing and abducted.  $^{\rm 46}$ 

The NCMPUR developed and maintains the National Missing Children/Persons and Unidentified Remains Database (MC/PUR).<sup>47</sup> This database, which was launched in May 2014, contains information on all missing persons and unidentified remains cases entered into CPIC. MC/PUR receives a live feed of all "missing" and "body" records entered into CPIC by the primary investigative agency. MC/PUR, while not being a records management system, allows different agencies to enter or remove case information for each missing person or unidentified remains multiple times over a period of time. Such case information includes photos, investigator remarks, analyst notes, and information on investigating agencies and individuals.<sup>48</sup> Not all missing persons' cases involve the RCMP as missing persons cases fall under the jurisdiction of the municipal, provincial, or First Nations police services.<sup>49</sup>

Changes made to Canada's DNA Identification Act of 1998 in December 2014 allowed for the creation of five new DNA indices, three of which are referred to collectively as the "Humanitarian Indices": 1) the Missing Persons Index; 2) the Relatives of Missing Persons Index; and 3) the Unidentified Remains Index. Together these form the basis for the National Missing Persons DNA Program, which is to be implemented in the Spring of 2017.<sup>50</sup>

### Case Management System

In addition to the national database CPIC, several law enforcement agencies and other organizations have missing children online databases that contain profiles of missing persons and function as standalone case management systems providing various investigative leads on the disappearance of missing persons to law enforcement. For example, the NCMPUR has a website (<u>https://www.services.rcmp-grc.gc.ca/missing-disparus/search-recherche.jsf?lang=en</u>) that contains profiles of missing persons, including missing and unidentified remains of children, published at the request of the primary investigators.<sup>51</sup> The Canadian Centre for Child Protection operates a missing children website (<u>Missingkids.ca</u>) with a list of missing children published at the request of their relatives.<sup>52</sup> Cases remain open until the child is located.<sup>53</sup> The Missing Children Society of Canada also has a website (<u>http://mcsc.ca/investigations/missing-children-cases/</u>) of missing children cases, which is available to the public. Each individual case of a missing child is accompanied by a photo of and information about the missing child, such as the date of birth and physical description at the time of disappearance.<sup>54</sup>

<sup>&</sup>lt;sup>46</sup> Government of Canada, Canadian Police Information Center – About Us, at <u>http://www.cpic-cipc.ca/about-ausujet/index-eng.htm</u> (last visited July 22, 2016).

<sup>&</sup>lt;sup>47</sup> Government of Canada, *Canada's Missing – About, supra* note 213.

<sup>&</sup>lt;sup>48</sup> Royal Canadian Mounted Police, National Center for Missing Persons and Unidentified Remains (NCMPUR), at <u>http://www.rcmp-grc.gc.ca/en/national-centre-missing-persons-and-unidentified-remains-ncmpur</u> (last visited July 22, 2016); This information was also confirmed by Sergeant Jane Boissoneault of the Royal Canadian Mounted Police to the verification letter sent by ICMEC (June 1, 2016).

<sup>&</sup>lt;sup>49</sup> Government of Canada, Canada's Missing – Introduction, at <u>http://www.canadasmissing.ca/pubs/2015/index-eng.htm</u> (last visited July 22, 2016); This information was also confirmed by Sergeant Jane Boissoneault of the Royal Canadian Mounted Police to the verification letter (June 1, 2016).

<sup>&</sup>lt;sup>50</sup> Comment by Sergeant Jane Boissoneault of the Royal Canadian Mounted Police to the verification letter sent by ICMEC (June 1, 2016).

<sup>&</sup>lt;sup>51</sup> Royal Canadian Mounted Police, National Center for Missing Persons and Unidentified Remains (NCMPUR), supra note 250.

<sup>&</sup>lt;sup>52</sup> Comment by Sergeant Jane Boissoneault of the Royal Canadian Mounted Police to the verification letter sent by ICMEC (June 1, 2016).

<sup>&</sup>lt;sup>53</sup> Canadian Centre for Child Protection, *Missing Children Database, at* <u>https://missingkids.ca/app/en/missing\_children\_database</u> (last visited July 22, 2016).

