

Research in Brief



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The Protection and Support of Missing Children and Disabled People: Key Issues and Improvement Options¹⁾

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While with the implementation in 2005 of the Act on the Protection and Support of Missing Children, a legal-institutional framework has been established for protecting and supporting missing children and adults with disabilities, no comprehensive assessment or analysis has been conducted on the protection-support system. The issue of missing children and disabled individuals is unlikely to attract sustained policy attention unless certain cases arise that capture public visibility. Thus, there is a need for increased institutional attention to the missing, as well as improvements and directional shifts in the protection-support system. While, pursuant to the Act on the Protection and Support of Missing Children, the protection-support system is administered under the dual control of the Ministry of Health and Welfare and the National Policy Agency, with detailed support tasks handled exclusively by the National Center for the Rights of the Child, there is a need for local governments to undertake increased roles and responsibilities. It is necessary to consolidate and coordinate the diverse duties undertaken by these distinct organizations in protecting and supporting missing children and disabled persons. In addition, efforts should be directed toward enhancing their expertise and fostering active collaboration among them in their mission.

1) This article a reworking of part of *A Study of Strategies for Improving Protection and Support for Missing Children and Others* (2023), commissioned by the National Center for the Rights of the Child and authored by Lim, Sung Eun et al.

Introduction: the need for improvements in protection and support for missing children and disabled persons

The Act on the Protection and Support of Missing Children (Act on Missing Children, for short), implemented in 2005, has laid the legal-institutional framework for preventing children and disabled individuals from going missing, locating them when they do go missing and protecting and supporting the families concerned. However, as the policy interest over the years has been mainly concerned with the prevention of disappearance and returning the missing home, the ‘Project on the Protection and Support of Missing Children, etc.’²⁾ has been carried out without undergoing any major changes. The project, entrusted by the Ministry of Health and Welfare to the National Center for the Rights of the Child, is being implemented for children aged 18 or younger and individuals with intellectual disability, autism, and mental disorder. As for dementia patients, there is a separate project run by the National Institute of Dementia.

The issue of missing children and disabled individuals is unlikely to attract sustained policy attention unless certain cases arise that gain public visibility. Furthermore, despite the need for improvement in certain areas of service delivery, the current system of protection and support of missing children and disabled persons remains largely unassessed.

The protection and support of missing children and disabled individuals is an undertaking involving the collaboration of different organizations. However, there are areas of work where understanding is lacking between involved organizations or where cooperation is not going well enough. Consequently, duplications and gaps in support and work may occur. This article examines the system that Korea has in place for preventing children and disabled persons from going missing and for protecting and supporting those among them who do go missing, identifies its key issues, and discusses implications for improving it.

