



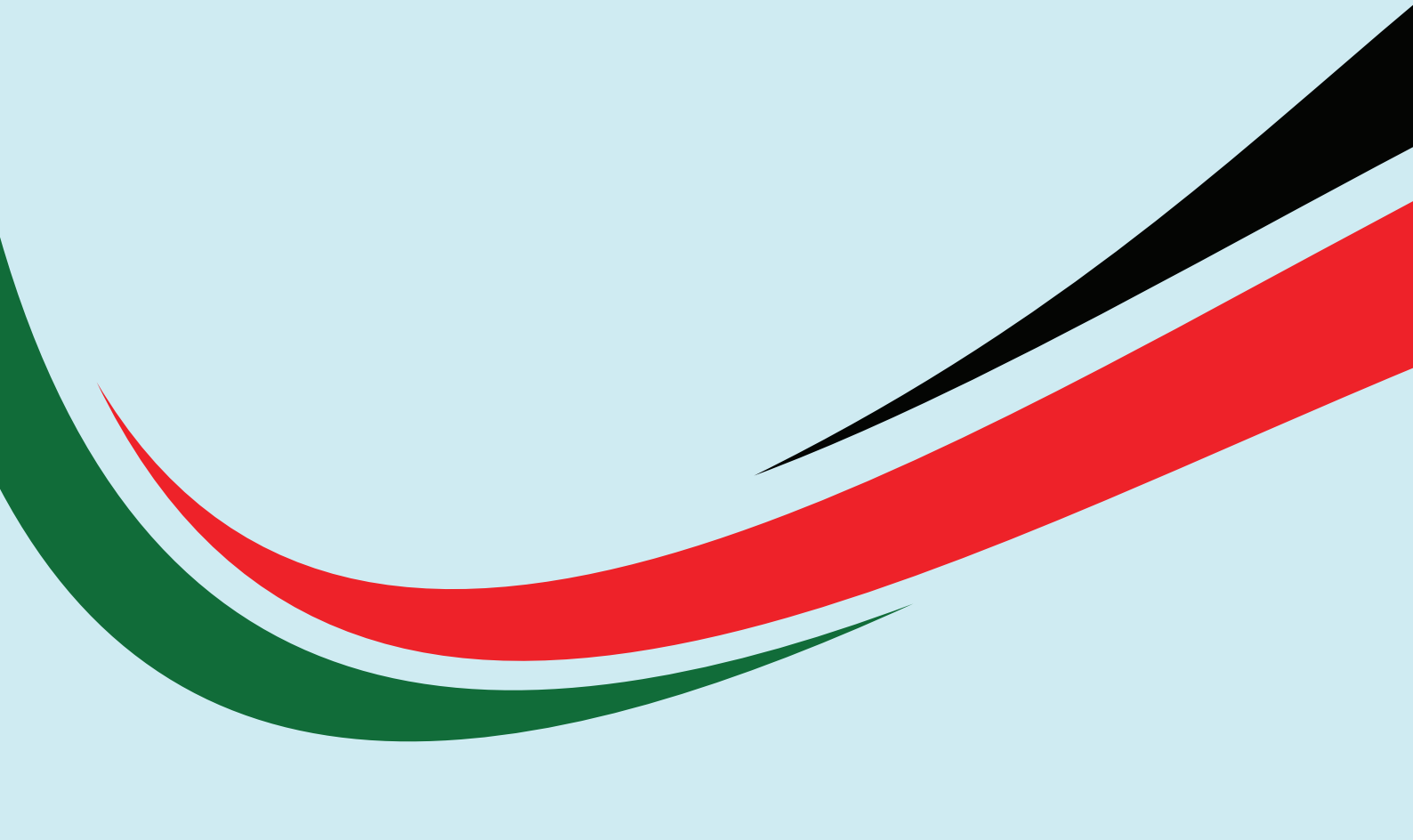
**MINISTRY OF LABOUR AND SOCIAL
PROTECTION**

STATE DEPARTMENT FOR SOCIAL
PROTECTION AND SENIOR CITIZEN AFFAIRS

DIRECTORATE OF CHILDREN SERVICES

GUIDELINES FOR MANAGEMENT OF MISSING AND FOUND CHILDREN IN KENYA

May 2024



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ABBREVIATIONS AND ACRONYMS

ACRWC	African Charter on The Rights and Welfare of the Child
AU	African Union
CCI	Charitable Children's Institution
CP	Child Protection
CPIMS	Child Protection Information Management System
CSO	Civil Society Organizations
DCI	Directorate of Criminal Investigation
DCS	Directorate of Children's Services
ICMEC	International Centre for Missing and Exploited Children
ICRC	International Committee of the Red Cross
IO	Investigating Officer
KPS	Kenya Police Service
M&FCR	Missing and Found Children Report
MC	Missing Children
NGAO	National Government Administration Officers
NGO	Non-Governmental Organization
NCCS	National Council for Children Services
UNCRC	United Nations Convention on The Rights of Children

OPERATIONAL DEFINITIONS

Abandoned:	A child who has been deserted by the parent, guardian, or caregiver; or whose parent, guardian or care giver has willfully failed to contact the child for a period of more than six months.
Abduction:	The act of forcefully taking or luring a child away from their care environment, involving deceitful means or coercion, with the person responsible being aware of the action.
Abducted / Kidnapped / stolen child:	A child taken away to an undisclosed location against their will.
Child participation:	Children engaging with opportunities to form and express their views and to influence matters that concern them directly and indirectly.
Cold case:	A case of a missing child that is yet to be resolved and has no active leads for further follow up.
Escapee:	A child who runs away from their place of custody while going through judicial corrections services such as children's remand home or rehabilitation school or appointed local authority to whose care the child has been entrusted under the Children's Act 2022.
Family conference:	A meeting of the extended family network and friends together with those working professionally and directly with the family. They are decision making or planning meetings which take place to address a particular concern.
Found child:	a child who has been located and is not in the custody of their parent, guardian, or caregiver.
Kidnapper:	Any person who conveys any person beyond the limits of Kenya without the consent of that person, or of some person legally authorized to consent on behalf of that person, is said to kidnap that person from Kenya.
Lost:	A child who has disappeared under unknown circumstances.
Missing Child:	A child whose whereabouts are not known to the parents, legal guardians or any other person or institution legally entrusted with the custody of the child.
National Alert Mechanism:	A procedure for receiving and disseminating information on a Missing Child to the public.

Reunification:	The process of assisting a child/ren in voluntarily re-establishing contact with family and friends after a period of separation.
Runaway:	A child who is away from home without the permission of his or her parents(s) or legal guardian(s).
Separated child:	A child that is not with or accompanied by either of the parents or primary caregiver.
Social media:	These are online platforms and websites that enable users to create and share content, connect with others, and engage in social interactions virtually. Examples of social media platforms include Facebook, Twitter, Instagram, LinkedIn, YouTube, Snapchat, and TikTok.
Verification of leads:	The process of authenticating information on the whereabouts of a child as received.

FOREWORD

The plight of a missing child strikes at the very core of our societal fabric and is the ultimate nightmare for every parent or caregiver. Many families are living in agony as they search for their missing children. According to data from the Child Protection Information Management System 6,841 children were reported missing and 1,296 children were reunited with their families between July 2022 to May 2023.

The period within which children go missing poses dangers and risks that can affect their well-being. Some risks include exposure to drugs, alcohol, sexual, emotional, and physical violence that may adversely affect their health and lead to death. In the current digital age, the dissemination of information regarding missing children has become widespread, yet it is often unregulated.

It is against this backdrop that the Guidelines on the Management of Missing and Found Children have been developed. These guidelines provide a structured approach, with clear procedures and frameworks for the handling Missing and Found Children cases.

Managing missing and Found Children cases is an obligation shared by State and Non-state actors. The Government on its part is committed to working closely with state and non-state parties to implement these guidelines. I urge all of us to play our part in implementing the guidelines.



Florence Bore, EGH
Cabinet Secretary

PREFACE

The escalating incidents of missing children, and the often-traumatic outcomes of such cases have left families grappling with the agonizing uncertainty of their loved ones' fates.

In an era of advanced technology social media platforms, the landscape of response mechanisms has become increasingly complex, particularly in missing children's cases with criminal elements.

Recognizing the need for a multi-sectoral approach in cases of missing and found children; the Ministry of Labour and Social Protection, State Department for Social Protection & Senior Citizen Affairs; Directorate of Children's Services, established a Technical Working Group (TWG) to enhance management of missing and found children.

In the development of the Guidelines, the (TWG) held consultative engagements with Children's officers, stakeholders and children at National level and County level. The guidelines are grounded in international, regional, and local instruments as well as best practices.

These Guidelines will aid Child Protection Stakeholders, and Community members, to respond promptly and appropriately to cases of missing and found children in Kenya.

The Government reaffirms its unwavering commitment to the implementation of these guidelines, ensuring the safety and well-being of our nation's children remain paramount.



Joseph M. Motari, MBS
Principal Secretary

ACKNOWLEDGMENTS

The guidelines were developed through a participatory and inclusive approach. We extend our heartfelt gratitude to the members of the Missing and Found Children Technical Working Group for their unwavering dedication and invaluable expertise.

Appreciation to the Ministry of Labour and Social Protection, State Department for Social Protection for their leadership throughout the development process. We extend our appreciation to the officers of the Directorate of Children's Services, whose efforts were indispensable in the development of these Guidelines.

We recognize the core team members comprising of Maurice Tsuma, Mwambi Mongare, Christine Ondieki, Dr. Waruinge Muhindi, Esther Mugure, Eunice Moraa, Sidney Achia, Vivienne Mang'oli, June Wachira, Maryana Munyendo, Athena Morgan, and Pauline Kedogo Anubi for their invaluable contributions, which have been instrumental in bringing these Guidelines to fruition.

We express our gratitude to the Government of Kenya, Child Welfare Society of Kenya, Save the Children Kenya, EACHRights, International Centre for Missing and Exploited Children, LUMOS, ChildFund Kenya and SOS Children's Villages Kenya for their financial and technical support throughout this endeavor.



Shem Nyakutu
Secretary Children's Services

EXECUTIVE SUMMARY

These guidelines provide the standard procedure for management of missing and found children in Kenya. They offer a comprehensive framework for organizations and authorities to effectively respond to incidents involving missing or found children.

The aim of the guidelines is to provide an integrated approach encompassing prevention, response, protection, and psychosocial support to missing & found children and their families.

The guidelines address the distinct categories of missing and found children, the case flow and specific case management process of finding missing children and reuniting the found children with their families.

The roles of the stakeholders in preventing and responding to cases of missing and found children has been specified. By providing the responsibilities for each stakeholder, these guidelines provide a coordination and referral mechanism for prevention and response to cases of missing and found children.