<sup>&</sup>lt;sup>54</sup> Missing Children Society of Canada, *Missing Children Cases, at <u>http://mcsc.ca/investigations/missing-children-cases/</u> (last visited July 22, 2016).* 

# Alert Mechanism

Canada's AMBER Alert Program acts as a rapid emergency child alert system for serious incidents of child abduction, and engages both the media and the public.<sup>55</sup> It is a voluntary cooperative plan between provincial law enforcement agencies and various partners. The program is in effect in all provinces, but not the three territories (Northwest Territories, Nunavut, Yukon). The RCMP has a national agreement with the Canadian Wireless Telecommunications Association that allows alerts to be sent through the short messaging system (SMS) to individuals who have registered their cellular telephone.<sup>56</sup> As a system designed to safely recover missing children, the AMBER Alert can only be activated by the police in critical abduction cases. The National AMBER Alert Working Group, which is coordinated by NCMPUR Operations, consists of provincial AMBER Alert coordinators.<sup>57</sup>

Additionally, Missingkids.ca developed the MissingKidsALERT, which allows Canadians to sign up to receive missing child alerts through electronic platforms such as email, fax, Facebook, or Twitter.<sup>58</sup> Similarly, the Missing Children Society of Canada has created mechanisms for rapidly alerting the public about missing children. The organization's "Most Valuable Network" program helps disseminate AMBER Alerts and Urgent Missing Child Alerts to Facebook and Twitter users in their area.<sup>59</sup> Moreover, other programs managed by the Missing Children Society of Canada such as "Code Search" and "Marketwired" involve corporations (via smartphone apps) and media outlets to quickly locate missing children.<sup>60</sup>

When a missing child case does not qualify for Canada's AMBER Alert Program, law enforcement and the public may engage photo distribution mechanisms. For example, the NCMPUR's Canada's Missing website contains profiles of missing persons from across the country including pictures (if available), physical descriptions, and information on the circumstances of disappearance. These profiles are of missing children as well as of adults and are published at the request of the primary investigative agency.<sup>61</sup> Missingkids.ca, in its Community Response Plan, also suggests that the Public Awareness Coordinator, the Administrative Coordinators, and volunteers can help by disseminating missing child posters throughout the community in areas such as local businesses, street posts, and high traffic areas.<sup>62</sup> The Canadian Centre for Information on Missing Adults offers guidance on creating missing person posters, and offers a Microsoft Word poster template.<sup>63</sup>

### Awareness-Raising Initiatives

The Canadian Centre for Child Protection, which manages <u>www.missingkids.ca</u>, annually hosts a Missing and Exploited Children Conference (MECC), where experts such as law enforcement, social workers, educators, prosecutors, counselors, lawyers, medical professionals, and policy analysts

<sup>&</sup>lt;sup>55</sup> Royal Canadian Mounted Police, *Amber Alert Program – (America's Missing Broadcast Emergency Response), at <u>http://bc.rcmp-grc.gc.ca/ViewPage.action?siteNodeld=23&languageld=1&contentId=4697</u> (last visited July 25, 2016).* 

<sup>&</sup>lt;sup>56</sup> Wireless Amber Alerts, at <u>http://www.wirelessamber.ca/</u> (last visited July 22, 2016).

<sup>&</sup>lt;sup>57</sup> Amber Alert Program – (America's Missing Broadcast Emergency Response), supra note 257; Government of Canada, Canada's Missing – What is AMBER Alert?, at <u>http://www.canadasmissing.ca/part/index-eng.htm</u> (last visited July 22, 2016).

<sup>&</sup>lt;sup>58</sup> Canadian Centre for Child Protection, *Missing Kids Alert – When More People Know, More People Are Looking, at* <u>https://missingkids.ca/app/en/missing\_kids\_alert</u> (last visited July 22, 2016).

<sup>&</sup>lt;sup>59</sup> Missing Children Society of Canada, *Most Valuable Network, at <u>http://mcsc.ca/search-program/most-valuable-network/</u> (last visited July 22, 2016).* 

<sup>&</sup>lt;sup>60</sup> Missing Children Society of Canada, *CodeSearch, at* <u>http://mcsc.ca/search-program/codesearch/</u> (last visited July 22, 2016); Missing Children Society of Canada, *Marketwired, at* <u>http://mcsc.ca/search-program/marketwired/</u> (last visited July 22, 2016).

