

Missing Children and The NWFP Police Missing Children Centre

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Abstract:

Missing Children is a serious issue and the term has many connotations in the western world. However, for the purpose of this paper, the word missing children is used for a certain category of children who are reported to the local police as missing but little is done for their recovery and rehabilitation. No proper laws are available in Pakistan to deal with the issue of missing children as described in this paper. The performance of the NWFP Police Missing Children Centre has been discussed as a case study in this respect. National and international stakeholders have to devise new strategies and frame new laws to address the issue of missing children.

Keywords:

Missing Children, NWFP, Police, CRC, NGO, Police Child Protection Centre, NISMART, Data.

Introduction

Prior to 1988, little information was known about missing children in the USA. The juvenile justice system and the criminal justice system provided few resources to assist parents of missing children and law enforcement agencies looking for missing children. As a result of the recognition of this flaw in the criminal justice system, nationwide attention focused on developing resources and coordination of law enforcement agencies. In 1983, President Ronald Regan emphasized the importance of responding to the problem of missing children by proclaiming May 25 as National Missing Children's Day. The first reliable nationwide information on missing children, as a result of the Missing Children's Assistance Act, was the 1988 survey of missing children (published in 1990). The first study is known as the National Incidence Studies of Missing, Abducted, Runaway, and Thrownaway Children, or NISMART 1. In 1999, NISMART 2 estimated there were 1,682,900 missing children in the United States. Both the surveys gathered data from multiple sources and provided a standard definition of the various categories of missing children. Amongst the key findings of NISMART 2 was that approximately 71 percent of missing children have been endangered during their runaway/throwaway episode by virtue of factors such as substance dependence, use of hard drugs, sexual or physical abuse, presence in a place where criminal activity is accruing or extremely young age (Fagin, 2007). Children runaway, (the largest of the missing children), for a variety of reasons. Some come from homes where there is little love and affection. Others clash with their parents over disputed

activities within the home, problems in school, and difficulties with friends. Some are lured away from home by the promise of drugs or the money that drugs might bring. Some leave homes because of sexual abuse while others leave because of beatings. Official estimates show that the vast majority of the children who remain at large for a week will resort to theft or prostitution as a method of self-support. Of all children who do run away, only 20% ever come into official contact with police or social service agencies (Schmallegger, 2007).

The above discussion from the US perspective shows that the issue of missing children has recently become a centre of attention but has rightly been addressed by a variety of government initiatives, including national surveys, data collection, new legislation, establishment of new departments and the overall changes in the criminal justice system and law-enforcement. On the contrary, the situation is deplorably bleak and unsatisfactory in Pakistan. First, there is no national or local surveys, no official statistics and no patchy or comprehensive data and its analysis available in Pakistan. Secondly, there is no legislation or clear-cut policy in the country. Thirdly, no single government or law-enforcement agency or social sector has taken the responsibility of dealing with missing children right from tracing and reporting to the reintegration and rehabilitation. Fourthly, the issue is not a top priority concern with most of the NGOs either, except a few. So no tangible work is available on the subject-matter. Despite these facts a small initiative by a few officers of the North-west Frontier Province (NWFP) Police Department is a positive step in this direction, which is the focus of this paper.

The NWFP Police Missing Children Centre

Due to the high profile cases, media news, public complaints and inexorably rising tide of missing children, as reported in the police station of Capital City Police Peshawar, a few young officers decided to establish a “Missing Children Centre” On December 12, 2007. The centre was to register the report/complaint of a missing child, communicate the same i.e; particulars of a missing child to all the police stations of the Province through wireless message, and when found and recovered, inform the family/guardian of the child. If the family was not readily accessible, the child would be handed over to one or other shelter homes, established by a few local NGOs. This was an apparently nice arrangement and it started with much applause from the local community, the NGOs and mass media. However, there were some fundamental drawbacks in this arrangement which can be summarized as:

- a. The centre was established with no proper legal authority or administrative support from the Central Police Office (CPO) which is the provincial police headquarters. All such initiatives need necessary legal and administrative cover from the higher police authorities.

- b. No proper standing order was issued by the police department which could have identified the role and responsibilities of the staff/officials in the centre, and so Terms of Reference (TORs) were not determined at the very inception. Such lacunae result in problems of efficiency and accountability.
- c. The pioneers of the centre didn't design a proper record system for missing children, so all information were entered into a self-styled registers which were maintained manually. No senior officer ever checked and reported upon such record.
- d. No extra funds were allocated to the centre. Unfortunately, the centre was not given a separate telephone connection. Also, the centre was not provided a police vehicle of its own. The centre depended on the local police station for communication facilities, which was a burden on its limited resources and the only telephone line in the police station. This was the most unfortunate aspect of the said centre. Often children were stuck in the police station till their families or social workers of the NGOs could be informed or till the only police mobile of the said police station could arrive and take the child to the nearby shelter home.

