



Missing Persons Legislation

Public Engagement

Government of
Northwest Territories

Introduction

The National Inquiry into Missing and Murdered Indigenous Women and Girls highlighted the need for legislation related to missing persons in Canada. Here in the Northwest Territories (NWT), many residents know someone or know of someone who has disappeared in their family or community. It is traumatic to have a loved one go missing and it takes a lot of courage and resilience to live through (and to relive) this experience.

In the Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls, Call for Justice number 5.8 calls upon provinces and territories to adopt legislation related to missing persons. As of March 2022, such legislation has been enacted in Saskatchewan, Alberta, Nova Scotia, Manitoba, British Columbia, Newfoundland, and Ontario. Yukon's *Missing Persons Act* received assent in 2017 but is not yet in force.

Time is of the essence when a person goes missing. When police begin a missing person investigation, they often have no reason to suspect that a crime has been committed and therefore cannot obtain a production order under the *Criminal Code* or otherwise compel parties to release personal information about the missing person. Legislation provides mechanisms so police can access information more quickly and efficiently when conducting a missing person investigation. Most legislation in Canada related to missing persons provides for court orders that allow police to access records related to, and to enter premises to search for, a missing person.

In many jurisdictions, legislation also allows police in certain situations to make emergency demands for records without a court order, for example, if it is suspected that records may be destroyed or that a missing person may be harmed during the time that would be required to obtain a court order. When an investigation spans more than one jurisdiction, having similar legislation across provinces and territories can help police work together more effectively to locate a missing person.

The Government of the Northwest Territories (GNWT) is committed to responding to the Calls for Justice of the National Inquiry, and the Department of Justice intends to put forward legislation on missing persons during the 19th Legislative Assembly.

The development of legislation related to missing persons for the NWT will be based on findings from a comparative analysis of legislation related to missing persons across Canada, feedback from NWT residents, as well as best practices in policing, the protection of victims and those at risk of being victimized, and access to information and the protection of privacy. Canada has three levels of police services: municipal, provincial, and federal. The proposed legislation will also recognize the unique northern context of the NWT, including the fact that the majority of policing services related to missing persons investigations in the NWT is done by Canada's national police force, the Royal Canadian Mounted Police (RCMP).

Have Your Say

This engagement paper and survey provide an opportunity for all residents of the NWT to share feedback to assist the GNWT Department of Justice with developing missing persons' legislation. Partners and stakeholders will also be contacted directly by letter to provide input on this topic.



NWT residents can participate in an [online survey](#) or share their views on legislation related to missing persons by email or mail (a printable version of the survey is available [here](#)). The online survey is anonymous and should take about 5-10 minutes to complete. The survey will be open until **July 25, 2022**.

In addition to the online survey, NWT residents can share their views on legislation related to missing persons by email at HaveYourSayDOJ@gov.nt.ca or by mailing:

Policy and Planning Division
Department of Justice
Government of the Northwest Territories
PO Box 1320
Yellowknife, NT X1A 2L9

To speak to someone with the Department of Justice regarding this engagement, please call 867-767-9250, ext. 82022. The engagement results will be shared with the public in a *What We Heard Report* once the engagement has ended. The written submissions received during this engagement may be summarized in the report, but no specific individuals or organizations will be identified.

Please note that the content of this engagement is sensitive in nature and may trigger an emotional response for some individuals. If you are feeling distressed or in crisis at any time, the free and confidential NWT Help Line is available 24/7 for any resident of the NWT at: 1-800-661-0844. There is also a national, toll-free 24/7 crisis call line for anyone who requires emotional assistance related to missing and murdered Indigenous women and girls at: 1-844-413-6649.

Topics for Engagement

Feedback on topics will assist the Department of Justice in the development of NWT legislation related to missing persons. To answer questions related to the topics for engagement, fill the [printable survey](#) and send it by mail or email, or fill the survey [online](#).

