

2021

## Juvenile Justice Administration in Ghana

Juliana MameEfua Asamoah  
*Walden University*

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# Walden University

College of Social and Behavioral Sciences

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Juliana MameEfua Asamoah

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Walden University  
2021

Abstract

Juvenile Justice Administration in Ghana

by

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MSc. Criminal Justice, Ashford University, 2017

BA Social & Criminal Justice, Ashford University, 2015

Dissertation Submitted in Partial Fulfillment

of the Requirements for the Degree of

Doctor of Philosophy

Criminal Justice

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## Abstract

The juvenile justice policy in Ghana seems to conflict with current administrative practices. As such it appears impossible to achieve the aim of rehabilitating juvenile delinquents. While there is literature documenting this conflict, little has been documented on approaching the issue from the perspective of the administrators of juvenile justice. The research purpose was to bridge this gap in literature by exploring and understanding what could improve the implementation processes of policies pertaining to juveniles in conflict with the law. The theoretical framework for this study was the advocacy coalition framework. The research questions focused on how juvenile justice administrators from competing agencies collaborate and communicate in the implementation of juvenile justice policies and how effective this collaboration is in their common goal to rehabilitate juvenile delinquents. A case study design was employed, using purposive semistructured interviews with four participants. Data were analyzed employing phenomenological reduction, organization of codes and themes, and systematic comparison. Results indicated that the perception of misalignment between juvenile justice policies and its implementation is not as much an issue of miscommunication as it is a lack of resources. The juvenile justice administration is under the auspices of an agency that has its own primary goals and therefore must compete for funds and resources. The implications for positive social change include the creation of a juvenile justice system as an agency unto itself, with resources that make rehabilitation of juvenile delinquents a possibility and to reduce recidivism and juvenile delinquency in Ghana.

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## Dedication

This dissertation is dedicated to my late parents, Christina and Festus Asamoah, my daughters, Maria Atubiga, Irene Atubiga-Luseni, Alice Atubiga, and my siblings, Wilma Glover-Koomson, Eric Asamoah, Faustina Hines, and Festus Asamoah Jr, with all my love. Thank you for your dedication, prayers, and encouragement. I cannot envision what I would have done without you all in my corner.

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## Chapter 1: Introduction to the Study

### **Background**

In the United States, effort is made to protect and, in some cases, enhance the protection provided to juvenile delinquents. Troutman (2018) showcased the struggles in the U.S. juvenile justice administration, arguing for a more just system with the aim to rehabilitate. While policies are increasingly directed toward punishment for juvenile delinquents, some effort has been made to focus on a separate justice system for juveniles to rehabilitate them. In most countries, a separate agency oversees the administration of juvenile justice, including law enforcement trained to deal with juveniles, special youth courts, and sentencing criteria. However, the same cannot be said for all countries. In developing countries, and especially in Ghana, prevailing customs mean a child should be seen and not heard. This background makes it difficult to implement policies created to protect and rehabilitate juvenile delinquents. Little attention has been given to the juvenile justice administration in Ghana, and exploration of policy responses to juvenile delinquency there have revealed that the welfare needs of the juvenile delinquent are not being met. Manty and Dzetor, (2018) described the challenges facing the juvenile justice administration, in Ghana, as making it impossible to rehabilitate children in conflict with the law. Information assessed was from 2010 and new information is needed to assess the current number of juveniles affected by this. Challenges in the juvenile justice administration are present in most African countries (Obidimma & Obidimma, 2012; Olayinka, Olayinka, & Tolulope, 2014).

The juvenile justice administration in Ghana is fragmented. The administration of juvenile justice policies is divided between the Department of Social Welfare Services of Ghana (DSW), the Ministry of Women and Children's Affairs, the Ministry of Interior, the attorney general's office, and the Domestic Violence and Victim Support Unit (DOVVSU) of the Ghana Police Service (GPS). This research will fill the gap in knowledge needed to address the problem of a fragmented juvenile administration system and will also increase understanding of the phenomenon from the perspectives of the agency staff charged with the implementation of the current juvenile justice policy for processing juvenile offenders. Data were gathered directly from the staff and executives of the agencies responsible for juvenile justice administration to understand what could improve the implementation of the current juvenile justice policy. The results of this study will provide significant insights into what could improve the implementation of juvenile justice policies with the aim of rehabilitating juvenile delinquents. Such insights may also provide solutions to communication challenges that may exist between the several agencies responsible for the administration of juvenile justice policies, which may help achieve the goal of rehabilitating juvenile delinquents.

### **Problem Statement**

The concept of a separate system for juvenile justice in the United States came about due to efforts to limit the practice of *parens patriae*. The direction away from treating juvenile offenders in the adult system was a significant development that resulted in the creation of an autonomous system of justice designed to cater to the special needs of youthful offenders. In 1899, the state of Illinois created the first juvenile court system

in association with clinics that were staffed with experts from social services with the aim of focusing on rehabilitation (Robbers 2018). Today, the institution of juvenile justice systems has become global human rights laws.

Juvenile delinquency is a global phenomenon that has led to efforts toward rehabilitating young offenders to become responsible adult citizens. Juvenile justice in Africa, and particularly in Ghana, lags behind global efforts to rehabilitate the juvenile delinquent population. Within the Ghana juvenile justice administration is a problem pertaining to the processing of juvenile delinquents (Mantey & Dzetor 2018). Currently, the Juvenile Justice Act of 2003 requires that when a juvenile enters the system, they should be processed expeditiously (within 48 hours) and should not be held in a facility for more than 6 months if their case is not completed. The aim of this is to facilitate rehabilitation of the juvenile delinquent through the justice system and reintegration of youthful offenders into mainstream society. However, because of a fragmented system, there is no universally agreed upon process or standard for tracking and monitoring to ensure each juvenile receives adequate consideration toward the possibility of rehabilitation (Kumi 2015). This problem impacts about 115 juvenile offenders daily, as of 2010 (Mantey & Dzetor 2018); however, the factors that may improve the rehabilitation process for juvenile offenders in the Ghanaian criminal justice system remain unknown.