These were some of the flaws in the overall establishment, working and services of the centre. This clearly shows that not only the police leadership failed to fully utilize this opportunity and appreciate the vision and commitment of a few young officers, but also it indicates the poor support system and zero assistance from international organizations whose financial or technical support could have made the centre as a role model for all other provincial police departments and law-enforcement agencies. Interestingly, despite these basic shortcomings, the centre delivered excellent services by keeping a record of the missing children, which otherwise was not available, and by locating them through regular wireless messages to the police stations and by bringing them back to their families with the help of local NGOs. Unlike the US initiatives for missing children, which include more than the runaway, missing or thrown away, the term missing in the Pakistani context is used only for those children who are lost to their families and about whom no apparent reason or credible information is available for being abducted, kidnaped, trafficked or smuggled, injured or killed. Such actions are cognizable offences and are registered in a police station for proper police investigation. Mere "missing" is recorded as a report in the Daily Dairy, called Roznamcha, of the police station, where after an enquiry is conducted to ascertain the validity of the report and assess the circumstances in which a child is missing or found, whether some crime is committed against the child or not. Unluckily, all such police enquiries are not properly done, as rarely a Roznamcha is seen for the pending reports and enquiries by senior officers or the outcome of such enquiries are reported to the higher offices

for record, unless categorically called by a senior officer or required by a court of law. No mechanism is available in the police department for looking after such reports and the enquiries therein. This provision of enquiry was not observed in the centre and thus detailed analysis on the causes of missing and the events happened to the child during the missing period, or the psychological assessment of the child or family could not be done at the centre. Even the legal status of the children who are still missing could not be determined, as whether a proper police report is to be lodged with the local police for investigation or otherwise. Such issues need intervention by the courts and need legal interpretation.

After the formation of a Police Child & Women Protection Committee (PCWPC) by the NWFP Police in 2009, headed by the writer, the record of the centre was thoroughly checked and perused. A new data base was designed by the PCWPC, with the support from Save the Children Sweden, and all the manually recorded information were computerized. The available record shows that since December, 2007 to September 2009, a total of 1700 missing children were reported to the centre, whereby 1349 children were shown as recovered and reintegrated with their families (79.35% recovery). Due to the initial drawbacks, many vital information indicators were missing and the record of only -1238 children were put into the newly designed data-base system. Later on, when the NWFP Police established a Police Child Protection Centre (PCPC) in collaboration with the Ministry of Human Rights and Save the Children Sweden, the centre was shifted to PCPC, where now the officials are given a separate telephone, a vehicle, a separate office and where they enjoy the support of two lady clinical psychologists. If the family is not readily traceable, the child can be kept in a child-friendly environment in the PCPC with proper care and food. The data system is being revised and now ample information indicators will be included in the fresh data. However, many more steps are yet to be taken by the police department, civil society and international organizations to have separate, independent and fully equipped missing children centre.

Key Findings from the Available Data

As indicated above, out of the 1700 reported cases, only 1238 could be put into the newly designed database system. The full record of the remaining 462 children is yet to be traced and put into the said data base. Following are some of the findings of the data available so far:

- a. Figure 1 shows that the majority of missing children have been reported in 2009 (till September). This may be due to the increase in the number of incidences of missing, especially after the 2.9 million people were displaced from their native home towns in Swat, Dir and Buner in wake of the military operation in 2009. The other reason may be the wide publicity of the Missing

Children Centre through all available means after the NWFP Police Child and Women Protection Committee (PCWPC) started looking after its affairs. The newly designed database system will include the reasons for missing, and soon fresh research will explain the underlying phenomena therein.

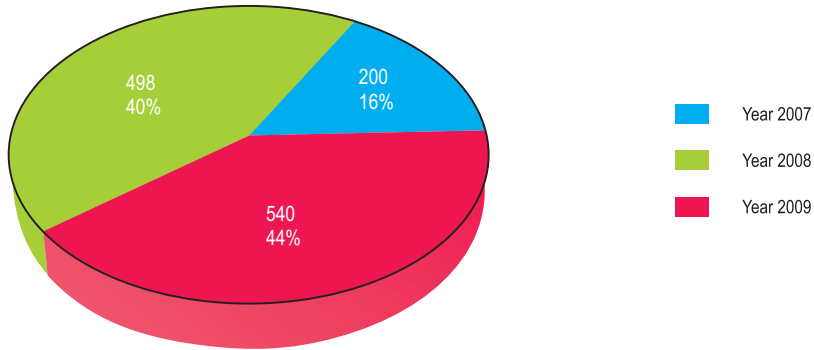


Figure I: Details of Missing Children. (2007Sept.2009)

b. Figure 2 shows that maximum number of missing children were recovered on the same day of reporting (49.30%). Those who recovered within the first week of initial reporting were not put to any psychological assessment, and we don't know exactly what happened to them when they were missing from their families.