The Guidelines represent a critical resource in safeguarding the well-being of children and ensuring effective responses to incidents of their disappearance or discovery. By adhering to these guidelines, organizations and authorities can uphold their responsibility to protect children and provide the necessary support to affected individuals and communities.

SECTION 1



1.0 INTRODUCTION

Ensuring the safety and well-being of children is paramount in any society. Unfortunately, incidents of children going missing are common in Kenya. This section provides background information on missing and found children, the rationale behind the development of the guidelines and the legal frameworks.

1.1 BACKGROUND

Cases of missing and found children have been reported in the country. Children may go missing from home or their care setting due to abduction, abandonment, running away, getting lost, being trafficked, neglect, insufficient care and supervision, poverty, custody disputes, fleeing danger, being groomed for abuse, or exploitation.

These factors increase their vulnerability and place them at risk of being harmed. The risks faced by missing children encompass potential recruitment and exploitation, including exposure to violent extremist groups, child labor, as well as physical and psychological harm, among other dangers.

Further, some children may have been rescued and placed in statutory or charitable institutions as they are considered children in need of care and protection. In such cases their parents or caregivers may lack pertinent information regarding their whereabouts owing to deficiencies in existing mechanisms.

Children who have been rescued after being considered missing often experience significant trauma due to the harrowing experiences endured while away from home. Similarly, families undergo distress both during and after such episodes.

In Kenya, mechanisms for promptly responding to cases of missing and found children lack standardization. The Legal frameworks are unclear regarding the prevention, protection, and response of missing and found children.

Article 53 of the Constitution of Kenya safeguards children from harm. The Directorate of Children's Services coordinates and supervises services aimed at promoting and protecting the wellbeing of children and their families. Section 38(k) of The Children Act, (2022), provides that the Secretary has the duty to: provide services to trace, reintegrate, or restore lost or an abandoned child with parent or a guardian. This then

creates the need to have guidelines on how to handle and process cases of missing children and ensure they are reunited with their families.

In developing these guidelines, several documents have been referenced. Key among them include:

1. Constitution of Kenya, 2010.
2. Children Act number 29 of 2022.
3. Guidelines for the Alternative Family Care of Children in Kenya, 2014.
4. Case Worker's Guidebook: Case Management for Reintegration of Children into Family & Community Based Care, August 2019.
5. Missing Children with Special Needs, 2013.
6. Save The Children Family Tracing and Reunification (FTR) practice handbook for Missing, Unaccompanied and Separated Children (UASC) in conflict emergencies, 2017. Clarify on the acceptability of organizational documents for referencing.
7. Care reforms 2022.
8. Guidelines for Child Protection, Case management and referral in Kenya, 2019
9. Data protection Act 2019

These guidelines are meant to support State, Non-State agencies and the Public on how to prevent, protect, rescue, reintegrate and support the missing and found child.

1.2 OBJECTIVES

1.2.1. OVERALL OBJECTIVE

To provide comprehensive guidelines aimed at enhancing the management of missing and found children in Kenya.

1.2.2. SPECIFIC OBJECTIVES:

- a. To establish standardized procedures and protocols for the efficient and effective management of missing and found children cases.
- b. To provide specific case management mechanisms for missing and found children.
- c. To enhance the capacity of professionals and agencies involved in the management of missing and found children.
- d. To outline roles of various stakeholders in the coordination and management of missing and found children.

1.3 RATIONALE

Every child deserves a safe, happy, and sustainable childhood within a family environment or the best available alternative care in accordance with the Children Act or any relevant legislation. The case of a missing child can be an exceptionally traumatic experience for both caregivers and the child.

There is a growing concern regarding the rising incidences of missing and found children. Consequently, there is need for standardized protocols in the management of missing and found children. This increases the likelihood of each child's safe return to their caregivers and ensures a prompt and organized response when a child goes missing. The guidelines serve a significant role in preventing confusion and miscommunication throughout the search and recovery process. With established procedures in place, the search effort can be coordinated effectively, and resources can be utilized efficiently.

1.4 SCOPE

The guidelines provide case management for missing and found children in Kenya in accordance with Section 144d of the Children Act 2022.

They focus on missing and found children, encompassing various categories such as lost and found children, runaways, stolen/abducted children, abandoned and separated children.

The scope also includes the case management process for missing and found children, delineating the roles of different stakeholders involved in addressing these situations, and establishing a prevention framework to mitigate such occurrences.

1.4.1. CATEGORIES OF MISSING CHILDREN

1. Children who run away from home or care settings
2. Children who escape from statutory and Charitable Institutions
3. Abducted / Kidnapped/ Stolen Children
4. Lost Children

1.4.2. CATEGORIES OF FOUND CHILDREN

- a. Lost and found.
- b. Unaccompanied
- c. Separated
- d. Abandoned

1.5 LEGAL INSTRUMENTS ON MISSING AND FOUND CHILDREN

1.5.1. INTERNATIONAL LEGAL FRAMEWORK ON MISSING CHILDREN

Table 1: International Legal Framework on Missing Children

Title of Instrument	Status of In-Country Commitment	Article	State Party Obligation
Convention on the Rights of the Child	Ratified 1990	Article 9	Separation of children from their parents should be a last resort.
		Article 18 (1)	Place responsibility on both parents on the welfare of the child.
Geneva Convention Relative to The Protection of Civilian Persons in Time of War of 12 August 1949	Acceded 7 th December 1978	Article 24	Children orphaned/separated by conflict should be protected/ placed in a neutral country
		Article 50	The identity of children should be preserved, and steps taken to provide them with education in their own nationality, religion/ language

Title of Instrument	Status of In-Country Commitment	Article	State Party Obligation
International Convention for the Protection of all Persons from Enforced Disappearance		Article 25 (1), (2) & (3)	State parties to provide for the offense of enforced disappearance among children and to identify and search for their families.
Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption.		Article (1) (b)	State parties to safeguard the abduction, the sale of, or traffic in children.
Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime	Ratified 5 th Jan 2005		State parties to prevent and combat trafficking in persons, paying particular attention to women and children; To protect and assist the victims of such trafficking and promote cooperation among States Parties in order to meet these objectives
Convention Relating to The Status of Refugees (The 1951 Refugee Convention)		Article B (1)	Governments to take steps to protect refugee families, unaccompanied/ separated children.
Optional Protocol to The Convention on The Rights of The Child on The Involvement of Children in Armed Conflict		Article 2	Persons who have not attained the age of 18 years should not be compulsorily recruited into their armed forces.

1.6 REGIONAL LEGAL FRAMEWORK ON MISSING CHILDREN

Table 2: Regional and local Legal Framework on Missing Children

Title Of Instrument	Status Of In-Country Commitment	State Party Obligation
EAC Child Policy	Ratified in 2016	State parties to put in place and strengthen a collaborative framework and administrative mechanisms that prevent and respond to cross border child rights violations
The African Charter on the Rights and Welfare of the Child		States should take all possible steps to trace and reunite children with parents
Constitution of Kenya	Article 53 (1), (d) & (e)	Provides for protection of children from all forms of abuse and for equal parental responsibilities between father and mother.

Title Of Instrument	Status Of In-Country Commitment	State Party Obligation
Children Act No.29 of 2022	Section 38 (K)	The Secretary to provide services to trace, reintegrate or restore a lost or an abandoned child with guardian or parent
Counter Trafficking in Persons Act No. 8 of 2010	Section 3(3) 15(1) & 22(2)	Criminalizes all forms of trafficking in children and provides a mechanism for assisting them.
Penal Code Kenya	Sections 174, 254,255 & 256	Provides for the offense of child stealing, kidnapping, kidnapping from lawful guardianship and abduction.
Refugee Act No. 13 of 2016	Section 23(2), (3)	Provides for the care and reunification of refugee children with their families.
Evidence Act (Cap 80)	Section 118(A)	Provides for presumption of death for a person missing for 7 years.

1.7 GUIDING PRINCIPLES IN MANAGEMENT OF MISSING AND FOUND CHILDREN

- a. Best Interest of the Child:** All decisions and actions regarding missing and found children should prioritize their well-being, safety, and development.
- b. Nondiscrimination Principle:** Equal treatment and protection for all missing and found children regardless of their background, ethnicity, religion, or any other characteristic.
- c. Participation principle:** Emphasizes the importance of involving children in decisions that affect them, ensuring their voices are heard and their views considered.
- d. Survival and Development principle:** Underscores the imperative to safeguard children's lives and promote their growth physically, mentally, and emotionally.
- e. Do no harm principle:** Requires actions and interventions to mitigate any potential harm or risks to missing and found children, prioritizing their safety and well-being.
- f. Nonseparation of sibling's principle:** advocates for keeping siblings together whenever possible to maintain family bonds and support each other's well-being.
- g. Confidentiality principle:** demands the protection of children's privacy and personal information, ensuring that sensitive details about them are not disclosed without proper authorization to safeguard their dignity and safety.

1.8 CHILD PARTICIPATION

During the development of these guidelines, children from Meru, Nairobi, Kajiado, Nakuru, Kiambu, Marsabit, Kirinyaga, and Garissa counties actively participated.

Below is a summary of their verbatim responses regarding reasons why children go missing:

- Family Issues.
- Neglect.
- Abduction.
- Online Influence.

- Parental Separation/Divorce.
- Abuse by Caregivers.
- Peer Pressure.
- Lack of Basic Needs.
- Trafficking/Abduction/Organ Harvesting.
- Bullying.
- Mental Illness.
- Domestic Violence.
- Drug Abuse.
- Discrimination.
- Shopping malls.

1.9 SAFETY MEASURES THAT CAN BE TAKEN TO AVOID A CHILD GOING MISSING:

By child	<ul style="list-style-type: none"> • Be careful when around and/or when talking to strangers. • Report suspicious persons to a trusted person and any authorized institution. • Children should give information about their whereabouts every time and avoid going on lonely adventures. • Know the names and telephone contacts of parents/guardians. • Knowing offices, one can seek help. • Walk in groups. • Avoid going to unfamiliar places alone. • Avoid bad company and influence. • Learn good decision making. • Appreciate the socio-economic background. • Listen to and respect parents' decisions. • Scream when a stranger takes you by force.
By parents	<ul style="list-style-type: none"> • Leave children under the care of people that can be trusted to offer the best care for their children. • Should know where their children are always. • Use tracking devices. • Ensure children know their details (such as names, telephone number, etc). • Avoid sending children to unknown places. • Provide basic needs. • Educate children on the dos and don'ts when abducted. • Offer advice on what to do on social media. • Do not send children on errands at night. • Create awareness on how to solve problems faced at home. • Create a plan of action-teach your child what to do or where they could go if they got lost or when taken from home or school by unknown persons. • Give your child a password or coded message when sending someone to pick them up from school.