Many possible factors may contribute to this problem, including the fragmentation of services and miscommunication between the multiple departments charged with the administration of juvenile justice. The extant literature indicates a theme

of disinterest in the welfare of juvenile delinquents, and most research is from the perspective of the juvenile delinquents and their attorneys (Kumi, 2015). A separate juvenile justice system was suggested in the Justice for Children policy, which outlines challenges the current administration faces: “In the end, the solutions proffered were not to address the needs of these children; rather, they were to address the problem of nuisance, to put the problem children out of sight” (Ame, 2018, p. 404).

No literature was found in which researchers examined the impact of the fragmented process and how this could be improved from the perspective of the staff and executives within the agencies charged with implementing juvenile justice policies and rehabilitation processes. The results of this study fill this gap by contributing to the body of knowledge needed to address this problem; these data may help public policy decision makers to formulate and change policies on juvenile rehabilitation programs.

### **Purpose of the Study**

The purpose of this qualitative study was to explore potential improvements to the rehabilitation process for juvenile offenders in the Ghanaian criminal justice system. To conduct this exploration, I used a qualitative case study research design. The aim of the study was to gather enough information to inform the justice administration on how to improve the implementation of juvenile justice policy. Exploring the implementation efforts of the fragmented administrative body and ascertaining the nature of collaboration and communication among these agencies could reveal the challenges and potential solutions to improve the process of rehabilitating juvenile delinquents through the juvenile justice system.

### **Nature of the Study**

This research involved interviews and a review of secondary data and incorporated the voice of the participants in the presentation of the findings in addition to describing the problem as experienced by participants. A qualitative research case study design was used to ensure that data were gathered in a natural setting. Range (2018) described a case study as a qualitative research methodology used to obtain thorough knowledge and present a clear picture of a phenomenon, an individual, a group, or a situation, sometimes over a long period of time. In this study, I used a purposive sampling method; only a limited number of people (staff and executives at the agencies in charge of juvenile justice administration) could serve as primary data sources for this study due to its specific aims and objectives. This technique was appropriate for this study because of the “expectation that each participant will provide unique and rich information of value to the study” (Lee-Jen, Hui-Man, & Hao-Hsien, 2014, p. 105). Target sampling was from sections of staff and executives at the DSW and the DOVVSU of the GPS; these are the staff of the primary agencies responsible for administering the juvenile justice system. The sample size was four participants (two representatives from each agency) from a limited participant pool. Data were collected from firsthand accounts of the participants through interviews. Data were analyzed using a modified Stevick-Colaizzi-Keen procedure in which I employed phenomenological reduction, organization of themes, and textural descriptions.

## **Research Questions**

The following research questions addressed what impact a fragmented system of administration has on the effectiveness of a rehabilitation process for juvenile delinquents.

RQ1: How do juvenile justice administration agencies coordinate and communicate in a multiagency system in Ghana to implement juvenile justice policies?

RQ2: How effective is this collaboration and communication between the multiple agencies in implementing policies in the juvenile justice system?

These questions were intended to draw out the formal process (if any) of communication between these agencies and to find out who is designated for what part of the process. There seems to be a disconnect in communications and exploring the implementation processes of this multiagency, including their collaboration and communication processes, could reveal potential issues that may be keeping the agencies from being successful in their goals; solutions may be developed to improve the process for effective rehabilitation for delinquents in the juvenile justice system.

## **Theoretical Framework**

The theoretical framework used in this study was the advocacy coalition framework (ACF) presented by Sabatier and Jenkins-Smith. The ACF is used to describe loose associations between like-minded institutions that work together to pursue common goals as a way of viewing interactions among competing public policy agendas.

“Coordination involves some degree of working together to achieve similar policy objectives” (Sabatier & Weible 1999, p. 196). The framework is particularly helpful in

dealing with intense public policy systems. This framework helped to understand how the various agencies in charge of juvenile justice administration in Ghana communicate and coordinate efforts in the interest of implementing the juvenile justice policy for processing juvenile delinquents with the goal of rehabilitation. This enabled me to explore the role of the administrative organizations in the perceived deviation from the designated process for juvenile delinquents and to provide an overview of the whole policy process.

### **Significance of the Study**

This research fills a gap in the knowledge needed to address the problem of a fragmented juvenile justice administration system and the need to understand the phenomenon from the perspective of the staff of the agencies charged with implementing the current juvenile justice policy on processing juvenile offenders. Data came directly from a section of the staff and executives of DSW and DOVVSU, the primary agencies charged with juvenile justice administration, to understand what could improve the implementation of the current juvenile justice policy for rehabilitating juvenile delinquents. The results of this study may provide significant insights into how to improve the implementation of juvenile justice policies with the aim of rehabilitating juvenile delinquents. Such insights may also provide solutions to any communication challenges among the several agencies responsible for the administration of juvenile justice policies.

### **Assumptions**

In this study, I presumed full participation of all participants and that all questions would be answered truthfully and honestly. I assumed answers would be reflective of participants' expertise, recollections, and experiences. I also assumed there was some extent of communications and collaboration among the various agencies responsible for juvenile justice administration. I obtained informed consent from each participant and assured their anonymity and confidentiality. I also assumed that participants were qualified and had the capacity to answer the questions in the interviews.

### **Limitations of the Study**

While I expect that other African countries, or specifically other regions in Ghana, may have identical issues and may, therefore, seem generalizable, this study has limitations because of the research design and sampling method. A case study, in and of itself, is limiting in the sense that it does not make room for generalization. I used a purposive sampling method, which also does not guarantee generalizability. I used the purposive sampling method because only a limited number of people (staff and executives at the agencies in charge of juvenile justice administration) could serve as primary data source for the study due to its aims and objectives. Interviews were conducted with participants from the Greater Accra Regional offices in Ghana, only and is not generalizable to the rest of the country. Other limitations may arise from researcher bias that could influence the results of the study. My role in this research study was that of the interviewer and the main data collection instrument, which means that the quality of the research depends on my interpretation. In other words, any biases may have

influenced this interpretation. The population for my sample—which was already a small number—was limited further due to participant withdrawals. My original pool of participants was eight.