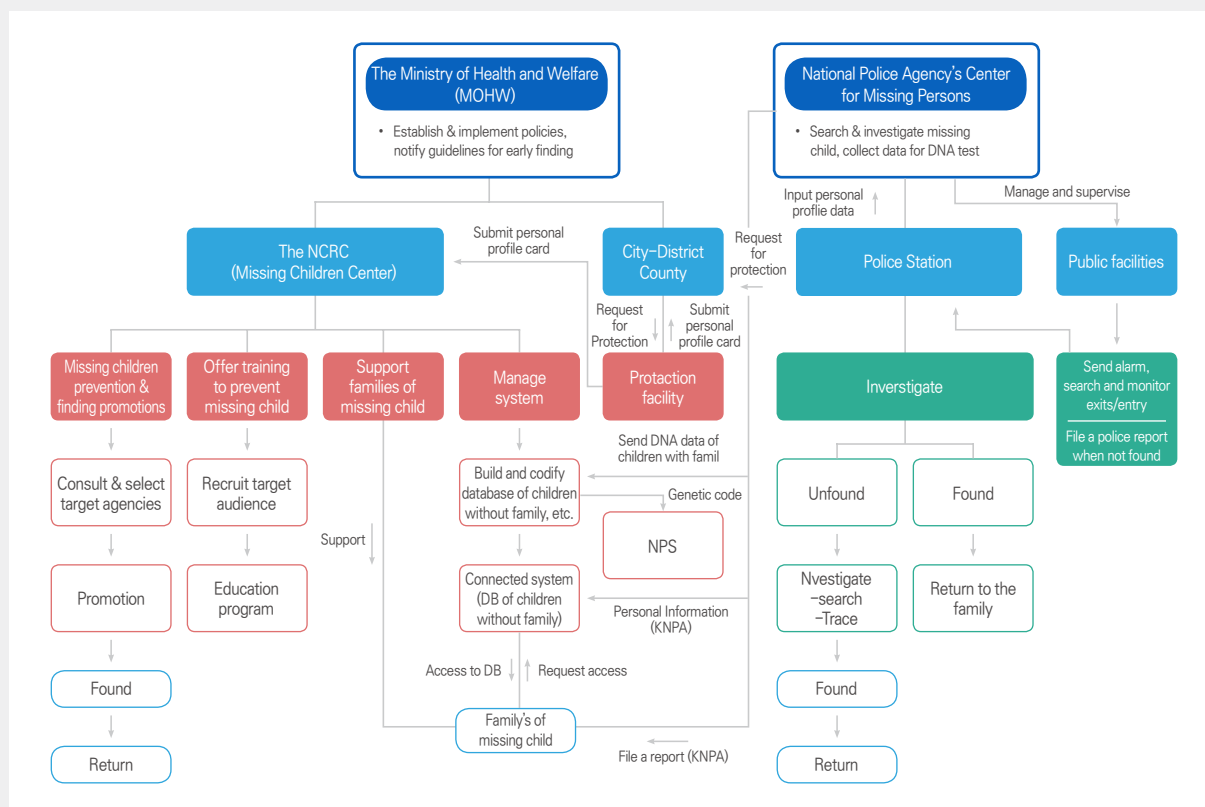
Protection and support for missing children and people with disabilities

Pursuant to the Act on Missing Children, the current system of protection and support for missing children and disabled people operates under a dual control structure, where the Ministry of Health and Welfare is responsible for making and implementing policies regarding it and the National Police Agency for investigating and tracking down missing persons and collecting genetic samples.

2) The terms used in this Act are defined as follows: <Amended on Aug. 4, 2011; Jun. 4, 2013>

1. The term “child, etc.” means any of the following persons:
 - (a) A child under the age of 18 at the time he or she goes missing;
 - (b) A person with an intellectual, autistic or mental disability, among persons with disabilities as defined in Article 2 of the Act on Welfare of Persons with Disabilities;
 - (c) Dementia patients under subparagraph 2 of Article 2 of the Dementia Management Act;
2. The term “missing child, etc.” means any child, etc. separated from his or her custodian due to any cause, such as abduction, enticement, desertion, accident, leaving home or getting lost;

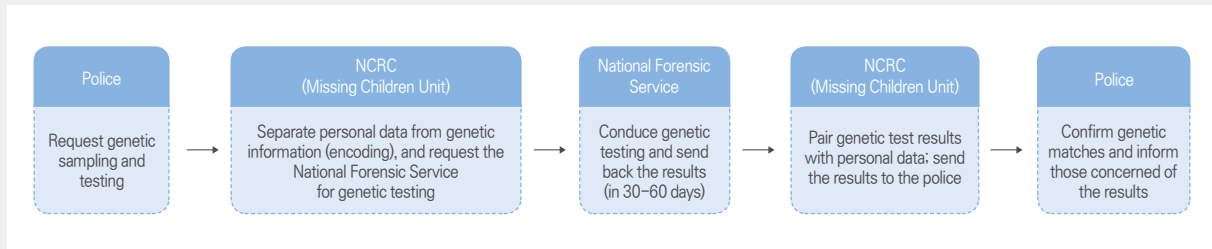
[Figure 1] The protection-support system for missing children and disabled persons