By the Community	<ul style="list-style-type: none"> • Transport sector - have the correct drop-off points. • Assist a child who is stranded. • Protection / Security is a communal responsibility. • Provide required assistance in locating a lost child. • Speak out if they spot an incident. • Offer help when a child is lost. • Put time limits for children to be out of their homes. • Security guards to be careful and not let children out of the compound unaccompanied.
By the Government	<ul style="list-style-type: none"> • Develop guidelines on missing children. • Create awareness on missing and found children. • Directorate of Children Services to train the community on child safeguarding ethic codes. • Police to follow up on the reported cases. • Give mentorship Programs to the children. • Provide security. • Act quickly in missing children's cases. • Ensure the children's rights are protected. • Clear information and truthful information should be given to the police early enough. • Create child-friendly messages on safety.
By Teachers	<ul style="list-style-type: none"> • Parent-teacher communication channels need to be strengthened. • Educate children against talking and taking lifts from strangers. • Always know who has picked a child from school. • Offering guidance and counseling to children who run away due to family issues. • Make sure the children are safe within the school. • Find out from other children where the child is. • Educate the children on harmful websites which they should not visit. • Create awareness on how to prevent children from going missing and what to do when it happens. • Teach children skills on how to identify their home areas and landmarks.

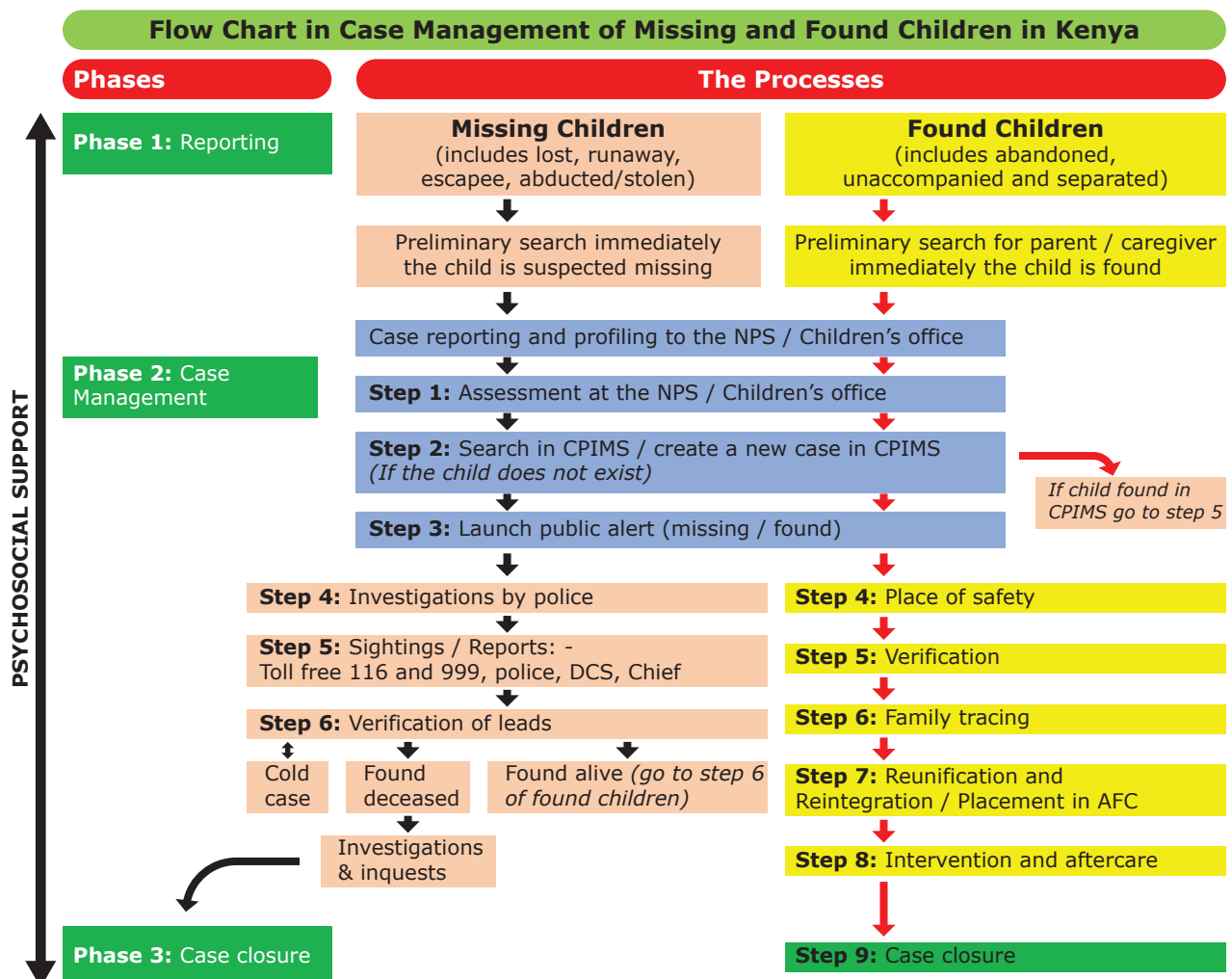
SECTION 2



2.0 CASE FLOW FOR MISSING AND FOUND CHILDREN

This chapter outlines the steps to be taken when handling missing and found children.

Figure 1: Flow-chart illustration on missing and found children in Kenya.



2.1 THE MISSING CHILD

The case flow process for missing children is a structured approach designed to ensure that every effort is made to locate and safely return the child. This process involves several steps, each of which plays a crucial role in the overall strategy. These steps can be followed independently or concurrently, allowing for flexibility and adaptability depending on the unique circumstances of each case.

STEP 2.1.1 PRELIMINARY SEARCH

1. Immediate Action:
 - Begin by searching the child's home to ensure they are not hiding or asleep in a concealed spot.
2. Visit Frequent Locations:
 - Conduct physical visits to places the child often goes to, such as **schools, churches, and playing fields.**
3. Contact Acquaintances:
 - Reach out to **neighbors, teachers, classmates, extended family members, and friends** who might have information about the child's last known location or plans.
4. Community Resources:
 - Inform **Nyumba Kumi leaders** (community watch) and local authorities to widen the search efforts.
5. Documentation:
 - Keep a record of all the places visited and people contacted for future reference and to avoid duplication of efforts.
6. Professional Assistance:
 - If the child is not found, promptly contact the police, and file a missing child report.

STEP 2.1.2 REPORTING

A Missing Child report should be made to the nearest police station/ post/ administration police, police patrol bases, community leadership, area Chief, and Children's Office. Reports can also be made by calling the following Toll-Free lines: **116, 999, 112, 0800 223344, or 0800 722 203.**

The report should be registered immediately and there should be no waiting period. The incident should be **recorded in the Occurrence Book (O.B.)** and **an OB reference Number** be given to the person reporting. A similar report should also be made to the nearest children's office. The following information should be provided to the Police and Children Officer:

- Child's name.
- Date of birth.
- Date, time and location the child was last seen.
- What the child was wearing last.
- Description of a child (i.e., complexion, body stature and structure).
- Recent photograph.
- Medical history.
- Any previous history of going missing.

- Spoken languages.
- Person last seen with.

STEP 2.1.3: SEARCH/CREATE NEW CASE IN CPIMS

The missing child case is recorded in the case register and the case record sheet (hard copy) which is subsequently uploaded to the Child Protection Information Management System (CPIMS). If the child's case exists in the CPIMS, it will either be active or inactive; -

- **Active cases** mean the case is still open and the child is still missing.
- **Inactive case** means the case has been closed. This brings about two scenarios, that either the child has been found or the case has progressed to the alternative care options such as being placed in an institution or with an available caregiver.
- If no data or case is found in the system about the minor, the children's officer will create a new missing child's case using the *case record sheet and Missing & Found Children Report Form*.

STEP 2.1.4: THE LAUNCH OF A PUBLIC ALERT

A missing child alert will be generated and shared using the agreed channels as indicated in the protocol section. **(Section 5)**

STEP 2.1.5: INVESTIGATIONS BY THE POLICE

The investigating officer using protocols laid out by the national police service will investigate the missing child case. Any added information or leads must be relayed to the investigating officer. There should be continuous information sharing and engagement between the police, children officer and family of the missing child.

STEP 2.1.6: SIGHTINGS, REPORTS AND VERIFICATION OF LEADS

When dealing with cases of missing children, sightings and reports play a crucial role in the search and recovery efforts.

Below is a structured approach to handling sightings and reports.

1. Receiving Sightings and Reports

- Establish a dedicated hotline, email, or online platform for receiving sightings and reports of missing and found.
- Ensure accessibility and confidentiality to encourage individuals to come forward with information.

2. Prioritization

- Prioritize sightings and reports based on factors such as reliability, proximity to the child's last known location, and urgency of the situation.
- Allocate resources and workforce accordingly to follow up on high-priority sightings promptly.

3. Coordination with Authorities

- Collaborate closely with other relevant authorities to investigate sightings and reports effectively.
- Share information and coordinate efforts to ensure a unified and coordinated response.

4. Field Investigation

- Deploy trained personnel to conduct field investigations in areas where sightings have been reported.
- Conduct thorough searches and interviews with eyewitnesses or individuals who may have relevant information.

5. Community Engagement

- Engage with the local community to gather additional information and support in verifying sightings and reports.
- Encourage community members to remain vigilant and report any suspicious or relevant observations.

6. Follow-Up and Monitoring

- Maintain regular communication with individuals who have reported sightings, providing updates on the progress of the investigation.
- Follow up on any leads or developments arising from verified sightings, ensuring no potential clues are overlooked.

7. Documentation and Analysis

- Document all verified sightings and reports, including the actions taken and outcomes of the investigation.
- Analyze patterns and trends in sightings to identify potential areas of focus and inform future search strategies.

8. Public Awareness

- Raise public awareness about the importance of reporting sightings of missing children promptly and accurately.
- Educate the community about common indicators of child exploitation or trafficking to enhance vigilance and reporting.

9. Family Support

- Keep the family of the missing child informed about any sightings or reports received, providing them with updates and reassurance.
- Offer emotional support and assistance to the family throughout the investigation process.

10. Verification of leads

- Verify the credibility of each sighting or report through thorough investigation and fact-checking. Gather detailed information about the sighting, including the location, time, description of the child, and any accompanying individuals or vehicles.
- Any sightings of the missing child need to be reported through the available communication channels. This can be done through a direct report to the police station/children's office.

