

Juvenile Justice in Jamaica:

A Descriptive Survey

Deneil D. Christian

Ph.D. Assistant Professor of Criminal Justice, Department of Criminal Justice,
Tennessee State University, 3500 John A Merritt Blvd, Nashville, TN 37209
United States of America

Juvenile justice is a critical aspect of most countries' criminal justice systems. While the literature in this area is extensive in many developed nations, this is not always the case for developing nations. For instance, the Caribbean region is one place where literature on juvenile justice systems and related issues is scarce. This article describes the juvenile justice system in Jamaica, the most populous English-speaking Caribbean Island. A descriptive approach was used to explain how the juvenile justice system in Jamaica operates, the main components of the system, and the main actors in the juvenile justice system. In addition, this article paints a picture of juvenile delinquency in Jamaica, including the types of serious offenses juveniles have been involved with recently. Finally, this article highlights some of the advances, challenges, and future trends in juvenile justice in Jamaica.

Keywords: Jamaica, Juvenile Justice System, Youth, Crime, West Indies.

1. Introduction

The juvenile justice system is the government entity responsible for the custody, adjudication, and care of children accused of committing a delinquent act or status offense. Historically, juveniles were tried in the same court systems as adult offenders. Today, every developed nation has a separate system to handle delinquency issues involving children. Creating a different court system for adolescents was based on the idea that children experienced unique issues and had individual needs (Bowman, 2018). Another vital consideration is evidence indicating that the brain is not fully developed until the early to mid-twenties (Migden, 2017). Though the juvenile justice system, particularly in the United States, has shifted between rehabilitation and punishment over the years, rehabilitation was the primary focus of having a separate court for children.

Rehabilitation was necessary because children were viewed as less blameworthy and more likely than adults to change (Migden, 2017).

2. Conceptual Framework

2.1 Who is a juvenile?

We could define a juvenile as anyone who has not yet attained the age of 18. However, determining who is a juvenile is not always this simple. Each country, and even the different states within a country, will specify who is considered a juvenile. For instance, 17 is the upper age of original juvenile jurisdiction in 36 states in the United States. This is followed by age 16 in 11 states and age 15 in three states (Hess et al., 2013). Depending on the state, an individual may remain under the juvenile justice court's jurisdiction until age 25. Most juvenile justice systems in the Caribbean are based primarily on the British system. Jamaica, being a former dependent of Great Britain, is no exception. Nevertheless, the minimum age of criminal responsibility varies from island to island. However, the most common age across the English-speaking Caribbean, including Jamaica, is 12 years.

2.2 Juvenile Justice Globally

England has been influential in developing juvenile justice across the globe, including North America. In early England, children as young as six were hanged or burned. However, the Roman Catholic Church viewed children under seven as unable to reason and, therefore, could not be held liable for sins (Hess et al., 2013). Consequently, the common law also recognized that children under seven could not be held responsible for criminal offenses. Hence, they were not subject to criminal sanctions. Children aged 7 to 14 were not subject to criminal sanctions unless it could be demonstrated that "they had formed criminal intent, understood the consequences of their actions, and could distinguish right from wrong" (Cox et al., 2018, p. 3).

The Latin phrase *parens patriae*, meaning parent of the nation, has been significant in developing early juvenile justice. During the 15th century in England, the king adopted the rights of *parens patriae* by assuming the responsibility of caring for children. During the 1600s and 1700s, juvenile offenders were sent to adult prisons, though they were kept in separate housing from adult offenders (Cox et al., 2018). Another milestone in the development of the juvenile justice system was the passage of the Gilbert Act of 1782. It authorized that "poor, aged, sick and infirm be paced in poorhouses (almshouses)" (Hess et al., 2013, p. 33). By 1788, Robert Young established the first private institution in England, primarily to provide education in valuable trades and occupations for children of convicts or children engaged in criminal activities (Cox et al., 2018).