Source: "Initiatives Structure Chart". National Center for the Rights of the Child. www.missingchild.or.kr/english/cms/MS00B.do

The protection-support system requires collaboration across organizations. The NCRC's role encompasses delivering education and raising awareness around protecting children and disabled persons, locating missing persons and returning them home, supporting families of the missing, assisting in the procedure of genetic testing, managing a database on the results, and conducting research on the status of missing persons. Local governments are responsible for entrusting the protection of any child or disabled person found with no known family to a protection facility within their jurisdiction. They are also responsible for designating such protection facilities annually and overseeing their operation. Protection facilities and mental care institutions are tasked with providing shelter and care for children and disabled individuals without known family ties. They are also responsible for documenting their profiles and sharing them with the appropriate local government and the NCRC. The National Forensic Service as a research arm of the National Policy Agency conducts genetic testing and provides the results, as illustrated in Figure 2.

[Figure 2] A procedural chart for the management of genetic information on missing children and others



Source: Discussion Material (2023) from the Missing Children Unit, National Center for the Rights of the Child.



Current status of missing children and disabled persons

Recent years have been marked by an increasing rate of early detection of missing children. The number of reports filed for missing children and disabled persons has declined since the enactment of the Act on Missing Children and subsequent policy implementation until before it began rising in 2021. The number of open cases has been kept below 10 every year since 2018 except 2022.

[Table 1] Reported cases of missing children and disabled persons, 2018~2022

(number of cases)

		2018	2019	2020	2021	2022
Children (under 18 when gone missing)	Filed	21,980	21,551	19,146	21,379	26,416
	Closed	21,911	21,412	19,054	21,257	26,357
	Open	1	2	4	5	58
Individuals with intellectual disabilities, autism, or mental disorders (without age stratification)	Filed	8,881	8,360	7,078	7,166	8,344
	Closed	8,873	8,353	7,089	7,168	8,337
	Open	7	8	6	7	29

However, as of December 2022, there were a total of over 1,000 children and disabled persons who remained missing long-term. Notably, the rate of long-term missing has been consistently higher among children than among disabled persons for over 20 years. Of the 981 individuals who went missing before the age of 18 and remained missing long-term, 869 (87.6 percent) were missing for over 20 years. By comparison, of a total of 201 long-term-missing disabled persons, 70, or 34.8 percent, were missing for over 20 years.

[Table 2] Long-term missing children and disabled persons (2022)

(number of cases, %)

	Overall	Missing for less than 1 year	Missing for 1~5 years	Missing for 5~10 years	Missing for 10~20 years	Missing for over 20 years
Children (under 18 when gone missing)	981(100.0)	58(5.9)	12(1.2)	12(1.2)	40(4.1)	859(87.6)
Individuals with intellectual disabilities, autism, or mental disorders (without age stratification)	201(100.0)	29(14.4)	28(13.9)	19(9.5)	55(27.4)	70(34.8)

 Source: National Policy Agency (2023). https://www.index.go.kr/unity/potal/main/EachDtlPageDetail.do?idx_cd=1610

In 2004, the use of genetic testing was introduced to better locate children and other people who went missing. This genetic testing program collected DNA samples from a cumulative total of 39,248 people up until the end of 2022, gradually reuniting 437 missing children and 254 missing persons with disabilities with their families.

[Table 3] Number of genetic samples taken; number of individuals returned home (~2022)

(number of cases)

	Number of genetic samples taken			Returned home		
	Total	Missing children etc.	Families of the missing	Total	Children	Disabled persons
~2017	33,829	30,969	2,860	479	305	174
2018	1,015	822	193	58	38	20
2019	1,717	1,322	395	49	26	23
2020	797	540	257	44	29	15
2021	740	508	232	36	23	13
2022	1,150	885	265	25	16	9
Cumulative total	39,248	35,046	4,202	691	437	254

A personal information registration system has also been implemented to ensure that missing persons are promptly found. As of the end of the year 2022, a total of 4,773,256 children under 18 and younger and 104,641 adults with disabilities were registered on the system with personal data such as fingerprints and facial images. The cumulative rate of fingerprint registration for children under 18 has increased year after year, from 47 percent in 2018 to 65.8 percent in June 2023. As of the end of April 2022, the cumulative fingerprint registration rate for people with intellectual disabilities, autism, or mental disorders was 28.8 percent.

