

Victoria Police Manual – Procedures and Guidelines

Missing persons investigations

Source Policy

These Procedures and Guidelines support and must be read in conjunction with the following:

- **VPMP Crime reporting and investigation**

Application

Procedures and Guidelines are provided to support the interpretation and application of rules and responsibilities. They include recommended good practices and assessment tools to help employees make lawful, ethical and professional decisions. Employees should use the **Professional and ethical standards** to inform the decisions they make to support interpretation of Procedures and Guidelines.

Procedures and Guidelines are not mandatory requirements on their own. However, where rules and responsibilities state that employees must have regard to Procedures and Guidelines, the Procedures and Guidelines must be used to help make decisions in support of the rules.

Procedures and Guidelines

1. Reporting missing persons and managing missing persons investigations

1.1 *Reporting criteria*

- A missing person is:
 - Any person reported to police whose whereabouts are unknown; and
 - There are fears for the safety or concern for the welfare of that person, including a person from an institution (not including a prison or gaol).
- Members are to immediately investigate any report of a missing person. The initial investigation will be conducted at a local level but may be referred to specialist areas depending on the circumstances.
- A missing person report must be taken in person.

1.2 Reporting member responsibilities

- Complete a Missing Persons Report and Risk Assessment Form [Form L18A] for all missing persons reported to Victoria Police (regardless of the person's country or state of origin).
- In urgent situations where the member believes there is a serious and imminent threat to the life or health of a person a member may apply under s.287 *Telecommunications Act 1997 (Cwlth)* to access information held by a telecommunications service provider – refer to section 4.4 **VPMP Investigation support**.
- In addition to the requirement in **VPMG Reporting a crime on LEAP** to telephone LEAP reports relating to missing persons to CDEB immediately, complete the following forms and submit them to CDEB before the end of the shift:
 - Case Progress Narrative Update [Form L1A]. The assigned investigating station is the station which covers the area where the missing person most recently resided or was most recently located.
 - Person Physical Description [Form L10]
 - Scars/Marks/Tattoos-Alias/Nickname-Relationship [Form L11], where applicable
 - Vehicle Whereabouts Desired [Form L13], where applicable.
- Notify other specialist units, such as CIU, SOCAU, Search & Rescue, as required.
- In suspicious circumstances members should take into consideration any area that may be a potential crime scene.
- Ensure a copy of the report is filed in a folder dedicated for that purpose and notify a supervisor as soon as possible.

1.3 Specific cases of missing or unidentified persons – reporting member responsibilities

In addition to the above, the following additional requirements apply to specific cases of missing or unidentified persons:

Specific cases of missing or unidentified persons	
Circumstances	Investigating member responsibilities
Child under 10 years or High risk due to mental or physical condition	<ul style="list-style-type: none"> • Consider notifying the Police Communications Centre (PCC) • Notify the Divisional Patrol Supervisor • Start an immediate search
Child or youth missing from DHS placement	<ul style="list-style-type: none"> • Take missing person reports, regardless of whether a Children's Court search warrant exists.