STEP 2.1.7 MISSING CHILDREN CASE OUTCOME

A missing child case may have three (3) outcomes.

A. Found alive.

- **Section 2.2** provides guidelines for handling found children.

B. Found dead:

- Once a child is found deceased, the investigating officer/children officer should ensure that the family is informed and receives psychosocial support.

- Necessary investigations should be done by the Police to ascertain the cause of death. An alert on the deceased child should also be generated and shared on the various agreed channels. The parents have responsibility and right to bury the child as per the Children Act, 2022, section 31(2)c,vii.

Presumption of death

The Evidence Act gives an allowance for a court process where families can apply for presumption of death orders. It states that, "Where it is proved that a person has not been heard of for seven years by those who might be expected to have heard of him if he were alive, there shall be a rebuttable presumption that he is dead.

C. Child Not found (Cold Case/long term Missing Child)

- A missing child case is long-term, when all the substantive leads have been followed.

The Children Officer may; -

- Refer the affected relatives to a professional counselor.
- Frequently check in with charitable children's institutions.
- Follow up with the investigative officer for updates
- Update added information as it surfaces in the CPIMS and maintain contact with the child's family.

The investigating officer should:

- Keep in touch on a routine basis with the family of the child.

STEP 2.1.8 CASE CLOSURE

Missing children's investigations that have no leads and are inactive will remain open as cold cases until new leads appear. A missing child's case will remain pending in the CPIMS until the status changes from missing to found. A children officer can close a case on the following grounds:

1. After the child has been found, reunited/ reintegrated; or
2. Death of a child.

2.2 FOUND CHILD

When the child is located, the children's Officer should work in a well-coordinated manner to reunify the child with the family or caregiver. Where this is not possible; the child should be reintegrated in the most suitable family or community-based care. In instances where the child returns on their own the parents or caregivers must inform the police to terminate the search.

STEP 2.2.1 ASSESSMENT

Upon the recovery of a missing child, an initial assessment is crucial to ensure their immediate safety and well-being. This assessment should be conducted promptly and with sensitivity, considering the potential physical and emotional trauma the child may have experienced. The following steps outline initial assessment process:

1. Location and Circumstances

- Determine where and how the child was found.
- Gather information about the circumstances leading to their recovery, including any witnesses or individuals involved.

2. Physical & Emotional Wellbeing

- Assess the child's physical condition for any signs of injury, illness, or distress.
- Provide immediate medical attention if necessary, prioritizing any urgent medical needs.
- Evaluate the child's emotional state and psychological well-being.
- Offer reassurance and comfort, allowing the child to express their feelings and experiences at their own pace.

3. Identification

- Confirm the child's identity through appropriate means, such as verifying personal details or matching identification documents.
- Look for any identification or personal belongings that may help identify the child or provide clues about their parents or guardians. This could include a school ID, a backpack with a name tag, or a piece of clothing with a label.

4. Interview and Documentation

- Conduct a preliminary interview with the child to gather information about their experiences during the period of disappearance.
- Document the child's account of events, including details about their whereabouts, activities, and interactions during the time they were missing.

5. Safety Planning

- Develop a safety plan tailored to the child's specific needs and circumstances, including measures to prevent further harm or risk.

6. Support Services

- Offer immediate support services to address the child's physical, emotional, and psychological needs.
- Provide access to counseling, therapy, or other specialized support services as appropriate.

STEP 2.2.2 PRELIMINARY SEARCH FOR CHILD'S PARENT / GUARDIANS / CAREGIVERS

1. Depending on the nature of the found child case, a preliminary search for the child's relatives is vital. This can be done by contacting neighbors, teachers, classmates, extended family members, friends, Nyumba Kumi leaders, and any other person who may know the child.
2. Conduct a search of the immediate area where the child was found, looking for any adults who may be searching for a lost child or who could provide information about the child's identity.
3. Check local missing persons databases and reports for any matches with the child's description.
4. Collaborate with law enforcement agencies to cross-reference the child's information with existing missing persons cases.
5. Reach out to nearby hospitals, schools, shelters, and childcare facilities to inquire if they have any information about the found child or their family.

STEP 2.2.3 DOCUMENTATION

- The initial child assessment and preliminary search for the caregiver should be documented as this increases the chances of finding the caregiver/guardian within the shortest time possible but also helps in the verification during the reunification process.
- Document all findings, assessments, and actions taken during the initial assessment process.
- The Children's Officer will search for the child's case in the Child protection Information Management System. If the child's case is found in the system, the children officer will initiate the reunification and reintegration process depending on the nature of the case; If no existing case is found in the system, the children officer will create a new missing child's case using the Case Reporting Form for Missing and Found Children.

STEP 2.2.4 REPORTING & INVESTIGATIONS

- The found child incident should be reported to the nearest police station and **recorded in the Occurrence Book (O.B.)** and an **OB reference Number issued**.
- The investigating officer should Initiate search /investigations for the child's parents or guardians.

STEP 2.2.5 LAUNCH OF A PUBLIC ALERT

- An alert for the found child will be generated and shared using the agreed channels as indicated in the protocol section. **(Chapter 5)**. The role of the children officer will be to collect feedback on the alert, analyze feedback arising from the alert and report verified leads to the police where necessary.

STEP 2.2.6 PLACEMENT OF THE FOUND CHILD

- If the caregiver/guardian is not immediately found, the child may be placed in alternative forms of care which is a place of safety. In instances the family of a child may be immediately identified then the verification process takes place and the child reunified.

STEP 2.2.7 FAMILY TRACING AND VERIFICATION OF RELATIVES FOUND

- Verification will take place when the information of the child has been matched with that of the parents or adult caregiver. This process helps avoid reunifying a child with a wrong family and prevent instances of child abuse and trafficking.
- An identification form for both the adult and child should be developed.
- The parent / primary caregiver will be required to supply the Investigating Officer with:
 - Their photo and that of another family member are known to the child;
 - Their identification card/documents;
 - Child's identification document (e.g., birth certificate/ notification or any other);

- Letter from area chief or an authorized officer confirming the relationship between the parent/guardian and the Minor; and/or
- A DNA test will be conducted where necessary.

STEP 2.2.8 REUNIFICATION, & REINTEGRATION

- This shall be a recourse the family was not the genesis for the child to go missing.
- A family conference should be coordinated by a children officer to ensure the child smoothly transitions back to its family.
- The push and pull factors that led to the child going missing need to be addressed.

STEP 2.2.9 PSYCHOSOCIAL SUPPORT AND AFTERCARE

- Psychosocial support to address distress is encouraged in all stages.
- Parents of missing children need psychosocial support as they may feel isolated, unsupported and vulnerable while some may experience physical shock.
- When a Child is found, they may require psychosocial support before reunification and reintegration.
- A found child must be able to receive basic needs including medical examination, legal aid, and psychosocial support before, during and after placement.
- If the child is in a place of safety, a care plan will be developed to ensure the promotion of the child's care and eventual reintegration with his/her family or placement into alternative family care.
- Where a child has been immediately reunified with its family, after care will involve continuous psychosocial support, long term medical treatment (where applicable) and provision of services and linkages.

STEP 2.2.10 MONITORING AND FOLLOW-UP

- This process involves regular monitoring, reviewing, and obtaining regular feedback on the wellbeing of a child.
- The Children Officer/ Authorized Officer should follow up on the case until they are satisfied the child is free from any risk.
- Follow-up can take place through home visits, phone calls, emails, and visits to the service provider. Case conferences can be convened at this stage to assess whether goals and objectives have been attained depending on the nature of the case.

STEP 2.2.11 CASE CLOSURE

A found child's case is closed once the children's officer has ensured that the reintegration process is complete within a sustainable family care option and the child is happy and safe.



SECTION 3

3

3.0 CASE MANAGEMENT FOR MISSING AND FOUND CHILDREN

This section outlines the case management of the various categories of missing and found children.

3.1 MANAGEMENT OF RUNAWAY AND LOST CHILDREN

1. Conduct an initial search for the missing child.
2. Report the incident to the nearest National Police Service officer.
3. If the case is reported to other authorized officers, one should ensure a referral is made to the National Police Service (NPS).
4. The National Police Service should generate an Occurrence Book (OB) number and file a missing child report.
5. The Investigating officer should link the case to the nearest children's officer.
6. The assigned children's officer completes the **Missing Child Report (MCR) / Case Reporting Form** for Missing and Found Children form with input from the caregiver/guardian, detailing information about the missing child for serialization within the Child Protection Information Management System (CPIMS).
7. The children's officer should collaborate with the police and caregiver/guardian to share the finalized detailed missing child profile with relevant agencies, communities, and media.
8. The Investigating Officer should carry out investigations, follow leads and sightings, while continuously updating the children's officer with the latest information.
9. Upon locating and rescuing the child, the IO/ children officer should carry out the initial assessment to establish the status of the child.
10. The children's officer proceeds with appropriate steps in case management and makes deliberate efforts to refer the caregivers/guardians, siblings of the missing child, and close friends of the missing child for psychosocial support.

3.2 MANAGEMENT OF ESCAPEES AND CHILDREN MISSING FROM CARE

Section 163 to 165 of the Children Act (2022) provides for the management of escapee children and those missing from care. The following steps should be taken:

1. Carry out a preliminary search for the missing child.
2. Report to the police and obtain an OB number.
3. The Children officer fills out the Missing and Found Children Report (M&FCR).
4. The report is uploaded and serialized in CPIMS.
5. Inform key people including family and the surrounding community.
6. Initiate physical search within the surroundings.
7. Maintain continuous investigation/ search.
8. Lodge with the Court, a written notice of the child's escape within a period not exceeding one month; and
9. The Children officer shall notify the Secretary Children Services within 24 hours of the knowledge of the child's disappearance as provided for in section 162 of the Children Act 2022. Upon sighting of the child, he/she may be apprehended without warrant and taken before a Children's Court having jurisdiction in the place where he was residing immediately before he ran away to be dealt with in accordance with section 157.

3.3 MANAGEMENT OF STOLEN / ABDUCTED /KIDNAPPED CHILDREN

Managing cases involving stolen/abducted/kidnapped children requires a coordinated and multifaceted approach that prioritizes the child's safety, well-being, and rights while working towards their recovery and reunification with their family:

1. Immediate Response

Report the case to the nearest police station/police post and obtain an OB.

2. Safety Assessment

The investigating officer and /or Children officer should Conduct a safety assessment to determine the level of risk to the child's well-being.

3. Notification and Alert Systems

The investigating officer and or children's officer should notify relevant authorities, including child protection services, and international organizations if applicable, to facilitate coordinated efforts in locating the child.