[Table 4] Number of children and disabled persons with their personal information registered (fingerprints, etc.)

	Cumulative	2018	2019	2020	2021	2022
Children under 18	4,773,256	469,152	317,586	191,758	264,211	309,330
Individuals with intellectual disabilities, autism, or mental disorders (no age stratification)	104,641	8,807	3,385	2,093	4,125	3,961

Source: National Center for the Rights of the Child; National Policy Agency. 023, <https://www.data.go.kr/data/15037740/fileData.do>



Key issues to consider

- ◆ *There is no systematic collaborative relationship established between local governments and protective facilities.*

Local governments and protective facilities have no units or staff members dedicated to work concerning missing persons. This makes collaboration between them difficult. As a result, the procedure by which local protective facilities go about the protection of missing children and disabled persons and the associated managerial and supervisory roles expected of local governments, both specified in the Act on Missing Children, remain difficult to execute. Despite the fact that tasks concerning missing children and disabled persons require collaboration, most of the entities concerned are found unaware of the ‘Project on the Protection and Support of Missing Children, etc.’ While the Ministry of Health and Welfare’s Guidebook of Child-Related Programs offers guidelines for protecting and supporting missing children and others, local governments and protective facilities often lack awareness of these guidelines. Moreover, that the NCRC plays the role it does in protecting and supporting missing children and disabled persons is not widely recognized, with many mistakenly assuming that handling missing persons cases mostly falls to the police.

The Act on Missing Children defines a missing child as “any child separated from his or her custodian due to any cause such as abduction, enticement, desertion, accident, leaving home, or getting lost.” However, this definition is less than well recognized among local government authorities and protective facilities concerned. The concept of ‘going missing’, generally understood as a situation where there is no one requiring protection or support as long as the whereabouts of the person in question remain unascertained, has received little interest even within the discourse of the child protection system.

- ◆ *There are gaps in the efforts to prevent disabled persons from going missing.*

As the expertise of the NCRC lies more in the field of children than in persons with disabilities, tasks aimed at protecting and supporting individuals with intellectual disabilities, autism, and mental disorders have been less actively pursued. Persons with disabilities have been often regarded as excluded from the scope of the ‘Project on the Protection and Support of Missing Children and Others’,

as evidenced by the naming of the ‘Act on Missing Children’ and the team assigned by the NCRC to work on missing persons, the ‘Missing Children Unit’, where, in both cases, ‘disabled person’ is conspicuously absent. In addition, the Ministry of Health and Welfare’s annual Guidebook of Welfare Projects on Persons with Disabilities lacks any sections dedicated to programs concerning the protection and support of missing children or persons with disabilities. Moreover, local governments often lack units or staff members specifically tasked with addressing cases of disabled persons going missing, leading to limited collaboration with the NCRC.

The programs currently run by the NCRC to prevent disabled persons from going missing are centered on providing location trackers. However, current circumstances make it difficult to expand the variety of programs targeting disabled persons, particularly those living in homes, who outnumber their facility-residing counterparts. Statistics on missing persons with disabilities, collected and managed by the National Police Agency, are released without age specificity. This makes it difficult to identify how many of missing children are with disabilities.

◆ *There are duplications in programs administered by different organizations.*

The NCRC’s work includes education on the prevention of individuals from going missing as well as turning out the necessary instructor workforce. However, there are several other expert organizations dedicated to safety education and programs aimed at preventing individuals from going missing. In addition, while some local governments and developmental disability centers, like the NCRC, provide location trackers to prevent disabled individuals from going missing, they often lack awareness of potential duplications in their efforts in this regard.