England's early juvenile justice system influenced the juvenile justice

movement in North America, particularly in the United States. The juvenile justice system in the United States traces its roots to 1899 when Cook County, Illinois, established the first juvenile court. The newly created court mandated specific provisions when dealing with troubled children. These provisions included: 1) the state could act as *paren patriae* or guardian of the child, 2) a tribunal would hear cases of children under sixteen years old, 3) the court would use informal and noncriminal procedures to facilitate remedial, preventative, and nonpunitive justice, and 4) judges would provide parent-like care and discipline to children (Pierce, 2017). The Illinois Juvenile Court paved the way for all states to follow. Almost every state had created a separate juvenile court within 25 years following the creation of the Cook County, IL juvenile court. Today, every state in the United States has a special court that handles juvenile cases.

3. Juvenile Justice in Jamaica

Jamaica is an island nation in the Caribbean Sea, situated south of Cuba. It is the third-largest island in the Caribbean after Cuba and Hispaniola. Jamaica's total area, including land and water, is 10,991 sq km, making it the largest English-speaking country in the Caribbean (Central Intelligence Agency [CIA], 2023). In addition, Jamaica's estimated population of 2.8 million inhabitants classifies it as the largest English-speaking population in the Caribbean and the third largest in the Americas after the United States and Canada.

Based on the 2011 estimate, Jamaica's ethnic makeup was 92.1% Black, 6.1% mixed, 0.8% East Indian, 0.4% other, and 0.7% unspecified (CIA, 2013). While English is the country's official language, Jamaica Patois is the national language spoken in Jamaica. The literacy rate, defined as anyone 15 years and over who has ever attended school, was 88.7% of the population in 2015 (CIA, 2023). Young Jamaicans between the ages of 15 and 24 experienced a high unemployment rate of 26.1% in 2021 (CIA, 2023). Jamaica is famous for its music, cuisine, and sports. Bob Marley, Shaggy, Sean Paul, Beenie Man, and Bounty Killer are among the many internationally recognized Jamaican musicians, while Usain Bolt is one of the most prominent sprinters in the world.

Jamaica operates a mixed, free-market economy with private and government-operated businesses. Some primary contributors to the country's economy include agriculture, manufacturing, and tourism. Jamaica is an upper-middle-income country that "is nevertheless struggling due to low growth, high public debt, and exposure to external shocks" (World Bank, 2020, para. 1). Despite these struggles, Jamaica has been committed to continued economic growth and stability. Jamaica changed from a fiscal deficit of 11 percent of its GDP in 2009 to a 1 percent surplus in 2019 (International Monetary Fund [IMF], 2022). Furthermore, the IMF noted that the country saw its public debt reduce from 142% of its GDP in 2009 to 94% by 2019. The unemployment rate

in Jamaica was 8.5% by the third quarter of 2021 (IMF, 2022).

Though Jamaica gained independence from Britain on August 6, 1962, it is a member of the Commonwealth of Nations. However, Jamaica is advancing its plans to become a republic by 2025, when the next national elections will be held (Fowler, 2023). Jamaica's system of government is a unitary parliamentary constitutional monarchy. The head of state is the Monarch, represented by the governor-general, a largely ceremonial role. The governor-general is responsible for appointing the primary officials who lead the country, such as the prime minister, deputy prime minister, and the members of the Cabinet. The three arms of government are the executive, legislative, and judiciary. The prime minister serves as the head of government in Jamaica. The Cabinet's portfolios include education and youth, finance, health, justice, national security, and others. The legislative branch responsible for enacting and amending laws is the Jamaica Parliament. This bicameral parliament comprises the Senate (upper house) and the House of Representatives (lower house). Finally, the judicial arm pursues justice through the various courts (Jamaica Information Service, 2016).

3.1 Juvenile Delinquency

The Juveniles Act defines a juvenile as any person under the age of 17. It further specifies that a child is any person under the age of 14, while a young person is anyone under 17 (UNICEF Innocenti, n.d.). The age of criminal responsibility in Jamaica is 12 years old. According to The Juveniles Act, "it shall be conclusively presumed that no child under the age of 12 years can be guilty of any offence" (The Juveniles Act, 1951, section 3).