4. Public Awareness Campaign

The children officer/ Investigating officer should launch a public awareness campaign to mobilize the community in the search for the stolen child. Utilize media channels, social media platforms, and community outreach initiatives to disseminate information and appeal for assistance.

5. Investigation

The investigating officer should initiate an investigation into the circumstances surrounding the child's abduction.

The IO should gather evidence, interview witnesses, and collaborate with law enforcement agencies to identify and apprehend the perpetrators.

6. Inter-agency Collaboration

The IO/children officer should establish collaborative partnerships with various stakeholders, including law enforcement agencies, child protection services, government authorities, and non-governmental organizations (NGOs), to leverage resources and expertise in the search and recovery efforts.

7. International Cooperation

If the abduction involves crossing international borders, engage in diplomatic efforts and collaborate with international law enforcement agencies and organizations to facilitate the child's recovery and repatriation.

8. Support Services

The children officer should link the family and the child to comprehensive support services. This includes counseling, legal assistance, and medical care.

Address the emotional and psychological needs of the child and their family throughout the recovery process.

9. Reunification

- a. The IO and Children officer should facilitate the safe and supportive reunification of the stolen/abducted/kidnapped child with their family.
- b. They should provide ongoing support and assistance to the family in transitioning back to normalcy and addressing any trauma or challenges resulting from the abduction.

10. Legal Proceedings

The IO should pursue legal action against the perpetrators of the abduction/kidnapping, ensuring accountability for their actions and seeking justice for the child and their family.

11. Prevention Measures

Child protection stakeholders should implement preventive measures, such as improved security protocols, community education programs, and child protection initiatives, to reduce the risk of child abduction and enhance the safety of children in the community.

In custody disputes leading to child abduction within families, the following protocol should be observed:

1. Report the incident to the nearest police station or post office to obtain an OB (Occurrence Book) number for official documentation.
2. Inform the local children's officer, who will complete a case record sheet to document the details of the situation.
3. The suspected family member may be summoned to the Directorate of Children's Services for mediation and arbitration regarding custody and access matters.
4. If no resolution is reached through mediation, the case may be escalated to court for legal adjudication.
5. If the children's officer determines that the safety of the children is at risk, temporary placement in a secure facility or charitable children's institution may be arranged until court proceedings on custody issues are conducted.
6. If the whereabouts of the children remain unknown, officers will complete the Missing and Found Children Report (M&FCR) form and initiate procedures like those employed in cases of stolen children.

3.4 MANAGEMENT OF LOST AND FOUND, UNACCOMPANIED AND SEPARATED CHILDREN

When a missing child is found the following step should be taken.

1. Report the case to the nearest authorized officer (child/gender desk/chief) who should report to the nearest police station.
2. An Occurrence Book reference number is generated.
3. The Children Officer will coordinate the process of conducting comprehensive assessment of the child and link the child with a fit person or a place of safety.
4. The Children Officer and Investigating officer will check existing missing Children databases. If the child is found, the children officer will contact the family and the process of family reintegration will commence. If not found in the existing database, the children officer will fill in the M&FCR form.
5. The Children Officer will open a Care and Protection file in court seeking committal orders to a charitable child institution.
6. A found Children alert will be generated.
7. Psychosocial support should be given to the found children
8. Upon locating a found child, the parent/guardian reunification /reintegration process should commence.

3.5 MANAGEMENT OF ABANDONED CHILDREN

After the child has been identified as abandoned, the following steps should be taken:

1. The child is taken to the nearest Police station.
2. The Police documents the case in the Occurrence Book and an OB number is generated. An IO is assigned to the case. The police should issue an initial letter (valid for six months) stipulating the circumstances surrounding the recovery/rescue of the abandoned child, citing the OB Number under which the matter was documented and the status of the investigation. (Copies are given to the children officer).
3. The children officer /police refer the child to a medical facility for medical assessment and treatment.
4. The children officer refers the child temporarily to a place of safety. [The Children's Officer documents and uploads the case on the CPIMS for serialization.]
5. The launch of a public alert of the found child by the children's office. [Collect feedback arising from the alert, analyze feedback received from the alert and share the information with the IO for prioritization and verification of leads.]
6. The children officer opens a Care and Protection file at the Children's Court indicating the circumstances of the recovery/rescue, status of the child and makes applications for committal orders.
7. The Children officer and the IO assigned conduct interviews with the community to gather leads on the parents/family of the child.
8. The children officer to develop and discuss a suitable care plan for the child with a fit person for purposes of placement.
9. A second police letter will be generated by the IO to notify the children officer the child's parents/ family has been found/not found.



SECTION 4

4

4.0 STAKEHOLDER ROLES AND RESPONSIBILITIES

This section covers the roles and responsibilities of stakeholders.

4.1 INTENDED USERS AND DUTY BEARERS

These guidelines are intended for use by child protection practitioners, relevant government authorities, civil society organizations, community leaders, and institutions responsible for the care and protection of children. The following are the intended key users and duty-bearers:

a. Government Agencies

- Ministry responsible for Children Affairs
- Ministry responsible for Health
- Ministry responsible for Education
- Ministry responsible for Immigration
- Ministry responsible for Labor
- Ministry responsible for Foreign Affairs
- National/Principal Registrar
- Child justice agencies (Judiciary, Police, Prisons, Probation & After Care)
- Attorney-General's Office
- Director of Public Prosecutions
- Registrar of births and deaths.
- National Government Administrative Officers
- Ministry Responsible for ICT
- Communication Authority of Kenya
- Ministry responsible for Transport
- National Council for Children Services
- County Governments
- Street Family Rehabilitation Trust Fund
- Child Welfare Society of Kenya

b. Non-State Actors	<ul style="list-style-type: none"> • National and international non-governmental organizations (NGOs) • Faith-Based Organizations (FBOs) • Community-Based Organizations (CBOs). • Childcare providers • CCI staff • Health/social workers • Centers for children with special needs • School fraternity • Statutory children Institutions.
c. Community	<ul style="list-style-type: none"> • Children • Parents/caregivers • Community elders • Community opinion leaders • Child protection volunteers and community health volunteers/ lay volunteers • Transport sector.
d. Private Sector	<ul style="list-style-type: none"> • Legal practitioners • Financial institutions • Business community • Media • Institutions of higher learning and research

4.2 ROLES AND RESPONSIBILITIES OF THE STAKEHOLDERS

4.2.1. CHILD

Children have a role in prevention and response to cases of missing and found children. Depending on the minors' age and evolving capacity: they should be able to: - -

- Memorize details of their personal and home particulars
- Report cases of other missing & found children through available reporting channels - Parent, Children's Office, Police, call 116.
- Provide accurate information to authorized officers if they are located as found children
- Report suspicious individuals to a trusted adult.
- Provide crucial information to aid in tracing missing friends or schoolmates. (e.g., who the child was last seen with, who are their best friends, who was with them, where they were heading, etc.

4.2.2. PARENTS, GUARDIAN, AND CAREGIVERS

The role of parents in managing cases of missing and found children is multifaceted and structured below.

1. Prevention:

- Educating children about personal safety, teaching them emergency contact information, and establishing clear communication channels within the family.
- Ensure that their children are aware of their surroundings and understand basic safety protocols, such as knowing how to ask for help if they go missing.

2. Immediate Response:

- Upon confirmation that the child is missing, conduct preliminary search in the vicinity of the place last seen missing.
- Report the child as missing to law enforcement authorities / Children office with the following details of the missing child:
 - Child's name.
 - Date of birth.
 - Area of residence.
 - Date, Time and location last seen.
 - What the child was wearing last.
 - Description of the child. i.e., complexion, body stature and structure.
 - Recent photograph.
 - Medical history.
 - Any previous history of going missing if any.
 - Spoken languages.
 - Person last seen with (if applicable).
 - Contacts of parent/caregiver.
 - Child's school.
- It is advisable to report within the first hours of discovering the child as missing.
- Provide detailed information about the child's appearance and last known whereabouts and cooperate fully with search and rescue efforts.
- Contact and share missing child information with known friends, neighbors, relatives, and community.
 - Visit locations that the child is known to frequent.

3. Coordination with Authorities:

- Parents should work closely with law enforcement agencies, missing children's organizations, and other relevant authorities to coordinate search and recovery efforts.
- They should provide any information or assistance requested by investigators and stay informed about the progress of the search.

4. Public Awareness and Advocacy:

- Parents can leverage their personal networks and social media platforms to raise awareness about their missing child and solicit support from the community.

5. Emotional Support:

- Prioritize self-care, seek support from friends, family, and professionals, and remain resilient in the face of uncertainty.

6. Reunification and Recovery:

- If a missing child is found, parents / caregivers are responsible for providing emotional support and reassurance to the child as they transition back into the family environment.
- They may also need to navigate legal and logistical challenges associated with the reunification process, such as coordinating with the children officer and accessing appropriate support services for the child's recovery.

4.2.3. NATIONAL POLICE SERVICE (NPS)

The National Police Service (NPS) will:

- Receive, and record cases of missing children in the occurrence book.
- Receive, record, and immediately contact the area children officer for care and protection of the found child.
- Circulate reports of missing and found children to other police stations/posts/ and patrol bases.
- Categorize the cases as either as High, Medium or Low Risk (Annex 1).
- Conduct investigation of missing children.
- In consultation with the complainant, periodically review the case based on agreed timelines and actions.
- Arrest, avail and charge perpetrators in court.
- Give evidence in court on cases involving missing children.
- Close the missing child case once the case is heard and determined.

4.2.4. MINISTRY OF FOREIGN AFFAIRS

In cases of missing and found children outside Kenya, it is the role of Foreign Affairs to:

- Effect the extradition process for the prosecution of the perpetrator(s) within the Kenyan jurisdiction.
- Strengthen collaboration between relevant stakeholders to address cross-border child rights violations.

4.2.5. DIRECTORATE OF CHILDREN'S SERVICES (DCS)

- Coordinate and supervise prevention and response of the missing children's programs among the multi-agency actors to ensure efficiency and effectiveness.
- Record all cases of missing children and found in the CPIMS.
- Generate and Disseminate reports and information regarding missing children in Kenya.
- Develop a national database for missing children.
- Develop (and/or improve existing mechanisms) for reporting missing children's cases by the members of the public such as but not limited to: USSD codes, mobile applications and websites.

- Conduct case management for missing children.
- Generate missing and found child alerts and circulate.
- Placement of rescued children in places of safety.
- Prepare Social Inquiry and progress reports on cases of missing and found children as requested by court.
- Prepare environmental adjustment reports before reunification and reintegration of children with families, fit persons.
- Provide psycho-social support services throughout the continuum of case management.
- Establish mechanisms for referral, linkages, and feedback.
- Awareness Creation on missing and found children.
- When intervening in a case of a missing child with disability the Children officer to work closely with the office of the National Council for Persons with Disabilities.