### **Scope and Delimitations**

The scope and delimitations of this study addressed specific aspects of the research problem pertaining to the implementation of juvenile justice policies to scope out the implementation practices that will indicate whether there is real or perceived miscommunication between policy and implementation. This included data from firsthand accounts of sections of staff and executives at the DSW and the DOVVSU; these are staff from the agencies directly involved with the administration of the juvenile justice system and could answer the interview questions within the scope of this study. While I may have had certain biases where juvenile delinquents are concerned, I did not have any personal or professional relationships with any of the participants nor the agencies charged with the juvenile justice administration in Ghana. I endeavored to be objective and kept any biases from the interviewing process. Things I considered as an interviewer were self-awareness (known as bracketing), which is used to consider biases, power balance, tone of voice, facial expressions, gestures, and choice of words. The context and choice of setting for the interview also helped create a good and valid interview experience. This study did not involve any interviews with any juvenile delinquents as the purpose of the study was to obtain information from the perspectives of the administrative personnel.

## Summary

Efforts to enhance the protection provided to juvenile delinquents reflects the struggles in the U.S. juvenile justice administration for a more just system for juveniles with the aim to rehabilitate juvenile delinquents. The same cannot be said for other countries. In Africa, especially, the predominate view is that a child should be seen and not heard. With this kind of background, it is difficult to implement any policies created to protect and rehabilitate juvenile delinquents; this has resulted in less attention being given to the juvenile justice administration in Ghana and other African countries.

In Ghana, the administration of juvenile justice policies involves the DSW, the Ministry of Women and Children's Affairs, the Ministry of Interior, the attorney general's office, and the DOVVSU. The objective of this study was to fill the gap in knowledge needed to address any potential administrative problems of a fragmented juvenile administration system and the need to understand the phenomenon from the perspective of the staff of the juvenile justice administrative agencies on the implementation of the current juvenile justice policies on the processing of juvenile offenders. The results of this study may provide significant insights into what could improve the implementation of juvenile justice policies with the aim of rehabilitating juvenile delinquents. Such insights may also provide solutions to communication challenges that may exist among the several agencies responsible for the administration of juvenile justice policies.

Chapter 2 includes a detailed explanation of the theoretical framework and how it helped to understand the multiagency system of juvenile justice administration in Ghana.

The chapter also presents an overview of the justice system in Ghana, including the history of its juvenile justice system, the traditional view of the Ghanaian child, known causes of juvenile delinquency in Ghana, and issues related to the administration of juvenile justice.

## Chapter 2: Literature Review

### **Introduction**

The problem within the Ghana juvenile justice system pertains to issues in the processing of juvenile delinquents to facilitate their rehabilitation. A fragmented system of administration gives the perception of no agreed upon process or standard for tracking or monitoring to ensure each juvenile receives adequate consideration toward the possibility of rehabilitation. The problem impacts several juveniles daily. The purpose of this study was to explore potential improvements to the rehabilitation process for juvenile offenders in the Ghanaian criminal justice system. The literature that established the relevance of the problem included research articles featuring the situation of the criminal justice system and research conducted by the Ghana government on a critical review of policy responses to juvenile delinquency in Ghana.

### **Literature Search Strategy**

The research articles used in this review came from ProQuest in Walden University's library, the criminal justice database, Academia, ResearchGate, and Ghana government literature online. Most of my keywords with "Ghana" produced literature from Academia and ResearchGate. ProQuest and the criminal justice database in Walden University's library produced general information on juvenile justice and some abstracts on juvenile justice in Ghana, which I then obtained from Academia or ResearchGate. The key search terms used were, juvenile justice administration in Ghana, child protective services in Ghana, best practices in juvenile justice administration, and history of juvenile justice in Ghana. Database searches produced limited results between 1964 and 2018.

With extraordinarily little literature available, I depended more on information from the Ghana government website (on juvenile justice policy implementation) to reconcile my information from other sources.

This study will add to existing literature on the issue of juvenile justice in Ghana. This chapter covers the following topics: Overview of the justice system in Ghana, the traditional view of a child in Ghana, history of juvenile justice in Ghana, the current juvenile justice administration, and known causes of juvenile delinquency in Ghana. The ACF provided the conceptual framework for this review which includes an analysis of research approaches used in other research pertaining to juvenile justice and juvenile delinquency in Ghana.

### **Theoretical Framework**

The ACF has been used to explain intense public policy problems and was developed by Paul Sabatier and Hank Jenkins-Smith in the late 1980s with the intention of providing other options to policy theories that until then had focused on incremental change. The ACF focuses on policy change and stasis over time and on the extent to which actors learn “from their experiences, from the experiences of others” (Weible, 2018, p. 135), under what conditions actors form and maintain coalitions to achieve policy objectives, and the characteristics of the network structures of these coalitions. This framework was developed to deal with public policy problems with the intention of explaining beliefs and goals of different actors (government, interest groups, etc.) forming coalitions to jostle administration. The ACF consists of three theoretical systems: advocacy coalition, policy subsystems, and policy change, with the policy subsystem

being the main unit of analysis. The ACF puts forth the argument that advocacy coalitions and policy subsystems are the most efficient way to organize persons interested in policy processes. Advocacy systems are usually associated with people from a combined number of groups (advocacy coalitions) that can engage in a coordinated activity over a long period. Sabatier (1993) stated that there are two variables to be considered in an ACF: (a) the stable variables associated with basic constitutional structures and (b) the exogenous variables associated with changes in the governing coalitions.

There may be some disadvantages to an advocacy coalition in that the subsystems (advocacy groups) might be in dispute. As it relates to the multisystem juvenile justice administration in Ghana, most of these agencies have their own core functions that are not exactly compatible with juvenile justice interests. However, other aspects that might occur from these disputes might be an agreement between the agencies for procedural changes that match their core beliefs of juvenile justice built toward rehabilitation. Thus, ACF was preferable in this study because of the perceived ability of several agencies to coordinate (perhaps, despite opposing differences) to implement juvenile justice policies for rehabilitating juveniles in conflict with the law. Policy subsystems arise from new and emerging issues, which is the case with the multisystem juvenile justice administration in Ghana and raises the need for a more effective juvenile justice administration with an effective rehabilitation system for juvenile delinquents.