High rates of serious crime have plagued Jamaica for decades. By some estimates, Jamaica ranks second as the most dangerous country in the world by murder rate. In 2022, Jamaica recorded 1,498 murders ("Jamaica recorded 1,498 murders", 2023). Jamaica had a murder rate of 43.85 per 100,000 inhabitants, placing it second after El Salvador (Statista, 2022). Juveniles, particularly boys, are responsible for a portion of the serious crimes being committed in Jamaica. In 2021, more than 20 children – ages 14 to 17 – have been charged with serious offenses, such as murders, shootings, wounding with intent, and illegal possession of firearms ("More than 20 children charged", 2021). The Jamaica Constabulary Force reported in 2022 that children, ages 15 to 17, committed almost 900 serious offenses over a four-year period, from 2019 to 2022. These offenses included "256 breaches of the Firearms Act, along with 79 murders, 66 shootings, 175 rapes, 89 robberies, and 65 cases of aggravated assault" ("Children implicated," 2022, para. 2).

4. Administration of Juvenile Justice

Juvenile justice is administered through various legal statutes and governmental

agencies. According to UNICEF Innocenti (n.d.), the juvenile administration process in Jamaica conforms to all the standards set out in Article 40 of the Convention on the Rights of the Child. Specifically, these safeguards are referenced in paragraph 2(b)(i-vii), which states that:

The child is presumed innocent until proven guilty (a safeguard which is also applicable to adult offenders), that the child should be informed directly or through his legal guardians of the charges against him or her, that the matter should be determined without delay by a judicial body and to have his or her privacy fully respected at all stages of the proceedings. This last safeguard is emphasized by the provision in section 57 of the Juveniles Act which was quoted in section 2 of this report and which forbids the publication of any “newspaper report of any proceedings in a Juvenile Court (which) shall reveal the name, address or school or include any particulars calculated to lead to the identification of any juvenile concerned in these proceedings.” (UNICEF Innocenti, n.d., Special Protection Measures section)

The Juveniles Act, the Correctional Act, and the Family Court (Judicature) Act are three legislations that apply to juveniles deprived of liberties. In addition, agencies within these legislations are the Children’s Services, the Juvenile Unit within the Jamaica Constabulary Force, the Family Court, and the Juveniles Court (UNICEF Innocenti, n.d.).

The Jamaican legal system is based on British Common Law. Like the rest of the Commonwealth Caribbean, Jamaica adopted the Common Law legal system from England. The judges in the Common Law system rely heavily on previous rulings when presiding over cases. The doctrine of *Stare Decisis* (let the decision stand) requires courts in the Common Law system to follow the decisions and judgments in previously decided cases known as precedents (The Supreme Court of Jamaica, n.d.-a). The primary source of criminal law is the Offences of the Person Act, adopted on January 1, 1864, and last amended on April 7, 2014 (Ministry of Justice, 2014). The Act defines offenses and their sanctions, including homicide, rape, assault, and unnatural crimes. Furthermore, The Juveniles Act provides legal guidance for juvenile arrest, detention, and processing.

4.1 Enforcement of Laws

The Jamaica Constabulary Force (JCF) is the national police force in Jamaica. The law enforcement responsibilities of the JCF include maintaining law and order, preventing and detecting crime, protecting life and property, and enforcing criminal laws (Jamaica Constabulary Force, 2023). The Ministry of National Security is the cabinet unit responsible for the JCF. The police force is headed by a commissioner of police whose executive team includes five deputy commissioners and approximately 20 assistant commissioners. The JCF carries out the patrol function of the operations portfolio primarily through five area

headquarters and 19 divisional commands. In addition, the Community Safety & Security Branch engages in various community-based outreach, including working with children in schools across the island.

The processing of juveniles in the justice system begins when the child is taken into custody by the police. Ideally, a child who has been arrested should benefit from having a police officer who is trained on juvenile justice and child rights issues. The Juveniles Act (1951) tasks the commissioner of the JCF with ensuring that detained juveniles do not associate themselves with adult offenders while being held in police stations or transported to court. The Act further states that when a youth, arrested with or without a warrant, cannot be promptly taken to court, the sub-officer in charge of the police station may release the child on their own recognizance, with or without sureties. However, a child should not be released when either of the following conditions is present:

- a) The charge is one of homicide or other grave crime; or
- b) It is necessary in his interest to remove him from association with any reputed criminal or prostitute, or
- c) The officer or sub-officer has reason to believe that his release would defeat the ends of justice. (The Juveniles Act, p. 18).