◆ *The separate management of genetic information and personal data has been pointed out as a source of work delays and inefficiencies.*

According to the Act on Missing Children, the NCRC is responsible for separating genetically-tested individuals’ genetic information from their personal information and subsequently combining the two. The procedure involves the NCRC, at the request of the police for genetic testing, separating the genetic information from the personal information, keeping only the latter, and sending the genetic data to the National Forensic Service for analysis. Upon receiving the genetic analysis results, the NCRC pairs them with the individual’s personal information and submits the combined information to the police. Such procedures, adopted shortly after the implementation of the Act on Missing Children to address public concerns about the misuse and abuse of individual genetic and personal information, have, however, been criticized for causing delays and inefficiencies in the workflow. Consequently, there has been a persistent viewpoint advocating that, now that control is primarily enforced through relevant regulations, consideration should be given to simplifying procedures by entrusting the National Forensic Service with the management of both personal data and genetic information, while ensuring strict adherence to legal provisions. However, as opinions remain mixed on this matter, any changes must be preceded by amendments to relevant regulations.

◆ *Information is lacking on the support programs available for families of missing persons.*

Neither the Ministry of Health and Welfare's Guidebook of Child-Related Programs nor the website of the NCRC provide sufficient information about what support programs are available for families of missing persons and how one should apply for them.

◆ *The Child Policy Coordinating Committee's functions remain limited.*

The Act on Missing Children provides that concerning missing children, the Committee is responsible for consolidating and adjusting the duties of the Ministry of Health and Welfare and the National Police Agency. The Committee should work, according to Article 10, "to formulate an overall policy for children, coordinate opinions among relevant ministries and agencies, and supervise and appraise the implementation of such policy." However, in addressing the issue of going missing, the Committee lacks expertise beyond child-related matters.

◆ *Cases of going missing as a policy matter have become deprioritized.*

Korea's national policy measures for preventing and responding to cases of children and disabled persons going missing, operating under the Act on Missing Children, have revolved around search and investigation led by the National Police Agency. Additionally, as efforts to support and protect missing children and disabled persons have in recent years been increasingly entrusted by the Ministry of Health and Welfare to private entities, the NCRC has seen a decline in its missing-related budget and workforce. Furthermore, in current practice, once a child or disabled person is reported missing, the police handle the case, resulting in reduced reliance on local governments and protective facilities for missing-related tasks.



Concluding remarks

◆ *The current situation, where, pursuant to the Act on Missing Children, detailed assistance tasks for the protection and support of missing children and disabled persons are assigned exclusively to the NCRC, necessitates that local governments assume increased roles and responsibilities.*

In the long term, as the NCRC continues to support efforts in preventing individuals from going missing, conducting status research, and providing evidence for policymaking, there is a need for a community-based support system with the police and local governments tasked with responding to incidents of going missing and supporting families of those who are missing.

◆ *Local governments must designate a unit or individual officers to take on work on missing children and disabled persons.*

As missing children are part of children subject to protection, municipalities of different tiers may consider tasking their child-related divisions with work pertaining to missing persons, including

providing support for their families. If child-related divisions take charge of tasks concerning both missing children and disabled persons, then they must be ensured to work in collaboration with disability-related divisions. Even if these divisions remain separate, each handling their respective responsibilities, they must still exchange information regarding missing children and disabled persons and the status of their ongoing efforts. The NCRC will need to regularly inform and update relevant municipal officers of ongoing projects aimed at protecting and supporting missing children, utilizing publicity materials created in accordance with the Act on Missing Children and the Ministry of Health and Welfare's Guidebook on Child-Related Programs. It is also important that the Ministry of Health and Welfare's annual Guidebook on Disability-Related Programs includes services aimed at protecting and supporting missing children and that the term 'going missing' includes getting lost, deserted, being left without a known guardian, and running away from home.