## Literature Review

### Overview of the Justice System of Ghana

Ghana's justice system can be traced to its colonial era under British rule. Before that, criminal cases were governed by native courts. Several acts were passed after 1844 to strengthen English rule—namely, the Supreme Court Acts of 1853, 1866, 1876, and 1877; the Criminal Code Acts of 1850 and 1892; and the Native Jurisdiction Ordinances of 1878 and 1883. As is expected of British colonies, Ghana's court system is based on the English common law system. Ghanaian law, as was handed down by the colonial masters, is fundamentally based on fairness, equity, due process, habeas corpus, rule of law, and human rights, which includes adherence to no imprisonment without trial. The law guarantees due process and trial before any imprisonment, deprivation of property, and any enslavement of any kind, as is stated in Ghana's constitution (Chapter 5, Articles 12–18). The current criminal justice system consists of the Ghana Judicial Service, the GPS, and the Ghana Prisons Service. “Through these institutions, the Ghanaian government investigates, identifies, accuses, tries, convicts, punishes, and ‘rehabilitates’ those who break the law” (Appiahene-Gyamfi, 2009, p. 310). As a de facto abolitionist nation, Ghana rarely uses juries in trials, with incarceration and fines the two most widely used sanctions in criminal cases. Criminal cases rarely have media coverage. Probation is nonexistent in adult criminal cases. Despite attempts to reduce the influence of native law and the native justice system, the 1944 Native Courts Ordinance remains an integral part of the justice administration in Ghana.

## **History of the Juvenile System in Ghana**

Goals for juvenile justice outcomes are consistent globally. A juvenile justice administration is described as a system of justice applicable to juvenile delinquents, a system different from the adult system. This is a universal notion of justice reserved for juveniles for reasons pertaining to their special peculiarities. One resonant goal for juvenile justice is that of “upholding human rights principles and standards for juvenile offenders” (Ajah & Ugwuoke, 2018, p. 440); this goal demands a separate and unique justice system. This goal is emphasized by special legislation created to govern juvenile justice systems. In the United States, for instance, laws such as the Illinois Juvenile Court Law of 1899 established that juveniles were too young to be held responsible for criminal behavior the same as adults. In Nigeria, the Children and Young Persons Law of 1958 and the Child Rights Act of 2003 govern juvenile justice administration. Despite these universal goals, the institution of these systems seems to be more advanced in developed countries than it is in developing countries.

The first formal juvenile justice system in Ghana was introduced in the British colonial era in legislation passed between 1928 and 1946. For the first time in Ghana, a separate justice system for juveniles was created. However, in 1957, Ghana attained independence, which resulted in a parliamentary review of all existing legislation, including laws pertaining to the juvenile justice system. This resulted in the development and adoption of Criminal Procedure Code (Act 30) in 1960. The Children’s Act of 1998 gave district-level jurisdiction to family tribunals and child panels. The criminal procedure code of 1960 was the main legislation that governed the administration of

juvenile justice until the Juvenile Justice Act (2003) was enacted. Under this new code a juvenile delinquent is a person under the age of 17, but the minimum age for criminal responsibility is 12. The code gives juvenile courts sole jurisdiction over all criminal charges involving juveniles.

In practice, the juvenile justice system is only an arm of the overall justice system in Ghana. What happens in the general justice system is mimicked in juvenile justice. In other words, juvenile delinquents are treated no differently than their adult counterparts. Probation is used mostly within the juvenile justice system but is rarely used in the adult justice system. Nonetheless, juvenile courts rarely impose probation because of the lack of personnel and the logistical inability to maintain probationary services (Appiahene-Gyamfi, 2009).

### **Traditional View of Children in Ghana, Precolonial Era**

The constructs of the current juvenile justice system in Ghana stem from the traditional view of children in Ghanaian culture. “How children are viewed in a society... determines how they are treated, has consequences for the welfare of children and the rights accorded them including how they are treated in the justice system” (Ame, 2018, p. 394). In addition to receiving little attention, children in Ghana, until recently, were ignored. While Ghana is made up of several ethnic groups and, consequently, different cultures, all ethnic groups share a similar perception of children. First, there are two main stages of life: childhood and adulthood. Childhood begins at birth and ends at puberty, which is marked with an initiation ceremony. The type of ceremony at birth and the type of initiation at puberty depends on the ethnic group. In Ghana, there is no adolescence

stage, i.e., the initiation rites transform a child into an adult. Second, the values and principles that guided the traditional social system were respect for the spirit world (which includes ancestors and gods), respect for your elders, and solidarity of the family (Ame, 2018). Any disrespect for the spirit world and elders was considered a serious offense. In this respect, orphanages and street children were nonexistent in traditional Ghanaian societies. For these reasons, there were limited opportunities for children to express themselves. In fact, neither were there opportunities for adults to express their views. Ghanaian societies, before the colonization era, insisted on complete conformity from members. Third, there was no distinct difference in a community's reaction to children or adults who found themselves in conflict with the laws, customs, norms, and practices of the society. In other words, there was no separate justice system for children.

### **Known Causes of Juvenile Delinquency in Ghana**

Most theories and perceptions used to explain juvenile delinquency indicate that this phenomenon is a result of socioeconomic hardships and familial relational problems. This theory is applied to address issues of whether two-parent households and employment influence crime. The argument is that a stronger bond between children and parents is a deterrent for crime. The family unit is viewed as a protective factor against criminal activity. However, the family unit is not the main cause of juvenile delinquency. Two-parent households and employment status variables were found to have a moderate and weak relationship and predictability in criminal activity. Other theories blame the phenomenon of juvenile delinquency on peer associations. Because of desolation, poverty, and poor education, youth form unsavory associations and encounter violent

crimes. The plausible main causes of juvenile delinquency in most municipal areas in Ghana are poverty, peer association, poor academic performance, and for fun (Bosiakoh & Andoh 2010). The theory of differential association is used to explain this phenomenon of familial relations and peer association.