Furthermore, when a child is arrested or detained but has not been charged within 24 hours of such arrest or detention, the child should be released into the care of the parents or guardians, provided that the release will not jeopardize the investigation or create a safety concern (OCA, 2013). The parents or guardians of an arrested child must be immediately notified of the child's arrest and the reason for the arrest. The OCA (2013) recommends that arresting police officer informs the child of the reason for the arrest in plain, child-friendly, and age- appropriate language. In addition, police officers must assess an arrested child to determine if there is a need for medical assistance. The child should be promptly taken to a healthcare facility to be seen by a medical professional if medical attention is needed.

4.2 The Judiciary

The Ministry of Justice is responsible for the administration of justice in Jamaica through its five-tier court system. The Judicial Committee of the Privy Council (The Privy Council) is the highest court, and it is based in London, England. The Privy Council is an appeals court limited to cases involving specific monetary value or exceptional public importance. The Monarch reviews these cases (The Supreme Court of Jamaica, n.d.-b). The Court of Appeal is the highest court based in Jamaica, and it hears appeals from all lower courts except the Petty Sessions. The Supreme Court, despite its name, hears serious criminal and civil cases. The Resident Magistrates' Courts handle less

serious criminal and civil cases (Jamaica Information Service, 2016). The Petty Sessions Courts are the lowest, presided over by Justices of the Peace who hear cases such as common assault and disorderly conduct. The Special Courts include the Gun, Juvenile, Civil, and Traffic courts.

The Juveniles Act provides legal guidelines that should be followed when handling justice- involved youth. It addresses, among other things, expectations regarding the arrest and court processes. The Office of the Children's Advocate in Jamaica also provides guidelines, based primarily on Article 40 of the United Nations Convention on the Rights of the Child, when interacting with children who conflict with the law. For example, children need to be treated in a manner that promotes the child's sense of worth and dignity even if the child is alleged, accused, or has been recognized as having violated criminal law (Office of the Children's Advocate [OCA], 2013). Furthermore, the OCA encourages actors in the juvenile justice system to ensure that children accused of infringing the law are guaranteed at least the following:

- (i) To be presumed innocent until proven guilty according to law;
- (ii) To be informed promptly and directly of the charges against him or her, and, if appropriate through his or her parents or legal guardians, and to have legal or other appropriate assistance in the preparation and presentation of his or her defence;
- (iii) To have his or her privacy fully respected at all stages of the proceedings. (OCA, 2013, pp. 11-12)

4.3 The Correctional Approach

The Department of Correctional Services (DCS) is the agency under the Ministry of National Security responsible for correctional services in Jamaica. The DCS functions include adult custodial, juvenile, and community services. The DCS operates seven adult correctional centers, one adult remand center, four juvenile facilities, and 17 community service offices (probation offices) (Department of Correctional Services, n.d.-a). The four juvenile correctional facilities include South Camp Juvenile Remand & Correctional Center (Kingston), Rio Cobre Juvenile Correctional Center (St. Catherine), Hill Top Juvenile Correctional Center (St. Ann), and Metcalfe Street Secure Juvenile Remand Centre (Kingston).

The corrections phase is the final aspect of Jamaica's juvenile justice administration process. A court may order a juvenile detained in a juvenile correctional center for three years, provided the child will be at least 16 years of age at the expiration of the detention. However, if the child is not at least 16 years old, the court should impose a further period of detention until the child reaches that age (The Juveniles Act, 1951). The Department of Corrections operates four juvenile correctional facilities – two in Kingston, one in St. Ann, and one in St. Catherine. The facilities are classified as either high security or

medium security. In addition, the Hill Top Juvenile Correctional Centre and Metcalfe Street Secure Remand Centre are high-security facilities for juveniles who require maximum control and intensive residential services (Department of Correctional Services, n.d.-b).

The staff working with youth in the juvenile correctional and remand centers are provided specialized training in areas of medical health screening and treatment, conflict resolution, human rights/child rights, adolescent reproductive health, personal development and planning, interpersonal relationship and communication skills, and suicide/self-harm management and prevention. In addition, the Department of Correctional Services provides a range of services to youth in its juvenile correctional and remands centers. These services include educational programs, vocational and skills training, and behavioral programs. All juveniles are exposed to numeracy and literacy skills, computer training, agriculture, art and craft, social studies, principles of business, human and social biology, music, and physical education, among others. The vocational programs include barbering, tailoring, home economics, and aquaponics (Department of Correctional Services, n.d.-b).