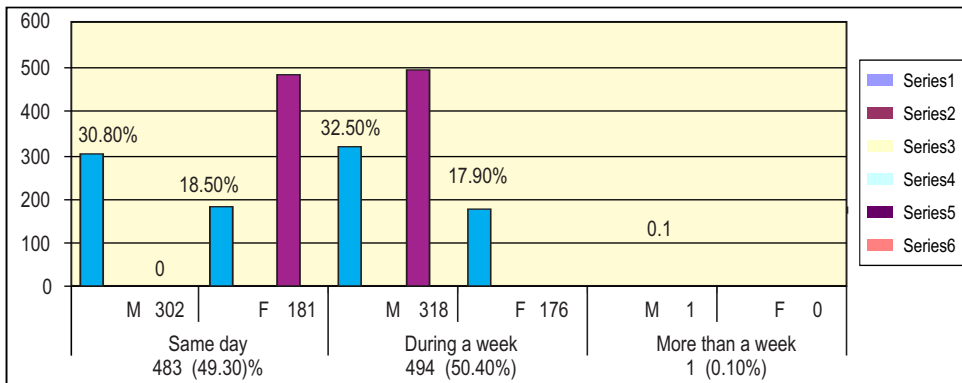


Figure II. Duration of Missing Children Recovery

- c. Table I analyses the available data according to the age group of missing children. Out of the 1238 reported cases 978 have been shown as recovered and 260 children including 76 female as unrecovered. The fate of such unrecovered children is not known to the police. The enquiry reports are either not available or incomplete and don't provide any clue of their whereabouts. This is a serious issue and needs proper legal action by the respective police stations where the initial report of missing was taken and recorded into the Daily Dairy. The maximum of children reported to be missing belonged to the age group of 1-5 (33.11%). This speaks volume of parental or family care and other protection facilities in the country.

Table I. Details of Missing Children & Recovery

Age Group	Missing (1238)		Recovered (978)		Un-recovered (978)	
	M	F	M	F	M	F
1 - 5	327 (26.413%)	83 (6.704%)	239 (24.437%)	43 (4.396)	58 (22.307%)	26 (10%)
6 - 10	227 (18.336%)	87 (7.027%)	302 (30.879%)	42 (4.294%)	63 (24.230%)	23 (8.846%)
6 - 15	289 (23.344%)	33 (2.665%)	197 (20.143%)	45 (4.601%)	40 (15.384%)	18 6.923%)
6 - 18	175 (14.135%)	17 (1.373%)	96 (9.815%)	14 (1.431%)	23 (8.846%)	9 (3.461%)
Total	1018 (82.228%)	220 (17.769%)	834 (85.274%)	144 (14.722%)	63 (24.230%)	76 (29.23%)

- d. In this case police are not the only agency who recovered the missing children but other stakeholders have also joined the rank of searching teams. Table II shows that the police recovered the maximum of the missing children (38.85%), followed by the efforts of the parents and family themselves (32.71%). The role of NGOs in this respect is not very promising, which indicates that either the NGOs network is not very strong in the NWFP or the issue of missing children is not on their priority agenda.

Table II. Details of Missing Children & Recovery

	NGOs		Police		Parents / Guardian	
	M	F	M	F	M	F
	134 (13.701%)	12 (1.226%)	380 (38.854%)	77 (7.873%)	58 (22.307%)	26 (10%)
Total	146 (14.927%)		457 (46.727%)		375 (38.342%)	

e. Many more information indicators can be drawn and identified from the existing data but at the moment, the available record needs to be properly researched, documented and analysed, for which a fresh version of data base is under process with the support from Save the Children Sweden.

Legal Aspects of Missing Children Issue

Pakistan has no law to deal with the issue of missing children. As indicated above, the term missing children has many connotations in the western world, whereas it is restricted only to the accidentally missing children about whom no proper complaint is lodged with the police for a crime perpetrated against them. Abducted, kidnaped or trafficked children are dealt in accordance with the available laws. However, the case of missing children as described in this paper has not been addressed by any provision of the national law so far. The police enter the information of a missing child in the Daily Dairy and conduct an enquiry into the matter of missing till the child is recovered or some credible information or evidence is received for commission of any cognizable offence against the child. Police exercise such powers under Section 156 of the Criminal Procedure Code. The difficulty is this that the enquiries so conducted are not available with the police and not produced before the Magistrates and there is no specific time limit for such enquiries. The police normally persuade the complainant (parents or guardians) to register the First Information Report (FIR) against someone as allegedly responsible for missing of the child or wait till the outcome of the enquiry. The particular case of missing children as mentioned in this paper has not been an issue of due consideration with many of the stakeholders.

The Draft National Child Protection Policy (as of March 2009) in Section 3 enumerates many categories of children in need of help and protection, but the long list doesn't mention anything about missing children. Similarly, the proposed bill for National Commission on the Rights of Children, 2009 in its Section 2 (e) defines twelve different categories of a "child at risk", but again it does not mention the issue of missing children who otherwise are predisposed to numerous kinds of abuses, crimes and deviance as noted in the US national surveys. The Convention on the Rights of the Child (CRC) mentions many forms of separation between a child and his/her parents or family in Article 9, 22, and 36, but still these provisions don't fully cover the situation of missing children. The writer is of the view that either some specific provisions of law be incorporated into the existing Pakistan Penal Code and Criminal Procedure Code or a comprehensive law, like that of the USA, shall be provided to cater for all kinds of missing children. The present situation of missing children in Pakistan is neither clear nor satisfactory. The issue is not properly researched and addressed. Many aspects need immediate attention, clarification and action by the government, civil society, NGOs and especially the law-enforcement agencies in Pakistan.

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