### **Current Juvenile Justice Administration in Ghana**

The administration of juvenile justice policies is divided between the DSW, the Ministry of Women and Children's Affairs, the Ministry of Interior, the Attorney General's Department, and the DOVVSU of the GPS. The social welfare service is primarily responsible for providing various services including care and protection for children, adoption, fostering, and institutionalized care. The Ministry of Women and Children's Affairs (also known as the Ministry of Gender, Children, and Social Protection) is responsible for the formulation of policies that deal with women and children issues including advocating for better treatment of women and children. The DOVVSU is a branch of the GPS and is primarily mandated to deal with domestic violence against children and adults. While crime prevention might be ideal, the GPS is a reactive institution; a state which seems to inhibit its participation in crime prevention and control (Appiahene-Gyamfi 2009). The Ministry of Interior embodies the GPS and the Ghana Prisons Service and, therefore, oversees the DOVVSU branch of the GPS. The Attorney General's Department is responsible for criminal prosecutions and mandates the police to prosecute crimes. Currently, the attorney general's department has no trained prosecutors designated to handle juvenile delinquent cases. These institutions in charge of the administration of the juvenile justice system have primary functions other than

juvenile justice, which makes the delinquent an afterthought and not their primary concern. “Child maintenance cases make up the bulk of cases handled by key justice for children institutions...leaving limited time and resources to develop proactive services to address other justice for children issues” (Government of Ghana 2015, Nov).

### **Public Policy Issues Related to the Administration of Juvenile Justice**

While International experience suggests that child-friendly procedures at all stages of the juvenile justice process increase the rate of successful prosecution and make children and families more willing to report violations and cooperate with law enforcement, the design of the juvenile justice system in Ghana, according to the Commonwealth Human Rights Initiative, has limited access, has delays, is not affordable, lacks confidentiality, and has other deficiencies that make the juvenile delinquent population a vulnerable group (Hoffman and Baerg 2011). The rights of children in conflict with the law needs to be promoted in conjunction with working towards a better functioning juvenile justice system. A research study by Hoffman and Baerg (2011), commissioned by the Commonwealth Human Rights Initiative, determined that while law enforcement has a function in the process of juvenile justice, Ghana has no police specifically trained in the laws pertaining to juvenile arrests, to ensure that the rights of the juvenile is preserved. Most juvenile arrest cases are referred to DOVVSU “even though this is not the main function of the DOVVSU stations” (Hoffman & Baerg, 2011, p. 3). Section 20 of the United Nations Standard Minimum Rules states that juvenile cases should be heard without undue delay; however, the current juvenile justice administration system is not following that rule. This is even though the Juvenile Justice

Act mandates that cases be completed within 6 months. Section 30 of the United Nations Standard Minimum Rules also includes a provision for conducting research with the intention of monitoring and changing current policies. The Ministry of Women and Children is responsible for making policies but there is no one at that department responsible for juvenile justice according to the report from Hoffman and Baerg (2011). There is no mechanism in place for keeping records of juvenile justice statistics and data required for such research.

### **Summary**

While there is literature documenting the lack of will of the government of Ghana relating to improving the juvenile justice system as a problem that hinders the path to rehabilitation for juvenile delinquents in Ghana, “there seems to be no one in government who feels responsible for the inefficiencies or the successes of the juvenile justice system” (Hoffman & Baerg, 2011, p. 21). A plausible reason might be because of the fragmentation of the administrative responsibilities across many agencies. With many agencies involved, no one agency is taking responsibility for implementing current policies, nor is there a clear indication as to which agency is responsible for what aspect of the administrative process for the juvenile justice system. The plight of the juvenile delinquent in Ghana is further complicated by the traditional status of a child – that is, that of being seen and not heard. While there are literature documenting issues in juvenile justice administration in Ghana, little has been documented on approaching the issue from the perspective of the administrators. This study may provide additional information for looking at the issue holistically.

The question now is whether there is a possibility of improving communication and collaboration between these agencies to achieve the goal of the current juvenile justice policies, which intent is rehabilitation rather than punishment. Chapter three discusses the methodology employed to answer this question.

## Chapter 3: Research Method

### **Introduction**

The purpose of this study was to explore potential improvements to the rehabilitation process for juvenile offenders in Ghana. The current justice system and its policies originated from Ghana's colonial British rule, as is the case with African countries colonized by the British. Colonization from Great Britain and the subsequent introduction of English common laws, administration, and religion were challenges to the traditional modes for maintaining social control measures and keeping law and order. Both systems (the traditional and the colonial adaptation) reflect a common perception of children. The purpose of this study was to explore what may improve the rehabilitation process for juvenile offenders.

In this chapter, I discuss the methodology I used for my research to explore the implementation of juvenile justice policies under a multiagency and whether it is effective in achieving the goals of rehabilitation for juvenile delinquents. I also explored the mode of communication among the multiple agencies to find out what challenges, if any, they face while implementing juvenile justice policies. In this chapter, I explain the rationale for using a qualitative case study for this study, including a description of the research sample, sample size, and how the sample was selected. Finally, I identify ethical considerations and the guidelines used to ensure the rights and anonymity of each participant in this study.

### **Research Design and Rationale**

The primary research questions were the basis for the interview questions used in this study. Both the research questions and interview questions were as follows:

RQ1: How do juvenile justice administration agencies coordinate and communicate in a multiagency system in Ghana to implement juvenile justice policies?

IQ1: Who is a juvenile delinquent?

IQ2: What is the trend of juvenile delinquency in Ghana?

IQ3: What is the present state of juvenile justice delivery and what are the stages?

IQ4: Briefly describe what each stage of juvenile justice delivery entails.

IQ5: Which institution is associated with each stage? Kindly name them and the role they play.

IQ6: How do you collaborate with the other agencies at these stages and how do you coordinate the roles associated with these stages?

RQ2: How effective is this collaboration and communication among the multiple agencies in implementing policies in the juvenile justice system?

IQ7: What are the challenges associated with each of the stages?

IQ8: Please describe how these challenges you face affect your duties.

IQ9: Do you believe these challenges can be addressed and how?

Furthermore, I asked introductory questions to establish participant qualifications, probing questions to ensure answers were fully explained, and concluding questions to wrap up the data collected from each participant. Interview questions were semistructured to ensure uniform data collection. These questions were intended to extract information

about the process of communication among agencies and to find out the effectiveness of the process to implement policies that will eventually lead to rehabilitating the juvenile delinquent population.

I used a qualitative case study approach for this study. I intended to obtain deeper insight into the communication and coordination practices of the multiagency juvenile justice system in Ghana. In this study, I sought to answer the primary questions and related questions from the perspective of the participants, who were executives and staff of juvenile justice agencies in Ghana. Using the ACF as the theoretical foundation, I examined the communication, coordination efforts, and conflicts of the multiagency system in the interest of implementing juvenile justice policy for processing juvenile delinquents with the subsequent goal of rehabilitation. I sought to explore the role of the administrative organizations in the perceived deviation from the designated process for juvenile delinquents and to provide an overview of the whole policy process. This qualitative research approach offered the best method to explore and understand where miscommunication occurs in the process.

