

# Guidance for working with families of missing people

*Missing People is a UK charity providing a lifeline to missing children and adults and the families they leave behind. This guidance is aimed at professionals that come into contact with families of missing people looking to deal with practical matters, including staff of financial institutions, advisory organisations and legal service providers.*

## Background

Every year approximately 250,000 people are reported missing to agencies across the United Kingdom. Whilst fortunately the majority are found within a relatively short space of time, some remain missing for weeks, months or years, and leave behind families unsure as to what has become of their loved one.

The reasons as to why a person may go missing are varied and diverse. Some may have gone missing intentionally, perhaps to escape a stressful situation, while others may have gone missing as victims of crime. For those who go missing intentionally, there are often multiple factors involved in their decision to leave.

## What do families of missing people experience?

One of the most significant challenges for families is the absence of resolution, and the idea that they may never know what has happened to their relative. Agonisingly, this does not get easier for most and, for many, the pain worsens as time passes.

For the family left behind it may seem there are no tangible reasons for the disappearance, especially if the missing person's life seemed stable or if their disappearance is out of character.<sup>1</sup>

## Why might families of missing people approach professionals?

In addition to the emotional trauma these families face, they may also need or want to deal with their missing relative's practical, financial and legal commitments. This can be particularly pressing if the family depends on the missing person financially, or shares assets or liabilities with them, such as a mortgage. They may therefore ask professionals for help, advice or information as to how to approach these practical matters, which may relate to:

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<sup>1</sup> For more information on the experiences of families, please see Missing People's more detailed guide, 'An Uncertain Hope', at <https://www.missingpeople.org.uk/missing-people/professionals>.

- Banking
- Insurance
- Utilities
- Pensions
- Direct debits and standing orders
- Benefits
- Mortgages
- Presumption of death
- Their general legal position

The specific matters families may be looking to address here will vary, and may be influenced by several factors: their relative's circumstances, including finances and any dependants; how long their relative has been missing for; the circumstances of the disappearance; and any financial or legal connection they have to them.

For example, a few weeks after a disappearance a family may seek to freeze debits on the missing person's account; after a few months they may look to rearrange joint mortgage payments, and; after some years they may seek a grant of probate to be able to sell a jointly owned property. They may seek information or advice from a range of professionals in this time to help determine what their options are, in terms of what they are legally able to do, and when and how they can take action.

### **How should professionals approach working with these families?**

Unfortunately, there is currently no specific legislation which would enable families of missing people to obtain the legal right to manage a relative's affairs on the basis they are missing, leaving some grey areas.<sup>2</sup>

Therefore, the level of help that professionals can offer these families will very much depend on the issue the family is looking to address, what sector they work in, and any relevant legislation, policy and procedures – internal or external – that may or may not be in place. Many families will recognise this, and may have done some research before approaching professionals in particular sectors.

Whatever help professionals may or may not be able to provide, it is important that families are treated sensitively and that the information they are given is clear. It may also be helpful to give details of another person or organisation that may be able to assist them, if they still have outstanding questions or matters to address following their initial enquiries.

Throughout the time professionals work with families, it is also important that they respect a family's perception of a disappearance. Many will have beliefs as to what has become of their loved one, and whether they are alive or not. These may be fixed, or they may change over time, and individual family members may have different opinions. However it is important that professionals are sensitive to families' beliefs and follow legal processes which are appropriate in the circumstances.

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<sup>2</sup> For information on Missing People's policy work around managing a missing relative's affairs, see our briefing on Guardianship at <http://www.missingpeople.org.uk/policy-and-research/policy/policy>. Professionals can also contact the charity's Policy and Research team who would be pleased to see if they can be of assistance, on 020 8392 4566.

## Where can I get more information related to my profession?

If your office or headquarters does not have information around relevant policies or laws connected to working with families of missing people, it may be useful to talk to the body that represents your industry or sector in case they are able to offer advice or assistance.

Missing People also has a section on its website for some groups of professionals that may come into contact with families of missing people, including solicitors and the police, containing more tailored information for these groups. You can find this at <https://www.missingpeople.org.uk/missing-people/professionals>.

In addition, Missing People has guidance on its website that may be useful for some industries or sectors. Whilst this is written for families of missing people, it describes some areas of law connected to missing persons. For example, if you are a lawyer exploring presumption of death with a family in England and Wales, there is online information detailing the legal system in place. Family Guidance sheets can be found at [www.missingpeople.org.uk/familyguidance](http://www.missingpeople.org.uk/familyguidance).

## Where can I refer families for more help?

Professionals may be aware of appropriate organisations within their sector that may be able to help families with their questions. They are also welcome to refer families to Missing People for emotional support and to the charity's Family Guidance. The charity is open around the clock and can be reached by calling or texting **116 000** or emailing [116000@missingpeople.org.uk](mailto:116000@missingpeople.org.uk).

Whilst this information has been provided in good faith, it should not be taken as legal advice. For information tailored to your/ your client's circumstances, please contact the police, a solicitor or an advisory organisation as appropriate to your query.