4.2.6. STREET FAMILIES REHABILITATION TRUST FUND (SFRTF)

The responsibility of the SFRTF in managing cases of missing and found children will include:

1. Create awareness campaigns to highlight the emergence of street families, the risks of living on the streets, child safety and issues relating to missing and found children.
2. Conduct rescue operations aimed at locating and assisting missing children who are living on the streets.
3. Coordinate rehabilitation programs for missing children who have been found on the streets to address their immediate needs.
4. Facilitate family tracing, family conferencing and reunification of missing children found on the streets with their families.
5. Offer psychosocial support and resocialization programs to help street children, particularly those who have been missing to reestablish healthy social connections and address trauma and other challenges they may have experienced.

4.2.7. SCHOOLS ADMINISTRATION

The school administration has a role to play when it comes to missing and found children. This includes:

1. Conducting monitoring of school attendance for all learners and inquire from or notify the parents/guardians in case of absentees.
2. Reporting identified cases of missing children to the nearest police station and children's office.
3. Creating awareness on missing children to parents and learners through existing mediums such as Parents Association, clubs and/or assemblies on prevention measures and reporting procedures within the school environment.
4. Providing of psycho-social support to victims and affected learners by creating safe spaces for counseling, debriefing, and reporting.
5. Circulating missing child posters on school boards.
6. Promoting Child Safeguarding by enhancing security within the school environment (beef up security by installing CCTV surveillance, security guards' visitors register, and a secured fence).

7. Developing a child protection and safeguarding policy for each school. The policy should put in place measures to ensure learners are safe while accessing and exiting the school premises.

4.2.8. MEDIA

- Raise public awareness of preventive and response mechanisms for missing children.
- Report incidents of missing children in a sensitive manner, putting into consideration the guiding principles in print and electronic media.
- Publish in local dailies and social media platforms on missing, lost, and found children to aid in tracing and reunification.
- Airing/ circulating alerts on missing children.

4.2.9. COMMUNITY

- Report to relevant authorities any case of unaccompanied/separated, lost, and missing children.
- Establish community mechanisms to keep the community environment safe for children by:
 - Setting aside and defining safe spaces for children to engage and play;
 - Having child community gatekeepers who will manage protective mechanisms for children; and identify suspicious individuals and activities that pose a risk to children;
 - Coordinating rescue of children in need of care and protection;
 - Intercepting, Intervening and reporting on cases of missing children;
 - Utilizing Nyumba kumi as platforms to report missing children;
 - Signing up for missing children alerts;
 - Facilitating and reintegration of found children back to the community; and
 - Providing psychosocial support services to recover missing children.

4.2.10. ALL NON-STATE AGENCIES

- Support law enforcement agencies and Children Officers with information relating to missing and found child/ren.
- Report cases of missing and found children.
- Support in family tracing, reunification, and reintegration /repatriation.
- Circulate and maintain the missing child's alerts in public.
- Collect and share missing children's data, research technology with DCS for data consolidation in the CPIMS.
- Implement prevention and response intervention for missing and found children.
- Create awareness on prevention and response of missing and found children.

4.2.11. HEALTH FACILITIES

- Provide medical testing and treatment for found children.
- Provide psychosocial support to rescued or found children.
- Compile and submit medical reports to court when required.
- Report cases of children who go missing at the facility to relevant authority.
- Provide leads in the investigations and tracing of missing children and or their families.

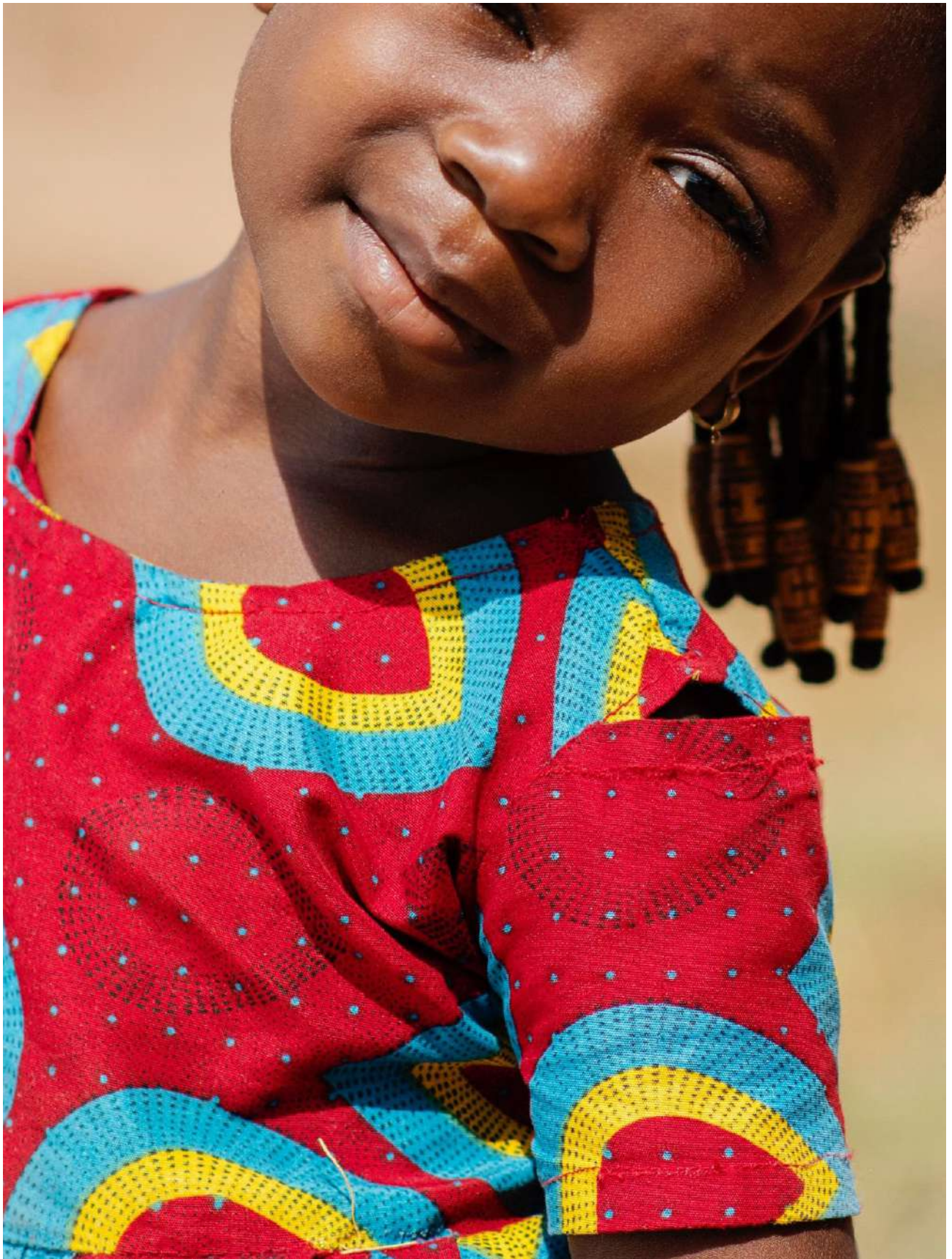
- Testify in court when required to.
- Create a system that promotes child protection and safeguarding within the health facility (e.g., CCTV cameras at the entrance of health facilities, identification systems for parents and children).

4.2.12. NATIONAL GOVERNMENT ADMINISTRATIVE OFFICERS

- Receive, record, and circulate cases of missing children.
- Report or refer reported cases of missing children to other relevant actors.
- Work with the NPS in investigating and providing crucial leads in tracing missing children.
- Rescue of missing children.
- Assist in identification, family tracing, reunification, and reintegration of missing children.
- Convene and conduct community awareness sessions on missing children.
- Share missing children alerts.

4.2.13. CARE CENTERS, CCIS AND SHELTERS

- Keep up-to-date registers of admissions and the referral points.
- Create awareness to caregivers and children on the issue of missing and found children.
- Encouraging children to report cases of missing children to the police upon receipt from the children's officers.
- Provide temporary care.
- Assist in family tracing and family reintegration.
- Follow-up through contacting the referral points.
- Offer psychosocial support to found children.
- Circulate and sign up for missing children alerts.
- Assist police with information that may aid in the investigation and prosecution of missing children.



SECTION 5



5.0 DATA MANAGEMENT AND PROTOCOLS FOR MISSING AND FOUND CHILDREN

Systematic handling and safeguarding of information related to children who are reported missing or have been found is important. This section defines the protocols for development and launch of a missing and found National Alert System.

5.1 MISSING AND FOUND CHILDREN NATIONAL ALERT MECHANISM

The information below should guide the launch of the alert/posters for missing and found children. The guidelines are not exhaustive and should be developed to respond to local needs and contexts.

5.2 CRITERIA FOR MISSING AND FOUND CHILDREN ALERT POSTERS

For an alert/ poster to be launched:

- 1. Confirmation of Missing Status:** The child's disappearance must be confirmed through a police report.
- 2. Confirmation of a found Child:** The details regarding a found child whose parent/guardians cannot be located must be confirmed, through a police / children's officer report.
- 3. Age and Vulnerability:** All missing and found children cases are eligible but cases involving younger children or those with special needs may be given higher.
- 4. Child details/information:** There should be credible information available about the missing child, such as a recent photograph, physical description, last known whereabouts, and any distinguishing features.
- 5. Parental/Guardian Consent:** Consent from the child's parent or legal guardian is required before launching a missing child poster.
- 6. Public Interest and Safety:** The decision to launch a poster campaign should consider public interest and safety concerns.

- 7. Timeliness:** Time is of the essence in missing children's cases, so the decision to launch a poster campaign should be made promptly after the child's disappearance is reported. The date when the alert is issued should be included in the poster.
- 8. Resources and Support:** Sufficient resources and support should be available to coordinate and sustain the poster campaign effectively, including distributing posters, managing tips and leads, and providing support to the child's family.

5.3 DECISION MAKING PROCESS

To make sure the alert/posters is effective, the children's officer in partnership with police and other agencies will make decisions on whether to launch the alerts. The children officer should evaluate the following questions:

1. What is the risk to the child?
2. Is there enough information for the public to recognize the child and/or the adult(s) the child is with?
3. Is the media already covering the missing/found child story? If so, what will the effect of an alert be?

When a decision is made to launch an alert/poster, it is vital to indicate who should be contacted in case of sightings or when a child or caregiver is found. Protocols for these notifications should be developed in consultation with the multi-disciplinary team and periodically tested to ensure effectiveness.