### **Qualitative Research**

Various qualitative analytical approaches can be used to extract information for research. These approaches include narrative, grounded theory, ethnographic, case study, and interpretive phenomenological analysis, which are usually aligned with the research design. A narrative approach is used when stories centered by the participants are the raw data. This approach is useful in studies pertaining to culture, historical experiences, identity, and lifestyle. A grounded theory approach enables a researcher to develop a

theory to offer an explanation about the unit of interest and depends on emerging patterns and inductive reasoning (Patton, 2014). An ethnographic approach is the best way to capture findings, beyond what is seen or heard, from the units of interest. This approach accommodates the careful description of regularities, irregularities, and variations in human behavior and complex society. In a case study approach, a researcher uses deep observation of the characteristics of a person, group, or community to analyze phenomena related to the unit of interest. An interpretive phenomenological approach is used when a researcher is concerned with understanding people's experiences of the world and of themselves, allowing "for multiple individuals (participants) who experience similar events to tell their stories without any distortions" (Alase, 2017, p. 3). In other words, the interpretative phenomenological approach focuses on what participants have in common in their lived experiences.

### **Case Study**

For this research, I used a case study approach to reach a deeper understanding of achievements and challenges of implementing juvenile justice policies from the perspective of the agencies assigned to juvenile justice administration in Ghana. The case study approach originated in the 1900s. The University of Chicago was a leader in case study methods and a source of literature in the field. The approach became more common in the 1950s and 1960s and is used in many social science applications today. "Case study research involves a detailed and intensive analysis of a particular event, situation, organization, or social unit" (Burkholder, 2016, p. 227). The case study approach was the most appropriate for this research study because of the interpersonal social change

implications associated with it. This approach provided me with an in-depth look at the juvenile justice system in Ghana, its inner workings, and interactions that affect the functioning of the agency. The outcome of the study may provide a comprehensive understanding of the inner workings of the Ghanaian juvenile justice system. My intentions were to make this study a basis for possible and feasible policy changes to enhance the rehabilitation of youth in conflict with the law in Ghana.

### **Role of the Researcher**

My role as a researcher was that of the interviewer and sole data collection instrument. Prior to this research, I had no professional or personal relationship with any personnel in juvenile justice administrative agencies. I used individual telephone numbers and email addresses (due to the coronavirus pandemic and time differences between Ghana and the United States) to conduct interviews with open-ended questions, which allowed for follow-up questions to delve further into understanding the phenomena. I was the sole data collection instrument interacting with the phenomenon of interest—the multiagency juvenile justice administration. This research was intended to be inductive, in which discovery and interpretation would be concurrent. The goal was to understand and not to find causes. This gave me a holistic understanding of the phenomenon of policy implementation in the juvenile justice system and effectiveness or ineffectiveness where rehabilitation is concerned.

## **Methodology**

### **Sample Selection Process**

In the sampling process for this study, I considered the research problem, purpose, and questions. Because the concern was not about generalizability, I used purposive sampling for this case study. “Purposive or judgmental sampling is the more acceptable sampling procedure for qualitative research, particularly, when it involves selecting participant for special situations” (Ishak & Bakar, 2014, p. 32). My choice of sampling was based on the relevance of the study and rested on the “multiple purposes of illuminating, interpreting, and understanding” (Ishak & Bakar, 2014, p. 32). My sampling population consisted of personnel from the DSW, and the DOVVSU of the GPS. Participants had to be experts on juvenile justice administration, hence the sampling from agencies involved with the administration of juvenile justice in Ghana. Using introductory interview questions, I was able to identify who qualified as a participant for this study. After obtaining permission from the directors of the DSW and the DOVVSU, respectively, I contacted participants via email. Email addresses were obtained after I received site permission.

### **Sample Size**

My aim for this research was to explore and understand the subjective reality of the participants in this study. This knowledge could not be achieved through large samples representative of a sample of individuals. Reaching people within the study area was more likely to yield the results desired for this study. Careful sampling and careful data collection techniques through interviews, narratives, and focus groups can yield

enough data to answer the research questions. Several types of sampling could have been suitable for this study; however, there was only one that was most suitable. Sample types considered for this study were convenience sampling, snowball sampling, and purposive sampling. Convenience sampling is representative of a group of individuals; however, selection is based on how easy it is to obtain the sample. For instance, if I were to do research about the postal service, my sampling would be convenient because the participants would be conveniently within my reach. I also would have known who to ask to be in the study. It is the least rigorous technique involving the most accessible subjects, but it may result in poor quality data. This technique, while possible, would not have worked for my study. Snowball sampling is when a researcher derives sampling from referrals from a few initial respondents. The analogy to snowballing depicts the potential increase in size. This method poses the risk of capturing a biased subset of the population of interest and was not a convenient sampling method for this study. Purposive sampling is that which a researcher sees as “a series of strategic choices” (Given, 2008, p. 698) and believes is representative of the group under study. This sampling method is tied to the objectives of the study. This method was the most aligned with this research study.

I anticipated the sample size for this study to be a minimum of four and a maximum of 12 participants from the various agencies charged with juvenile justice administration. According to Creswell (2013), sample size depends on the qualitative design chosen for the study and has observed that case studies typically use samples of about four to five participants. Saturation refers to stopping data collection at the point “when gathering fresh data no longer sparks new insights or reveals new properties”

(Creswell 2013, p. 189). My aim was to collect enough data to answer the research questions for this study. This study was so specialized that saturation, the quality, and quantity of information up to the point that no new information or themes are observed in the data, was reached with as little as four people.

### **Data Collection**

This research was a case study that required in-depth description of the process, experience, and structure of the juvenile justice administration and implementation of juvenile justice policies. I, therefore, used interviews (phone and email – in-person was impossible because of travel restrictions and COVID 19) and extant document analysis, in addition to notetaking during the phone interview. To ensure privacy, I did not do group interviews (or focus groups) but instead did individual interviews to probe the perspectives of the participants about the phenomenon of interest. As a supplement, I considered a survey using a standardized set of questions (considering the email option). It would still have been purposive since the survey would have been administered to only those within the multiagency charged with juvenile justice administration. Had I used a survey for supplemental information, no participant would have been required to give their names or rank in the establishment.