The Rio Cobre Juvenile Correctional Centre provides juveniles with behavior modification programs, such as anger management, conflict resolution, mediation, self-management, and building relationships. Furthermore, this facility offers youth the opportunity to gain membership in social clubs, including the 4H Club, Science Club, and Maths Club. Among the recreational and competitive activities available to juveniles at the Rio Cobre facility are cricket, football, domino, and quiz tournaments. In addition to academic training, vocational training is strongly emphasized at the Hill Top Juvenile Correctional Center. This facility provides juveniles with skills training in auto mechanics, metal craft, electrical installation, and agriculture (Department of Correctional Services, n.d.-c).

4.4 Legal Representation

Children who are arrested in Jamaica have a right to legal representation. They also have the right to have regular, confidential communication with their legal advisors. Except for obtaining basic identification information, children should not be interviewed without their attorney (OCA, 2013). The Legal Aid Council, established by the Legal Aid Act of 1997, was created to provide legal to Jamaican citizens. In 1999, Human Rights Watch recommended that the Jamaica Government fully implement this Act to ensure children have access to legal representation at the government's expense if the child's family cannot pay (Human Rights Watch, 1999). In recent years, the Legal Aid Council has reinforced the importance of children having legal representation when going to court. The agency's executive director cautioned parents that their children should not be present in court without a lawyer. He contended that "although a

child being uncontrollable is not a criminal offence, we provide a lawyer to intervene, because if a child comes before the court as uncontrollable, a judge may send that child to a juvenile correctional facility” (“No child should go,” 2020, para. 2). The OCA (2013) recommends that children receive at least two orientation sessions with their attorneys – one before their first court appearance and another before the trial or other critical court hearing.

4.5 Disposition

The Juvenile Act stipulates that when a child is taken before a juvenile court, the court must explain to the child in simple language why they are in court. The Act further states that the court must determine the child’s defense and assist the child and their parents with articulating questions to the witnesses, if necessary. The OCA guidelines state provides as follows:

Where the case of an alleged child offender has not been diverted, the proceedings should be conducive to the best interests of the child and should be conducted in an atmosphere of understanding, which allows the child to participate and to express himself or herself freely, once he or she is capable of so doing. Children who are represented should express themselves through their attorneys-at-law. (OCA, 2013, p. 24)

The court shall record its findings when a juvenile has admitted guilt or proven guilty of an offense. There are certain factors a juvenile court judge will consider before entering a disposition. The judge may consider the child’s home environment, medical record, and school records to determine the best solution for the child (The Juveniles Act, 1951). The OCA opined that this Social Enquiry Report is essential before any decision is rendered to ensure the best possible adjudication outcome (OCA, 2013). The Juveniles Act allows the court to remand the juvenile on bail or in custody to ascertain the information needed to impose a sanction. The juvenile court may respond in several ways when a child has been found guilty of an offense. These responses may include the following:

- a) dismissing the case;
- b) being a probation order under the Probation of Offenders Act;
- c) placing the offender, either in addition to or without making any other order under this section for a specified period not exceeding three years, under the supervision of a probation and after-care officer or some other person to be selected for the purpose by the Minister;
- d) committing the offender to the care of any fit person, whether a relative or not, who is willing to undertake the care of him;
- e) where the offender is a young person, ordering the offender to pay a fine, damages or costs;
- f) sending the offender to a juvenile correctional center;

- g) ordering the parent or guardian of the offender to pay a fine, damages or costs;
- h) ordering the parent or guardian of the offender to enter into a recognizance for the good behaviour of such offender. (The Juveniles Act, 1951, pp. 26-27)

The OCA contends that the court's decision should be proportionate to the circumstances and gravity of the offense and the needs of the child and society (OCA, 2013). Consistent with the Convention of the Rights of the Child, committing a child to a juvenile correctional center is a last resort ("No child should go," 2020). The Office of the Children's Advocate supports this point. Its guidelines stipulate that only when a child is convicted of serious offenses, such as violence against another person or habitually committing serious offenses, should the child be deprived of their liberty (OCA, 2013). In addition, the OCA believes that the confinement period should be limited to the minimum time possible. Furthermore, The Juvenile Act stipulates that juveniles cannot be sentenced to the death penalty. The Act states that if a person is convicted of an offense committed while they were under 18, the death penalty may not be pronounced or recorded against the person. Regardless of the dispositional outcome, a juvenile is entitled to appeal the court's decision. The juvenile court should handle the appeal in the same manner and procedure as an appeal in a Resident Magistrate's Court (The Juveniles Act, 1951).