◆ *Local governments must have increased control and supervision of efforts to protect and support missing children and disabled persons.*

The Ministry of Health and Welfare should conduct annual assessments to ensure that protective facilities, as defined in the Act on Missing Children, that shelter missing children or disabled persons are designated by and under the oversight of relevant local governments. Local governments must be given the authority to designate temporary shelters for missing children and disabled persons, even from the existing pool of adolescent welfare facilities. This would require agreements with the Ministry of Gender Equality and Family, which has jurisdiction over adolescent welfare facilities. Local governments need to stay updated on new cases of missing children and disabled persons and ensure that the facilities housing them comply with the requirement to fill out a personal information card for every missing person in their care and submit it to local authorities. For administrative efficiency, consideration may be given to shifting the method of registering such information to one of typing it into a unified system.

◆ *Collaborative ties must be built with safety education agencies and disability-related organizations.*

Additional programs can be developed for individuals with intellectual, autistic, or mental disabilities, whether they reside at home or in facilities. These programs may include issuing identification tags for disabled individuals and emergency response cards for their guardians and families. Attention should be given to developing education materials on preventing individuals from going missing, taking into account the different characteristics of children of different ages and of people with various types of disabilities. These education materials, along with prevention and response guidelines for parents and guardians, should be developed and delivered in collaboration with safety education agencies.

◆ *It is time to take steps to coordinate the separate duties of handling genetic information and personal data.*

In the short term, the first step is to initiate discussions to raise awareness among relevant organizations of the necessity of consolidating and coordinating their responsibilities and consider establishing and running a task force group to deliberate on how to proceed thereafter. In the longer

term, after consensus has been reached with sufficient discussion, steps should be taken toward amending laws as a preliminary to changing the procedures around genetic testing. Concerning as these issues are to the families of the missing and the organizations concerned, this process must involve public hearings and inputs from experts and stakeholders.

◆ *Families of missing individuals need enhanced access to information about available support.*

The Ministry of Health and Welfare's two annual guidebooks, one on child-related programs and the other on disability-related ones, should include information about available support programs and instructions on accessing them that parents or guardians can readily refer to for immediate action in the event that a child or disabled person under their care goes missing. Additionally, the NCRC may consider putting together a separate booklet that serves the same purpose and distributing copies of it to public organizations and facilities having to do with children and disabled persons. Families of individuals who have been missing for extended periods would require significant support, particularly in terms of psychological care. The parents of long-term missing individuals, who are likely to be in old age in many cases, may also need financial support for the treatment of any physical conditions they might have. Decisions regarding the eligibility, benefit level, coverage, and duration of such support must be made so that it is kept equitable with other comparable programs. In the long term, regulations will need changing so as to allow local governments to deliver assistance and support directly, not via a package disbursement by the NCRC, to families of missing individuals—children and disabled people—within their localities.

◆ *An incorporated committee is needed.*

The current Child Policy Coordinating Committee is inherently limited in its capacity to coordinate the duties of the various organizations involved. The situation requires consideration be given to establishing a committee of experts from a wide variety of fields, capable enough to discuss various issues concerning missing children and disabled persons—search, investigation, protection, and support altogether in an incorporated manner.

◆ *Surveys should be conducted regularly on the status of missing children and disabled persons, and the findings thereof should be reflected in policymaking.*

The Act on Missing Children stipulates that surveys be conducted on the status of missing children and other missing individuals. While status surveys have been taken on missing children in 2015 and 2021, it could be considered conducting them regularly, every three or five years, so that the findings are reflected in overall policymaking concerning the missing. There is a need to also conduct secondary analyses on the collected data and reconstruct the questionnaires so as to enable time-series comparisons across regular surveys. In addition, data on disabled persons should be released in an age-specific format, distinguishing those under 18 from adults, to help identify closed and open cases of missing children with intellectual disabilities, autism, or mental disorders.