Interview questions were semistructured to allow follow-up questions and to allow interviewees to freely express their perspectives. Other forms of data collection methods included textual and document analysis (research articles, governmental reports, organization policies and protocols, letters, records, and meeting notes). My interview protocol started with date, place, interviewee, and interviewer, introduction questions (as

an icebreaker) followed by the structured open-ended questions to allow for probing and follow-up questions and ended with a “thank you statement to acknowledge the time the interviewee spent during the interview” (Creswell, 2013, p. 194).

### **Data Management Techniques**

Safety of the data collected is very essential to ensure anonymity. To safeguard the data collected, I kept back-up copies of both electronic and hard-copy files. Current technology for storing large amounts of data has a system known as data lakes which are data repositories that allow several formats for data storage and includes cloud storage. I filed the data by cataloguing for easy access including a coding format that makes it easy for analysis. At the end of each interview (or data collection) I put the data in a structured form to be analyzed. I incorporated this plan during transcription as well to ensure quality, accessibility, and relevant follow-ups to the interviews, as necessary.

Data management also raises concerns with privacy and security. As the sole instrument for data collection I, and only I, had knowledge of the participants. However, to create anonymity, I assigned codes to each participant which, in effect, made me the only person able to identify the participants. This reduced identifiers for quoted texts, should I use them.

### **Data Analysis**

Analyzing qualitative data requires creativity, divergent thinking, a perception of patterns among ambiguity, and strong writing skills because qualitative analysis is dependent upon the researcher and not on computing software. Data were analyzed using a modified Stevick-Colaizzi-Keen procedure employing phenomenological reduction,

organization of themes, and textural descriptions. The recorded interviews were transcribed and analyzed with QSR NVivo Software and cross-checked with the audio, email, and physical notes I made. I employed member checks to ensure that I captured an accurate representation of the participants' true meaning. I used hand-coded system and theming, as well as coding from NVivo, to categorize the results to support the research questions. Coding facilitates retrieval of meanings from the raw data and enables a researcher to bring together all passages of similar content – themes and categories. “There is no way to tease out these shades of meaning in a mechanical manner; you have to keep your brain engaged” (Rubin & Rubin, 2011, p. 192). While the NVivo software helps organize and quickly and easily retrieve data, it is the role of the researcher to analyze the data.

### **Issues of Trustworthiness**

#### **Validity, Reliability, and Trustworthiness**

As much as possible, I maintained consistency and accuracy in the results and findings of the study to ensure dependability. “Validity is one of the strengths of qualitative research and is based on determining whether the findings are accurate from the standpoint of the researcher, the participant, or the readers of an account” (Creswell 2013, p. 213). To ensure the validity and reliability of my research, I used phone-interview recordings, in addition to email interviews, to corroborate the accuracy of the data and the interpretation of the answers and quotes from the participants. Most of the data collection was by email and did not require much transcription. Coding was done by automation using QSR NVivo analysis software. With the telephone recording I checked

the transcription of the participants' answers and quotes and made sure they matched and asked for clarifications where needed. I consulted with participants to ensure clarification of their statements and any misinterpretation on my part. Triangulation of different data sources is another strategy I used to ensure validity. This was done by examining evidence from the sources to build a coherent justification for themes. Other concerns in qualitative research include trustworthiness, credibility, and reflexivity. Trustworthiness (dependability) relies on consistency and the process of verification.

Credibility in qualitative research is considered the equivalent of internal validity in quantitative research and concerns the truth value of the research study. Strategies that ensure credibility in a qualitative research study include triangulation and member check (that is, crosschecking researcher's interpretation with the participant to alleviate any misrepresentation). I used the purposive sampling method because only a limited number of people could serve as primary data source for the study due to my aims and objectives for this study. I conducted interviews with participants from the Greater Accra Regional offices in Ghana only; therefore, this study was not generalizable to the rest of the country.

Reflexivity refers to the researcher's self-awareness of preconceived notions and biases. "As a qualitative researcher, you have to acknowledge the importance of being self-aware and reflexive about your own role in the process of collecting, analyzing and interpreting the data, and in the pre-conceived assumptions, you bring to your research" (Korstjens & Moser, n.d. p. 123). According to Creswell (2013), because the researcher in a qualitative case study is the primary data collection instrument, it is necessary for the

researcher to identify any personal values, assumptions, and biases from the onset of the research study. Analytical notes on my interviews were supplemented with my reflexive notes that included transparency on my relationship with the interviewees and any preconceived notions and biases on juvenile justice in Ghana.

### **Ethical Protection of Research Participants**

Anonymity, safety, and the privacy and well-being of each participant is the responsibility of the researcher. While face-to-face interviews might have been ideal, I considered the close-knit culture of the agencies, the small sample size, and the coronavirus pandemic, and concluded that it would not be the ideal method of data collection for this study. To protect the participants, a phone interview and/or email option was preferable. The internet created the privacy and anonymity required for this exercise. I refrained from using quotes as it might be possible for others to identify the author of the quote. I attained prior approval from Walden University in addition to approval from the agencies' heads (who might themselves be part of the study). Participants were given the opportunity to exercise their rights to participate or not, including the rights and respect expected and had the right to withdraw from the study at any time without prejudice. Reports from this study did not share the identities of individual participants. Personal information was not used for any purposes outside of this research project. Data was kept secure by using codes in place of names. Contact information and research data was stored on electronic files in Dropbox (cloud) with back up on flash drives which was stored in a locked cabinet. Data will be kept for a period of, at least, 5 years. Digital data will then be disposed of, using a disk wipe software.

### **Summary**

The purpose of this study was to explore potential improvement for the rehabilitation process for juvenile delinquents in Ghana. In this study, I used a qualitative case study approach intended to obtain a deeper insight into the communication and coordination practices of the multiagency juvenile justice system in Ghana. The components of this study include purposive sampling as the selection method for participants, in-depth data collection using semi-structured questions, and ensuring validity, reliability, and trustworthiness in the data collection and analysis procedures. Included in this chapter were my research questions; and under each research question was listed their corresponding interview questions. I used introductory questions to establish participant qualification for this study, and probing questions, and concluding questions to ensure enough information is collected. Data analysis procedures were detailed and ensured the ethical protection of all participants. In Chapter 4, my aim was to address the two research questions by presenting the data obtained from participants of the study and determining the findings for the study.