5. Discussion

Juveniles continue to be participants in Jamaica's escalating crime problem. Between 2015 and 2021, nearly 6,500 minors were charged with several serious offenses, including rape, murder, robbery, and shooting ("Child Criminals Galore," 2021). Despite this challenge, Jamaica is committed to reducing the number of children entering the justice system. The government signed the Child Diversion Act of 2018 into law. The Child Diversion Program was created in March 2020 and is designed for children 12 to 17 years old. This program aims to, among other things, reduce the number of children being charged with offenses and being exposed to the formal criminal justice system. The program prioritizes diversion programs to rehabilitate youth involved in crime and wrongdoing. Another essential component of the Child Diversion Program is its emphasis on having the community assume a more active role in addressing children's anti-social behaviors (Ministry of Justice, n.d.).

The Jamaican juvenile justice system can take credit for its promising Child Diversion program. The Minister of Justice and other stakeholders in Jamaica continue to advocate for using the Child Diversion Program as the preferred way to respond to juveniles who have violated the law. The Justice Minister has urged the high courts to refer more cases to the program, which

had seen 305 youngsters diverted approximately a year after its implementation (“Child Diversion Can,” 2021; “Refer More Cases,” 2021). The program is also being expanded to schools nationwide (Williams, 2022; “Child Diversion,” 2022). Since its implementation, the Child Diversion Program received a \$10 million grant from UNICEF (UNICEF, 2020).

Jamaica deserves credit for reducing the number of children held in correctional and remand centers. Through a collaboration between the Department of Corrections, the Ministry of Youth, the Ministry of Justice, and the Ministry of National Security, the number of juveniles being held by the DOC averages 260, of which approximately 50% are remandees (minors awaiting court dispositions) (Department of Correctional Services, n.d.-b). This figure is impressive compared to 2012 when the number of children in correctional facilities exceeded 400. Another praiseworthy effort of the DOC is providing staff with mental health screening and treatment training. In the United States, for instance, children entering the juvenile justice system have many unmet mental health needs. A contributing factor is that the juvenile justice system does a poor job of assessing youth’s mental health and treatment needs White (2015), partly due to a lack of mandatory mental health screening for juveniles entering the juvenile justice system (Christian, 2021). Less than half of the 50 U.S. states mandate mental health screening.

Despite advances in some areas, Jamaica continues to face issues in the administration of juvenile justice. Like other countries, delivering education to justice-involved youth can be a challenge. The Department of Corrections posited that “a major difference in our education programme is that our children arrive and leave any time during the year, making it difficult to deliver the curriculum to all students at the same time as obtained in the regular schools” (Department of Correctional Services, n.d.-b, para. 5). Often, justice-involved children will experience disruption in their education as they transition to and from a correctional facility to their community. For instance, the United States, a developed nation, also struggles in this area. The educational services provided in juvenile residential facilities in the U.S. have been subject to criticism. Data on student experience and access to rigorous courses in juvenile correctional educational programs are often incomplete or inaccurate (Korman et al., 2019). Moreover, the National Juvenile Justice Network (2016) argued that incarcerated youth are provided with substandard education that usually does not align with state curricula, creating credit transferability issues for students returning to their home school districts. A 2015 study found that only eight states provide incarcerated youth access to educational and vocational programs like those available to their non-incarcerated peers (Tannis, 2017; The Council of State Governments Justice Center, 2015).

6. Conclusion and Future Trends

The Jamaica Government is sincerely committed to operating a juvenile justice system emphasizing rehabilitation. It clearly establishes through legislation, mainly, The Juveniles Act, Child Diversion Act, and The Child Care and Protection Act, how the children in conflict with the law should be treated. Jamaica has a separate juvenile court to handle cases involving juvenile offenders unless they are waived to an adult court.