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Person believed to be in the protection of a women's refuge	<ul style="list-style-type: none"> • Contact the Intelligence Collection & Liaison Unit (ICLU) – Missing Persons Desk for advice between 0700 – 1630 Monday to Friday on 9865 2691; or, at any other time, Police Communications D24
Person missing in suspicious circumstances	<ul style="list-style-type: none"> • Notify CIU immediately • CIU to notify Crime Command, Cold Case & Missing Persons Squad (CCMP Squad) during business hours or, at any other time, Police Communications D24 • Notify Divisional Patrol Supervisor
Person believed missing while interstate – reported to Victoria Police	<ul style="list-style-type: none"> • Complete LEAP reports and collate other relevant information from reporting person. Submit LEAP reports to CDEB for recording. • Conduct checks as per 'Interstate/ Overseas Referral of Missing person flowchart'. • If checks confirm that missing person is likely to be interstate, forward information and reports to ICLU – Missing Persons Desk for transmission to the relevant state or territory with completed and authorised Referral of Information to an External Organisation [Form 1418]. Once referred, Supervisor attached to the CCMP Squad/ICLU is to change LEAP Station Code to 'CRIMPS' and updates LEAP narrative to reflect referral to ICLU – Missing Persons Desk • If urgent and outside of business hours, contact the appropriate interstate police force or Interpol, Canberra as appropriate.
Person believed missing while overseas – reported to Victoria Police	<ul style="list-style-type: none"> • Complete LEAP reports and collate other relevant information from reporting person. Submit LEAP reports to CDEB for recording. Refer to interstate recording above all other requirements. • If checks confirm missing person is likely to be overseas, ICLU – Missing Persons Desk will forward reports to Interpol, Canberra • Ensure the reporting person is provided with the contact details for DFAT 24 hour contact number (Free call 1300 555 135 and anywhere in the world on +61 6261 3055). • If the missing person is not an Australian citizen or resident, advise the reporting person to contact the respective Consulate, Embassy, or authorities in the country concerned
Person in police care or custody cannot be identified ('On Hand' Missing Person)	<ul style="list-style-type: none"> • Complete the missing persons report Form L18A, except for the Risk Assessment.
Interstate or overseas inquiries regarding persons who may be missing in Victoria	<ul style="list-style-type: none"> • Unless there are urgent circumstances: <ul style="list-style-type: none"> - advise the external law enforcement agency to direct their inquiries to the ICLU - Missing Persons Desk - advise other persons to direct their inquiries to their local police to initiate an investigation. - ICLU will forward investigations from interstate jurisdictions to the relevant area for investigation and recording on LEAP
Mental health patients or disability clients reported missing	<ul style="list-style-type: none"> • Refer to VPMP Escapees and absconders.

Unidentified body or body part found ('On Hand' Missing Person)	<ul style="list-style-type: none"> • Notify CCMP Squad and ICLU - Missing Persons Desk • Complete the Located Missing Person/Identified Person/Found Remains Form [Form L18C]. • The status of the missing person record should remain active until the body or body part is identified. • Where identification is not likely to be made within 3 days, notify the CIU who will take over the investigation.
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1.4 *Supervisor responsibilities*

- Consider whether a Person Warning Flag [Form 292] should be initiated - see **VPMP Reporting contacts and intelligence**.
- Endorse the Form L18A with the appropriate level of risk and ensure that the level of risk is submitted to CDEB as supplementary information.
- Record case progress status as either 'Active' or 'Completed'. There is no 'Pending' status in relation to missing person investigations.

2. Conducting missing persons investigations

2.1 *Investigating member responsibilities*

- Use the Missing Person Media Authority to arrange for a photograph and written approval from the next of kin, relative or concerned person to release information to the media.
- Maintain the LEAP case progress narrative. In particular, ensure that the narrative:
 - reflects all relevant information and enquiries undertaken
 - is updated regularly, including a CIU update of risk assessment and categorisation after 7 days.
- Undertake enquiries to locate the missing person. Refer to the Missing Persons Checklist and Major Crime Investigative Guidelines - Missing Persons for assistance. If there is a need to obtain historic information from telecommunications service providers refer to **VPMG Obtaining information from external organisations**
- Keep the person who notified police of the missing person informed of police procedures and investigation processes.
- Contact the Media Unit for advice and notify ICLU - Missing Persons Desk regarding media releases relating to missing persons.
- Ensure that the Missing Person Information Brochure is made available to families and friends of the missing person.
- Be aware that interested parties can now apply to the Victorian Civil and Administrative Tribunal to administer the financial affairs of a missing

person, under Part 5A of the *Guardianship and Administration Act 1986*, subject to the following conditions:

- it is unknown if the missing person is alive
- reasonable efforts have been made to find them and
- they have not contacted anyone whom they would be likely to contact for at least 90 days.

2.2 Work Unit Manager responsibilities

Ensure that:

- a member is assigned to investigate a missing person report within the initial 24 hour period
- a supervisor is assigned to:
 - check all Active missing person reports, at intervals of 3, 7, 14, 30 and 60 days
 - check with any facility that has reported a person missing that the person remains missing and whether any arrest power remains current.

3. Locating a missing person

3.1 Classifying a missing person as located

- A missing person should only be classified as 'located' after they have been sighted and spoken to by a police member from any jurisdiction.
- A missing person may be classified as located in some cases where:
 - the person is avoiding being located and there is clear evidence that they are safe, such as CCTV footage
 - information is provided by a person in a position of authority, such as a customs officer, hospital or DHS staff, that the person has been located and is safe. In such cases, consult with ICLU -Missing Persons Desk.

