



An Garda Síochána

Policy Document

Management, Recording and Investigation of Missing Persons

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Approved by	Garda Executive
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Policy Owner	Assistant Commissioner, Organised & Serious Crime

1. Purpose

The purpose of the Management, Recording and Investigation of Missing Persons Policy Suite is to outline the required policing response to, and investigation of incidents of missing persons. It will provide a framework and clear direction for all Investigating Members tasked with missing person investigations, establishing a standardised approach by all members of An Garda Síochána.

2. Scope and Compliance

Compliance with this document and all associated documentation is mandatory for all An Garda Síochána personnel as defined by Section 44 of the [Policing, Security and Community Safety Act, 2024](#). This includes Garda Trainees, other persons seconded to An Garda Síochána and Police Officers from the Police Service of Northern Ireland (PSNI) and in accordance with Sections 53, 93 and 94 of the [Policing, Security and Community Safety Act, 2024](#) respectively.

3. Policy Statement

While missing persons are not defined in Irish Legislation, An Garda Síochána defines a missing person as *“Anyone whose whereabouts are unknown and the circumstances of the disappearance presents a risk of harm to the missing person or any other person.”*

All missing person investigations require varying degrees of a policing response; from local units conducting initial investigative enquiries through to large scale investigations requiring a multi-unit / agency response. All missing person investigations will be subject to continual review, either because of the passage of time or because new information comes to light. When a review takes place, the risk assessment will need to be reconsidered and should inform whether new or different actions are required.

Decisions made during any missing person investigation, irrespective of the assessed risk, should be made in accordance with the [Garda Decision Making Model \(GDMM\)](#).

The impact of someone going missing can be devastating for their families or those who report them missing and this should be kept in mind by the Investigating Member. Usually, the decision to go missing is not one that many people take lightly. It can be an act of last resort in response to mental health issues, physical or psychological abuse, personal or family circumstances.

Missing person incidents will be treated as an investigation to ensure that every effort is made to obtain evidence and intelligence. There will be circumstances where a person’s whereabouts are not known but the involvement of An Garda Síochána may not be required, for example where a family has split up following a relationship breakdown and contact has been lost with a family member.

It is important to recognise that going missing is not an offence. Adults over the age of 18 have the right to have their whereabouts not known unless they have been detained under the [Mental Health Act 2001](#), or are legally in the care of another person. It is recognised that some people go missing and do not want to be found and this is something that must be borne in mind during the course of the investigation.

The Management, Recording and Investigation of Missing Persons Policy Suite will aim to:

- Provide a standardised approach across An Garda Síochána in missing person investigations;
- Improve the quality of all missing person investigations;
- Ensure that all missing person incidents are recorded correctly and effectively monitored and reviewed on a continuous basis;
- Provide guidelines regarding multi - agency approaches in missing person investigations; and
- Provide an improved service to the families of missing persons.



4. Human Rights Considerations

There are Human Rights obligations, under the [European Convention of Human Rights \(ECHR\)](#), which can be relevant to missing persons, namely:

- Article 2: The right to life;
- Article 3: The right not to be subjected to torture or to inhuman or degrading treatment;
- Article 4: The right to prohibition of slavery and forced labour;
- Article 8: The right to respect for private and family life; and
- Article 10: The right to freedom of expression, including freedom to receive information.

5. Legal & Human Rights Screening

This document has been Legal and Human Rights screened in terms of the respective obligations placed on An Garda Síochána for the subject area concerned.

6. Ethical Standards & Commitments

An Garda Síochána Personnel must observe and adhere to the standards and commitments set out in the [Code of Ethics for An Garda Síochána](#) and uphold and promote this Code throughout the organisation.

7. Post-Implementation Review

This document and all associated documentation will be reviewed twelve months from its date of effect and every three years thereafter or as appropriate.

8. Disclaimer

This document is not intended to, nor does it represent legal advice to be relied upon in respect of the subject matter contained herein. This document should not be used as a substitute for professional legal advice.

9. Data Protection

All Garda Personnel will process personal data for legitimate business purposes only and in line with a clearly defined lawful basis under the [General Data Protection Regulation \(\(EU\) 2016/679\)](#) and/or [Data Protection Acts 1988-2018](#), as applicable. All necessary measures will be put in place to ensure the personal data is kept safe and secure and only authorised personnel shall have access to personal data. Only relevant personal data will be processed, and will not be retained for longer than is necessary. All personnel are required to ensure that individual's data protection rights are adhered to and to identify and mitigate against any suspected data breaches.