The Juveniles Act outlines the expected criminal procedure to be followed from the arrest to legal representation and court disposition to corrections. The main components – police, courts, and corrections – mirror the structure of other juvenile justice systems globally. Though the police reported a high number of serious offenses committed by juveniles over a period of four years from 2019 to 2022, these numbers may start to trend downwards as diversions and other social interventions are utilized in response to juvenile offending. In 2022, the Ministry of National Security indicated its plans to use social services, such as education and healthcare, to deter youth from committing criminal offenses. These community-based, restorative, and rehabilitative initiatives are a step in the right direction. However, it remains critical for stakeholders outside the formal justice system to continue advocating for justice-involved juveniles. The Office of the Children’s Advocate has done an exceptional job publishing the Child Justice Guidelines. Hence, it should continue monitoring the government’s handling of juvenile offenders to ensure their rights and dignity are not infringed. Similarly, the Legal Aid Council should continue providing free legal counsel to ensure no child goes to court without legal representation.

References

- Bowman, S. W. (2018). The kids are alright: Making a case for abolition of the juvenile justice system. *Critical Criminology*, 26, 393–405. <https://doi.org/10.1007/s10612-018-9402-2>
- Central Intelligence Agency. (2023, February 27). Jamaica – The World Factbook. <https://www.cia.gov/the-world-factbook/countries/jamaica/>
- Children implicated in 875 major crimes over four-year period. (2022, November). *The Jamaica Gleaner*. <https://jamaica-gleaner.com/article/news/20221101/children-implicated-875-major-crimes-over-four-year-period>
- Child Diversion Act. (2018). <https://japarliament.gov.jm/attachments/article/339/the%20child%20diversion%20act,%202018.pdf>
- Child diversion can reduce youth offending – Chuck. (2021, April 8). *The Jamaica Observer*. <https://www.jamaicaobserver.com/news/child-diversion-can-reduce-youth-reoffending-chuck/>
- Child Diversion programme Child to be launched in schools. (2022, May 4). *The Jamaica Observer*. <https://www.jamaicaobserver.com/latest-news/child-diversion-programme-to-be>

- launched-in-schools/
- Christian, D. D. (2021). Mandatory mental health screening for justice-involved youth: A national priority. *Youth Justice*. <https://doi.org/10.1177/14732254211052334>
- Cox, S. M., Allen, J. M., Hanser, R. D., & Conrad, J. J. (2018). *Juvenile justice: A guide to theory, policy, and practice*. SAGE.
- Department of Correctional Services. (n.d.-a). About us. http://www.dcs.gov.jm/about_us.php
- Department of Correctional Services. (n.d.-b). Juvenile services. <https://www.dcs.gov.jm/pages/juvenile-services/>
- Department of Correctional Services. (n.d.-c). Juvenile correctional & remand centers. <https://www.dcs.gov.jm/juvenile-correctional-remand-centres/>
- Felker-Kantor, M. (2018). "Kid thugs are spreading terror through the streets": Youth, crime, and the expansion of the juvenile justice system in Los Angeles, 1973-1980. *Journal of Urban History*, 44(3), 476–500. <https://doi.org/10.1177/0096144215623260>
- Hess, K. M., Orthman, C. H., & Wright, J. P. (2013). *Juvenile justice*. Wadsworth, Cengage Learning.
- Human Rights Watch. (1999). "Nobody's children" Jamaican children in police detention and government institutions. <https://www.hrw.org/reports/1999/jamaica/index.htm>
- International Monetary Fund. (2022, February 22). Jamaica works hard to maintain its hard-won economic stability. <https://www.imf.org/en/News/Articles/2022/02/18/cf-jamaica-works-to-maintain-its-hard-won-economic-stability>
- Jamaica Constabulary Force. (2023). About us. <https://www.jcf.gov.jm/about-us>
- Jamaica Information Service. (2016). Overview of the Government of Jamaica. <https://jis.gov.jm/features/overview-government-jamaica/>
- Jamaica recorded 1,498 murders in 2022. (2023, January). *The Jamaica Gleaner*. <https://jamaica-gleaner.com/article/news/20230103/jamaica-recorded-1498-murders-2022>
- Korman, T. N., Marchitello, M., & Brand, A. (2019). Patterns and trends in educational opportunity for students in juvenile justice schools: Updates and new insights. https://bellwethereducation.org/sites/default/files/patterns%20and%20trends%20in%20educational%20opportunity%20for%20students%20in%20juvenile%20justice%20schools_bellwether.pdf
- Migden, S. E. (2017). The injustice of a felony conviction for offenders under age twenty-one: A new option for the courts to save our youths' futures. *Family Court Review*, 55, 292–306. <https://doi.org/10.1111/fcre.12278>
- Ministry of Justice. (2014). Offences Against the Person Act. <https://moj.gov.jm/laws/offences-against-person-act>
- Ministry of Justice.(n.d.). The national child diversion programme. <https://moj.gov.jm/national-child-diversion-programme>
- More than 20 children charged for serious crimes in 2021. (2021, December). *The Jamaica Gleaner*. <https://jamaica-gleaner.com/article/esponsored/20211227/more-20-children-charged-serious-crimes-2021>
- National Juvenile Justice Network. (2016). Improving educational outcomes for youth in the juvenile justice system: Snapshot. http://www.njjn.org/uploads/digital-library/njjn_educational%20re-entry-snapshot_mar2016_final.pdf
- No child should go to court without a lawyer – Faulkner. (2020, January). *The Jamaica Gleaner*. <https://jamaica-gleaner.com/article/news/20200115/no-child-should-go-court-without-lawyer-faulkner>
- Office of the Children's Advocate. (2013). Child justice guidelines. <https://www.welcome.oca.gov.jm/media/child-justice-guidelines.pdf>