5.4 RISK ASSESSMENT

The risk to the missing/found child is a critical part of assessing whether an alert should be issued. There must be an effective assessment process in place, and it must be carried out quickly. Refer to **Annex 1**.

5.5 REPORTING HELPLINES

The national reporting mechanism should allow the public to easily report a missing child and provide leads on the case. This can be done through a dedicated toll-free hotline and/or a simple website managed/maintained by DCS in partnership with law enforcement officers and CSO. The mechanism should enable real time updates of such cases to the CPIMS. The reporting mechanism also should provide educational materials/information to the public on the issue.

A unique telephone number for the alert should be provided to the public to use for passing on relevant information about the abducted/ missing/found child. The number should be predetermined and not changed after the launch of an alert, as it will help the public to associate the number with the alert.

The number may differ from the national emergency police number so that the call takers can easily differentiate the information received and provide priority to the alert.

National protocols should be established to ensure that any received information, whether through the national emergency police number or the unique alert number, is provided promptly to the investigation team.

Issuing an alert/poster is likely to result in a high volume of calls from the public. The volume will vary from county to county and may depend upon public perception of the risk to the missing child and the seriousness of the case. The call handling system must be sufficiently robust and staffed by enough personnel to be able to intake and prioritize all calls.

If social media is used to distribute alerts, it is important to consider a mechanism that can help monitor social media sites and prioritize any leads received.

5.6 DISSEMINATION METHODS/DATA DISTRIBUTION

The ability to disseminate alerts in the most efficient manner possible is desirable to avoid duplicative data entry.

A data distribution system should include disseminating photos and vital information through:

1. Websites and social media platforms;
2. Registered distribution lists via email;
3. Corporate partners displaying the information on TV screens, bulletin boards, other information screens, service vehicles, etc;
4. Information communication technology centers;
5. Community and/or mainstream media (i.e., radio stations, newspapers); and/or
6. Public meetings, i.e., chief's barazas.

Social media postings of missing children should observe platform safety rules, consider data privacy and extended user responsibility of keeping the posts up to date. In cases where the last person to be with the minor is known and is suspected to be involved in the disappearance of the said minor, a detailed description of both the missing child and the suspect is relayed well through the distribution platforms for them to be recognized by the public.

When a parent/guardian makes a missing child report they should be made aware that information relating to the child will be published widely in the best interest of the child, especially during the tracing process. This practice is protected under *S. 33(4) of the Data Protection Act, 2019*.

Parents/guardians or caregivers need to be notified on:

- Why the information needs to be shared;
- What information is being shared;
- What the information will be used for; and
- What the implications of sharing information are.

5.7 ALERT MESSAGE

The alert message should be short and precise. Ideally, the message should include the following information, if available:

1. The missing / found child's name.
2. Age of the child.
3. Where the child was last seen.
4. What the child was wearing.
5. Whether the child is in the company of an adult and a description of the adult.
6. Any special needs considerations if stated in the intake report. (medical, unique identifier e.g., birthmarks or scars);
7. Contacts of the organization making the alert or of the area Police Station; and
8. The date when the alert is issued.

The goal of the message is for the public to be able to identify the child and/or the person the child is with by the information provided in the message. Thus, it is important for the message to include unique identifiers to help the public. A photo of the child, the person they are with, and/or the vehicle will assist tremendously.

The alert message should include the specialized phone number for. Due to security and fraud concerns of the contact details of the parents or guardians of the child, it is advisable not to list their contacts unless they insist, and it is done with prior explanation to them of the risks and consequences.

The alert message requires periodic review and if necessary, updating when new pertinent information has been gathered to help recover the missing child. The frequency of updating the alert may depend on individual case needs. It is also advised to create a deactivation message to alert the public to stop searching for the child and to inform them of any outcome.

5.8 RIGHT TO ERASURE FROM DIGITAL FOOTPRINT

The best interest of the child should be considered throughout the investigation, including when deciding whether to launch an alert. Measures should be put in place to help remove, where possible, any electronic footprint of the alert and the information disseminated along with it. The continuing presence of that information in a public forum can be detrimental to the child later in life. Extended user responsibility of the agency that issues the alert is required in the case that the digital footprint of the alert is indelible. This means publishing an updated poster of the child's status shall still consider privacy concerns.

5.9 AFTERCARE

It is important to consider how the found child is taken care of once they have been found and what steps might be needed to support them and their family. The nature of the incident that led them to being the subject of an alert, and the elevated level of publicity that they have received, can have a profound impact on their lives. The involvement of the DCS is of benefit for follow-up and connection and or referral to psychosocial support.

5.10 CROSS BORDER ISSUES

The setting up of communication, written protocols, and collaboration with neighboring law enforcement authorities in case the missing child travels to the neighboring country is key. If the neighboring country does not have an alert system in place, or the case does not fall within their alert criteria, it is advised to have other resources available to help in the recovery of the abducted/ missing child.

5.11 REVIEW PROCESS

It is necessary to conduct a debriefing or a review of the alert and the investigation to understand what worked, what did not and gather the lessons learned for future events. The process should be composed of all stakeholders involved in the alert (media, transportation ministries, nongovernmental organizations, technology companies, etc) and be impartial. The goal is to make the alert system stronger and more effective.

5.12 TRAINING

Training is an integral part of the success of an alert system. It should be conducted at the outset to assist all stakeholders involved with understanding the alert system and their responsibilities. On-going training can help build awareness of new dissemination mechanisms as well as new protocols which have been put in place in addition to training new personnel. Training should also be made available to the different stakeholders to help strengthen the collaboration among them as well as minimize any confusion over responsibilities.

5.13 ENGAGING THE PUBLIC IN SEARCH OF MISSING AND FOUND CHILDREN.

The critical elements to be considered when engaging the public in search of missing and found children are given in the table below.

Element	Considerations
Consent	Receive the consent to distribute information from the appropriate authority.
Risk Assessment	Determine the level of risk the missing child is in. Determine if the distribution of information will increase the risk to the missing child.
Child's Safety and Privacy Concerns	Preserve the child's safety and best interests as a primary concern.
Information Provided	Provide information to the public that can help in the recovery.
Geographical Dissemination	Determine the geographic boundary of disseminating the information.
Distribution Mechanisms	Establish various distribution channels – online and offline – to reach the public.
Closure and Removal of Information	Control the dissemination of information and remove all information once the child has been found.

SECTION 6



6.0 PREVENTION AND RESPONSE STRATEGY FOR MISSING AND FOUND CHILDREN

A prevention and response strategy for missing and found children is essential for safeguarding children's well-being, protecting their rights, and ensuring a swift and coordinated response in times of crisis.

The DCS should coordinate the development of a comprehensive prevention framework which is integrated into all relevant areas and practices. The creation of this framework should be guided by a clear understanding of the issues of missing and found children as well as the effects of the experience on the children and their family.

Ideally, a prevention framework should include a variety of core components including:

- A public awareness campaign to promote increased awareness and inform the community of available services and resources.
- An educational and awareness campaign delivered to students and educators throughout schools at all levels.
- All agencies should prioritize cases of a missing child, both in policy and practice; and take immediate action.
- Collection and dissemination of data on missing children to inform policies, legislation, and programming.
- Training for border officers and other law enforcement on indicators of abduction and trafficking, including victim and perpetrator profiles.
- Judicial mechanisms/tools such as custody orders, protection orders and safekeeping of passports by a neutral party. These tools can help prevent and deter parental child abduction.
- Public awareness campaigns inform adults and children of potential risks through the development of targeted safety materials such as poster campaigns, reading materials and educational games.

- It is helpful for all parties involved, from private industry and civil society to the law enforcement agencies, to form a collaborative approach and provide a consistent prevention message to the community. These materials should offer tips to parents and children on how to stay safer and avoid harm, including basic safety practices such as not opening the door for or accepting gifts from strangers, giving out personal information on the telephone or internet, or approaching vehicles on the street.
- In addition, parents should be encouraged to maintain up-to-date information and identification of their children, including medical and dental records (whenever possible), Government issued documents, photographs, etc. If available, fingerprint records and biological samples also may be collected.
- Parents should help their children to memorize their full name and home address, the parents' full names and contact information, and any other relevant emergency resources. Additional tips can be tailored to address specific areas of concern such as runaways, online grooming, trafficking, parental abduction, and other issues.

SECTION 7



ANNEX 1: CASE CLASSIFICATION

The cases of missing children are classified into three (3) categories, namely: High, Medium and Low risk.

HIGH RISK

A missing child incident will be prioritized as **High Risk** where:

- The risk of serious harm is assessed and there are substantial grounds for believing that the child is in danger;
- The Child is below the **age of 14 years**;
- The child is a special needs child; and
- The child may have been a victim of serious crime.

The high-risk category requires the immediate deployment of Police resources. There should be a media campaign to find the missing child.

The family should be given psychosocial support to overcome the trauma. It is important to use or involve the community structures in the search for the missing child.

MEDIUM RISK

A missing child incident would be prioritized as **Medium Risk** where:

- The child **is over 14 years old**, and the risk of harm to the child is assessed as likely but not seriously posed is likely to place the subject in danger or the child is a threat to self or others.

This category requires an active response by police and other agencies to trace the missing child and support the person reporting. This will involve a proactive investigation and search in accordance with the circumstances to locate the missing child as soon as possible.

LOW RISK CASES

Under this category, a Low Risk missing child case refers to instances where the child is reported missing, but **the circumstances suggest that they are unlikely to be in immediate danger**. Such cases might involve children who have run away from home, are with non-custodial parents or relatives without permission, or are otherwise believed to be in a situation where they are not facing imminent harm.

However, it's important to note that even in these cases, swift action is usually taken to locate the child and ensure their safety.

ANNEX 2: CHILDREN WITH DISABILITY CONSIDERATIONS

A disability may fall under the following categories:

1. Blindness
2. Low vision
3. Leprosy Cured Persons
4. Hearing Impairment
5. Locomotor Disability
6. Short Stature
7. Intellectual Disability
8. Mental Illness
9. Autism Spectrum Disorder
10. Cerebral Palsy
11. Muscular Dystrophy
12. Chronic Neurological Conditions (e.g. Neuromuscular disease, Multiple sclerosis, Epilepsy, Stroke)
13. Specific Learning Disabilities
14. Multiple Sclerosis
15. Speech and Language Disability
16. Thalassemia
17. Hemophilia
18. Sickle Cell Disease
19. Multiple Disabilities including deaf blindness.
20. Acid Attack Victims
21. Any other physical, sensory, mental, or other impairment, which impacts adversely on social, economic, or environmental participation.