3.2 When a missing person is located - investigating member responsibilities

- Obtain all relevant information relating to the person's absence and their subsequent location to assist in the investigation of future missing person reports.
- Only divulge a person's whereabouts with their consent, unless:
 - there is a serious and imminent threat to a person's life, health, safety or welfare, or
 - the person is unable to give consent due to age or impairment.

- When a missing person from a mental health or disability support facility is located, confirm with the facility that any arrest power remains current. If the arrest power has expired, treat the person as a general missing person.
- Amend the case progress status to 'completed' and indicate that the person has been located on all relevant reports and forms.
- Complete Located Missing Person – [Form L18C] and fax to CDEB

3.3 Interstate missing person located in Victoria

Where a Victoria Police member locates a person who has been reported as missing interstate, the member is to check LEAP (NPRS) to ascertain if any other States/Territories have active missing person involvements for that person. The member is to:

- complete Form L18C
- fax the Form L18C to CDEB if there is an active missing person investigation in Victoria, update the narrative and change the file status to 'completed'.
- notify the interstate jurisdiction by forwarding completed Form L18C, together with Form 1418, to ICLU – Missing Persons Desk, for transmission to the relevant state or territory.
- notify the ICLU – Missing Persons Desk who will also telephone the other jurisdiction to advise them of the status of missing person. This will result in removal of the person's missing status from the NPRS system.

3.4 When a body part is identified

- The missing person report should not indicate that the person has been located until all body parts are found.
- Update the case progress narrative as each body part is located.

4. Exhibits, medical and dental records

- The DNA Management Unit (DNAMU) at the Forensic Services Department coordinate ante mortem collection for all long term missing persons (persons missing more than 30 days). Investigating Stations/CIU will be advised by DNAMU via e-mail when ante mortem collection is required. Instructions and relevant forms are provided in an Interpose e-mail link. The following instructions regarding the collection and storage of ante mortem information are to be followed. If a missing person is not located within 30 days, or where it is otherwise believed necessary, the investigating member should:
 - obtain medical records, dental records and DNA samples
 - complete Ante Mortem Forms relative to the missing person

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- Keep all records, samples and other information as exhibits, until the person is located, and record them in the Miscellaneous Property Book and on the corresponding Interpose investigation entry.
- Consult with CCMP Squad/ICLU -Missing Persons, for advice on completing Ante Mortem Forms and on obtaining medical and dental records from hospitals and health services providers.
- Refer VPMG Obtaining Information from external organisations, regarding obtaining medical and dental records from hospitals and health services providers.

Further Advice and Information

For further advice and assistance regarding these Procedures and Guidelines, contact your supervisor or Cold Case & Missing Persons Squad, Crime Command.

The following links are referenced in these guidelines:

- [Missing Person Media Authority](#)
- [Intelligence Liaison Unit](#)

Update history

Date of first issue	22/02/10	
Date updated	Summary of change	Force File number
25/10/10	Removal of reference to 'reporting criteria' when taking a missing persons report for a DHS child or youth (section 1)	063946/10
13/04/11	Inclusion of reporting criteria (section 1), guidelines for when the missing person is reasonably believed to be at a women's refuge, and update from Missing Persons Crime Theme Desk to Intelligence Liaison Unit - Missing Person	063946/10
14/06/11	Amended to include Part 5A of the <i>Guardianship and Administration Act 1986</i> (section 2).	065943/10
21/11/11	Amendment to period after which the risk assessment is to be updated/categorised, medical records/dental records/DNA samples are obtained, and Ante Mortem Forms completed.	068531/11
30/07/12	Amendments to align policy with ANZPAA recommendations on missing persons (section 1.2, 1.3, 3.3 & 4)	072375/12
15/04/13	Amendment regarding notification of person believed to be in a women's refuge, from Serious Crime Desk to Police Communications D24	FF-076304

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11/06/13	Amendments in regards to conducting missing persons investigations	FF-076461
16/2/15	Amendments to update unit name from Missing Persons Unit to Cold Case & Missing Persons Squad. Minor legislative and reference changes. Removal of reference to Missing Person Information Brochure.	FF-091511