- Pierce, J. (2017). Juvenile Miranda waivers: A reasonable alternative to the totality of the circumstances approach. *BYU Law Review*, 1, 195–223.
- Refer more cases involving children to diversion programme – Chuck. (2021, March 17). *The Jamaica Gleaner*. <https://jamaica-gleaner.com/article/news/20210317/refer-more-cases-involving-children-diversion-programme-chuck>
- Statista. (2022). Ranking of the most dangerous countries in the world in 2022, by murder rate. Statista Research Department. <https://www.statista.com/statistics/262963/ranking-the-20-countries-with-the-most-murders-per-100-000-inhabitants/>
- The Council of State Governments Justice Center. (2015). Locked out: Improving educational and vocational outcomes for incarcerated youth. https://csgjusticecenter.org/wp-content/uploads/2020/01/locked_out_improving_educational_and_vocational_outcomes_for_incarcerated_youth.pdf
- The Juveniles Act (1951). <https://ecc.gov.jm/2019/wp-content/uploads/laws/The%20Juveniles%20Act%20-%201951.pdf?boxtype=pdf&g=false&s=false&s2=false&r=wide> The Supreme Court of Jamaica. (n.d.-a). Legal system. <http://supremecourt.gov.jm/content/legal-system>
- The Supreme Court of Jamaica. (n.d.-b). The court structure and hierarchy. <http://supremecourt.gov.jm/content/court-structure-and-hierarchy>
- UNICEF. (2020, December 10). Child diversion programme receives \$10m boost from UNICEF. <https://www.unicef.org/jamaica/press-releases/child-diversion-programme-receives-10m-boost-unicef>
- UNICEF Innocenti. (n.d.). Juvenile justice information portfolio - Committee on the rights of the child – 3 State party reports: Jamaica. https://www.unicef-irc.org/portfolios/documents/399_jamaica.htm
- White, C. (2015), Youth receiving treatment service in the juvenile justice system: An examination of funding sources and recidivism. Doctoral dissertation, Arizona State University. ASU Dissertations and Theses. <https://repository.asu.edu/items/28547>
- Williams, R. (2022, April 11). Justice Ministry to ramp up child diversion programme in schools. Jamaica Information Service. <https://jis.gov.jm/justice-ministry-to-ramp-up-child-diversion-programme-in-schools/>
- World Bank. (2020, April 13). Jamaica overview: Development, news, research, data. <https://www.worldbank.org/en/country/jamaica/overview>