The behavioral traits attributed to missing children with disability are as follows:

1. The children tend to “wander” or “elope”.
2. The children sometimes tend to seek small, enclosed spaces which may be overlooked during initial searches.
3. Some of them may elude or hide from searchers.
4. Some children have a diminished sense of fear.
5. They may be unable to respond to search teams.
6. The children can be very resilient.
7. Unique behaviors (no two children are alike).
8. The children may have specific interests (e.g. active roadways, road signs, trains, fire trucks).
9. The children tend to seek bodies of water.
10. Some children may walk long distances – far exceeding search perimeters established by law enforcement and search teams.

Some of the specific recovery strategies for missing children that may be adopted include:

1. Elevated responding and reporting of lost / missing children with disability.
2. Taking heed of the actions of the first responders for the safe recovery of the child.
3. Timely conducting search for the missing child within water bodies found in the vicinity to "head the child off."
4. Attempting to contain the child in a specific area.

ANNEX 3: CASE REPORTING FORM FOR MISSING CHILDREN

DIRECTORATE OF CHILDREN SERVICES MISSING CHILDREN REPORTING (MCR) FORM

This form should be filled whenever there is a case of a Missing Child

SECTION A – REPORTING DETAILS

*CPMIS CASE ID	*Date of Reporting:	*Date Missing:
*Last place seen	Last person with	Last time seen
*Police Station:	*OB Number:	Reporting Agency:
*Reported by:	Relationship with the child	*Contact
*Case category <i>Missing</i>	*Case Subcategory: <input type="checkbox"/> Lost <input type="checkbox"/> Endangered Runaway <input type="checkbox"/> Parental Abduction <input type="checkbox"/> Abduction <input type="checkbox"/> Escapee <input type="checkbox"/> Stolen <input type="checkbox"/> Missing from institution of care (tick appropriate)	
Additional Comments		

SECTION B – DETAILS OF THE CHILD

* First name	Surname	Other Names	Alias		
*Sex:	Date of Birth DD/MM/ YYYY	Age	*Race..... Nationality..... Ethnicity		
*Home particulars Country	County	*Sub County	*Ward	Location Drop	Village
Child in School <input type="checkbox"/> Yes <input type="checkbox"/> No		Grade / Class / Form	*School name	Teacher's Name	Teacher's Contact cell phone no
Languages spoken	Weight (kg)	Height (cm)	Religion (Christian, Islam, Asian, indigenous, Rastafarian, specify option)		
Hair color/ Style Hair texture	Complexion <input type="checkbox"/> light <input type="checkbox"/> medium <input type="checkbox"/> dark	Hobbies	Distinguishing body marks		
*What was the Child wearing when last seen? (Type of clothing and color, label, specs, shoes)					

SECTION C – *DETAILS OF THE PARENTS/GUARDIANS/ CAREGIVER

Name	Sex	Relationship	ID No.	Residence	Telephone	Occupation

Who has the actual custody of the child:

- ☐ Mother
- ☐ Father
- ☐ Both Parents
- ☐ Other (Specify)

Who has legal custody of the child?

- ☐ Mother
- ☐ Father
- ☐ Both Parents
- ☐ Other (Specify)

SECTION D – CIRCUMSTANCES OF SEPARATION

Missing in Company of:	<input type="checkbox"/> Suspect:	Name		<input type="checkbox"/> Parents:
	<input type="checkbox"/> Siblings:	<input type="checkbox"/> Relative:	<input type="checkbox"/> non-relative:	<input type="checkbox"/> stranger:
Missing from:	<input type="checkbox"/> Home	<input type="checkbox"/> School	<input type="checkbox"/> CCI	<input type="checkbox"/> SCI
	<input type="checkbox"/> Foster family	<input type="checkbox"/> medical facility Other Specify		
Status of case at reporting:	<input type="checkbox"/> new case	<input type="checkbox"/> found	<input type="checkbox"/> Active	<input type="checkbox"/> inactive
	<input type="checkbox"/> repeat incidence			
Whereabouts of the child:	<input type="checkbox"/> Location Unknown	<input type="checkbox"/> Location Known	<input type="checkbox"/> Case under review	

Case Summary/ Additional Information

Follow Up Notes on Any New Leads and Updates

	Date:
	Date:

Additional Notes

SECTION E – CASE CLOSURE DETAILS

<input type="checkbox"/> Child Found	<input type="checkbox"/> Child Found Deceased	<input type="checkbox"/> Exit After Attaining the Age of 18	<input type="checkbox"/> Cold Case
Date of Closure	Sub county officer	Sign	Stamp
IMPORTANT INSTRUCTIONS <p>The completed Missing Children Report Form should be signed by the parent/ guardian along with the applicable enclosures to the:</p> <p>Department of Children Services Child Protection Section (Missing Children) P.O Box 462015 – 00100, Nairobi, Kenya.</p>		APPLICABLE ENCLOSURES <p>Current Photograph of the missing child (passport size and full size if available)</p> <p>Copy of birth certificate and Police OB details.</p>	
<p>Please notify DCS as soon as possible after the location of the child has been determined.</p> <p>PARENT / GUARDIAN / SIGNATURE</p>			
<p>I, the undersigned, confirm that the information provided herein is truthful and request that said information and enclosed photograph(s) be published and circulated by any method subscribed to by the investigating agency or the Department of Children Services (DCS), which includes, but is not limited to, dissemination to the public, other law enforcement agencies, hospitals, social services, children's shelters, medical examiners and/or other agencies involved with missing persons.</p>			
<p>I agree to notify DCS and the investigating agency of any updated, new, or additional information concerning the missing child and/or his whereabouts and of any changes to my address or telephone number.</p>			
Printed Name of Parent / Guardian		Signature	Date
Signature		Designation	
Date			

ANNEX 4: CASE REPORTING FORM FOR FOUND CHILDREN

DIRECTORATE OF CHILDREN SERVICES MISSING CHILDREN REPORTING (MCR) FORM

SECTION A – FOUND CHILD REPORTING FORM

This form is to be filled whenever there is a case of a found child

Case No:		Date of Reporting:		Date child was found:	
Police Station:		OB Number:		Reporting agency	
Reported by		Relationship with the child		Contact	
Case Type	<input type="checkbox"/> Found alive <input type="checkbox"/> Found dead <input type="checkbox"/> Additional comments:				

SECTION B – FOUND CHILD DETAILS

Name of Child	First name	Surname	Other Names	Nickname
Sex		Date of Birth	DD/MM/YYYY	Age
Child in School	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> [] N/A	School Name		Class
School Contact				
Nationality		Ethnicity	Languages spoken	Religion
Race				
Height (cm)		Weight (kg)		Hair color/Style Hair texture
Complexion	<input type="checkbox"/> light <input type="checkbox"/> medium <input type="checkbox"/> dark		What was the Child wearing when last seen?(type of clothing and color, label, specs, shoes)	

Hobbies		Distinguishing body marks	
Disability	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> [] N/A	Type of Disability	
Medical history		(dental description, braces, tinted)	

SECTION C – HOME PARTICULARS OF THE CHILD

Country:	County	Sub-County:	Location:
Ward	Sub-Location	Village/ Estate	

SECTION D – PARENTS /CAREGIVER PARTICULARS

Relationship: Father (F), Mother (M), Caregiver

Name	Sex	Relationship	ID No.	Date of Birth	Telephone	Occupation
		F / M / G		dd/mm/YYYY		
		F / M / G		dd/mm/YYYY		
		F / M / G		dd/mm/YYYY		

Who is the primary caregiver of the child:

- ☐ Mother
☐ Father
☐ Both Parents
☐ Other (Specify) _____

SECTION E – CASE DETAILS

Found in Company of	<input type="checkbox"/> Suspect <input type="checkbox"/> Parents <input type="checkbox"/> Siblings <input type="checkbox"/> Relative <input type="checkbox"/> Non-relative <input type="checkbox"/> Unknown <input type="checkbox"/> Alone
	Name

Place found	<input type="checkbox"/> Home <input type="checkbox"/> School <input type="checkbox"/> CCI <input type="checkbox"/> SI <input type="checkbox"/> Foster Family <input type="checkbox"/> Other Specify _____	
What are the immediate needs of the child		
Who was living with the child at the time he/she found		
Case Summary / Additional Information		
Follow ups		Date:
		Date:
Case Disposal		Date:

SECTION F – INSTRUCTIONS

IMPORTANT INSTRUCTIONS The completed Found Child reunification/ placement Form should be signed by the parent/guardian along with the enclosures to the: Directorate of Children's Services Child Protection Department (Missing Children) P.O Box 462015 – 00100, Nairobi, Kenya.	APPLICABLE ENCLOSURES <input type="checkbox"/> Parent National Id Card <input type="checkbox"/> Police reporting OB details <input type="checkbox"/> Photos of child and family
Signature	Designation
Date	

ANNEX 5: MISSING AND FOUND CHILDREN ALERT POSTERS

Option 1	Option 2
MISSING CHILD ALERT	MISSING CHILD ALERT
(Photo of the Child 1 clear colored full size photo)	(Photo of the Child 1 clear colored full size photo)
HAVE YOU SEEN THIS CHILD?	HAVE YOU SEEN THIS CHILD?
*Name: Baby James (alias toto)	*Name: Baby James (alias toto)
*SEX: Male	*SEX: Male
*Age when child went Missing:	*Age when child went Missing:
*Current Age:	*Current Age:
*Place Last Seen:	*Last Seen: (Place and Time)
*Date when child went missing	Child in Company of: (Mother/ Father/ Aunt/stranger)
Child in Company of: (Mother/ Father/ Aunt/stranger)	Description: (Distinguishing features, Special needs, what the child was wearing)
Description: (Special needs, what the child was wearing)	
IF YOU HAVE INFORMATION ABOUT THIS CHILD, CALL 116 , OR CONTACT (.....) POLICE STATION, (.....) SUB COUNTY CHILDREN'S OFFICE Indicate police & children office that handled the case. DIRECTORATE OF CHILDREN'S SERVICES	IF YOU HAVE INFORMATION ABOUT THIS CHILD, CALL 116 , OR CONTACT THE NEAREST POLICE STATION OR SUB COUNTY CHILDREN'S OFFICE DIRECTORATE OF CHILDREN'S SERVICES
Option 3	
FOUND CHILD ALERT	
(Photo of the Child: Colored Passport size)	
Help bring me Home	
*Name: Baby James (alias toto)	*SEX: Male
*Age when found:	Current Age:
*Place where found: (Place and Time)	
Description: (Special needs & and any other information)	
IF YOU HAVE INFORMATION ABOUT THIS CHILD, CALL 116 , OR CONTACT THE NEAREST POLICE STATION OR SUB COUNTY CHILDREN'S OFFICE DIRECTORATE OF CHILDREN'S SERVICES	

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Source: International Missing Center for missing and exploited children.