<sup>&</sup>lt;sup>61</sup> Government of Canada, Canada's Missing – About, supra note 213.

<sup>&</sup>lt;sup>62</sup> Canadian Center for Child Protection, *Community Response Plan: Helping Communities Locate Missing Children* 58, May 2011, at <a href="http://responseplan.ca/pdfs/MK\_communityResponsePlan\_en.pdf">http://responseplan.ca/pdfs/MK\_communityResponsePlan\_en.pdf</a> (last visited July 22, 2016).

<sup>&</sup>lt;sup>63</sup> Canadian Centre for Information on Missing Adults, *Creating a Missing Person Poster, at* <u>http://missingpersonsinformation.ca/resources/creating-a-missing-person-poster/</u> (last visited July 22, 2016).

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receive training on missing children's issues such as detection and investigation of child victimization.<sup>64</sup> Moreover, Missingkids.ca has several programs aimed at educating the public and children to prevent child sexual abuse: "Kids in the Know," an interactive safety education program focused on sexual exploitation; "Teatree Tells," a child sexual abuse prevention kit; "Commit to Kids," which helps organizations create safe environments for children and provides policies, strategies, and step-by-step guidelines for preventing child sexual abuse.<sup>65</sup>

The Missing Children Society of Canada has created the Community Response Plan, which is designed to assist communities in responding to cases of missing children. The organization also has several programs such as the "Family Support Program," which provides families with resources and support in the form of legal assistance, counseling, and financial support when their child goes missing.<sup>66</sup>

The Missing Children's Network provides prevention and education programs in English and French designed for children, parents, and professionals, and partners with both the Missing Children Society of Canada and the Canadian Centre for Child Protection to provide services across the country.<sup>67</sup>

# **Trafficking**

Section 279.011 of Canada's Criminal Code prohibits recruiting, transporting, transferring, receiving, holding, concealing, or harboring a child under the age of 18 years, or exercising control, direction, or influence over the movements of a child under the age of 18 years, for the purpose of exploiting them or facilitating their exploitation.<sup>68</sup>

There are various NGOs working to combat human trafficking such as the Canadian Women Foundation, which published a report on strategies for ending sex trafficking in Canada.<sup>69</sup> The Alliance Against Modern Slavery focuses on research and educating the Canadian public to help end modern-day slavery in the country.<sup>70</sup>

<sup>&</sup>lt;sup>64</sup> Canadian Centre for Child Protection, 17th Annual Missing and Exploited Children Training Conference (MECC), at https://www.protectchildren.ca/app/en/mecc (last visited July 22, 2016).

<sup>&</sup>lt;sup>65</sup> Canadian Centre for Child Protection, *Media Fact Sheet: Helping to Keep Your Child Safe, at* <u>https://missingkids.ca/pdfs/MK\_MediaFactSheet\_en.pdf</u> (last visited July 22, 2016).

<sup>&</sup>lt;sup>66</sup> Missing Children Society of Canada, Family Support Program, at <u>http://mcsc.ca/family-peer-support/</u> (last visited July 22, 2016).

<sup>&</sup>lt;sup>67</sup> Missing Children's Network, *Prevention and Education Program, at* <u>http://missingchildrensnetwork.ngo/services-programs/prevention-education/</u> (last visited July 22, 2016); Comment by Sergeant Jane Boissoneault of the Royal Canadian Mounted Police to the verification letter sent by ICMEC (June 1, 2016).

<sup>&</sup>lt;sup>68</sup> Section 279.011 of the Criminal Code, R.S.C. 1985, c. C-46, at <u>http://laws-lois.justice.gc.ca/eng/acts/C-46/page-67.html#docCont</u> (last visited July 22, 2016).

<sup>&</sup>lt;sup>69</sup> Canadian Women's Foundation, *Our Work*, at <u>http://www.canadianwomen.org/trafficking</u> (last visited July 25, 2016) (on file with the International Centre for Missing & Exploited Children).

<sup>&</sup>lt;sup>70</sup> Alliance Against Modern Slavery, What We Do, at <u>http://www.allianceagainstmodernslavery.org/</u> (last visited July 25, 2016) (on file with the International Centre for Missing & Exploited Children).

International Centre for Missing & Exploited Children Global Missing Children Research Initiative