## Chapter 4: Results

### Introduction

The purpose of this study was to explore the collaboration and communications process of a multiagency juvenile justice administration in Ghana and to explore potential improvements for the rehabilitation process for juvenile offenders in the Ghanaian criminal justice system. To conduct this exploration, I used a qualitative case study research design. The aim of the study was to gather enough information to inform the justice administration on how to improve the implementation of juvenile justice policy. Also expected in this study was the exploration and understanding of the subjective reality of the participants. The point of intake for juvenile offenders in Ghana is random; the point of intake could come from any of the agencies, including the adult system through a routine arrest. Typically, however, first contact with a delinquent is made through the DSW or the DOVVSU.

I applied the theoretical framework of ACF presented by Sabatier and Jenkins-Smith, which is used to describe loose associations between like-minded institutions that work together to pursue common goals as a way of viewing interactions between competing public policy agendas. The primary questions I sought to answer were whether there was collaboration between the DSW and DOVVSU in the juvenile justice administration and implementation of juvenile policies. Given the answers I sought, the following were my research questions for this study:

RQ1: How do juvenile justice administration agencies coordinate and communicate in a multiagency system in Ghana to implement juvenile justice policies?

RQ2: How effective is this collaboration and communication between the multiple agencies in implementing policies in the juvenile justice system?

In this chapter, I present the results of the study with information about the process used to achieve these results by presenting the description and analysis of the data collected, followed by a discussion on data worthiness.

### **Setting and Demographics**

My sample came from the DSW and the DOVVSU—the two agencies directly involved with juvenile justice administration in Ghana. DSW is headed by a director who is supported in administrative duties by four deputy directors, each of whom is responsible for the administration of the budget, planning, and monitoring unit, the child rights promotion and protection unit, the justice and administration unit, and the community care unit. The director, deputy directors, officers (social workers), and secretariat staff constitute the head office team. A regional director heads each of the 10 regions of Ghana, while district officers and relevant supporting staff are responsible for the districts. From this agency I drew a total of three participants. The DOVVSU is a unit within the GPS and is a one-stop center for victims of abuse with the capacity to prevent, apprehend, and prosecute culprits of domestic violence and child abuse. This unit of the GPS interrelates its activities with the DSW. The DOVVSU unit is composed of police personnel in all the regions of Ghana with pods in a majority of the districts with further training in gender, human rights, counseling, child development, welfare, and victim support. The division is headed by a national coordinator who is responsible for all DOVVSU operations. From this agency, I drew a total of one participant.

## **Juvenile Justice Administration System of Ghana**

The juvenile justice system in Ghana is primarily overseen by the juvenile justice unit at the DSW. The DSW, under the Ministry of Gender, Children, and Social Protection, has as its primary function as the statutory agency mandated to regulate the operations of children's homes in Ghana. In this specific case of children's homes, the DSW regulates the operations of these institutions through the enforcement of the guidelines for the registration and operation of these establishments. As such, the DSW is required to continuously monitor the activities of children's homes, to safeguard the children's interests and well-being. The DSW is responsible for the promotion and protection of children's rights, the care of disabled and needy adults in the community, administration of justice for children (juvenile justice) and related issues in addition to budgeting, planning, and monitoring for the unit. The DOVVSU of the GPS is a one-stop center of services for victims of abuse and others. DOVVSU derives its legal strengths from the 1992 Constitution of the Republic of Ghana, the Police Service Act, the Criminal and other Offences Act, Act 29/60, the Domestic Violence Act, Act 732 of 2007, the Children's Act, Act, 560 /98, the Juvenile Justice Act, Act 653/2003. DOVVSU's focal areas include public education on issues of abuse, sensitization, empowerment of women and children with respect to their rights, bringing perpetrators to book, victim support through counseling and therapy, and working with other agencies to meet the needs of victims through building effective support networks and systems. In addition to these functions, DOVVSU has become a referral source of credible information on data on domestic violence, sexual and gender-based violence, and child

abuse in Ghana. As part of its commitment to providing national data on sexual and gender-based violence and child-related offenses, DOVVSU assists the country with reliable data to report to international communities on international human rights charters signed and ratified. DOVVSU's primary vision is to create an environment in which domestic violence is freely reported and to collaborate with stakeholders to provide a coordinated and timely response to victims of abuse. DOVVSU is staffed by personnel with further training in gender, human rights, counseling, child development, and overall victim support. Within this division is a section of personnel from DSW who are responsible for juvenile delinquents encountered.

**Justice for Children Policy.**

The objectives of the Justice for Children policy include preventing juvenile offending; strengthening programs for rehabilitation and social reintegration; strengthening formal and community justice systems; protecting child witnesses and victims; guiding reform, laws, and policies; and providing financial and human resources for policy implementation. The judicial service has taken steps to promote child justice specialization at the district court level through the appointment of family tribunals and juvenile courts. Under the Courts Act, the chief justice designates a district court as a juvenile court. Family tribunals are established under the Children's Act. This court consists of a panel appointed by the chief justice on the recommendation of the director of social services, with the magistrate of the district court presiding. One of the panel members must be a DSW officer. Juvenile justice in Ghana is highly gendered with more boys coming in conflict with the law than girls. Girls are criminalized more than boys for

sex-related offenses, such as becoming pregnant and engaging in promiscuity. These notions are deeply rooted in social stigma. The United Nations Children's Fund (UNICEF) is an organization that supports the integration of child-friendly policing initiatives in police training and Justice for Children Policy. UNICEF works with partners in Ghana to ensure that children in conflict with the law are protected.

The judicial service has a court-connected alternative dispute resolution program that some juvenile-related cases are referred to (Child and Family Welfare Policy, p. 6). The Children's Act made the DSW primarily responsible for providing various services for children, including the operation of the family tribunal.

### **Causes of Juvenile Delinquency in Ghana**

There is no comprehensive research on the underlying causes of juvenile delinquency in Ghana; however, some apparent causes are poverty, broken homes, and abuse (physical, mental, and sexual). According to the Republic of Ghana Ministry of Gender, Children, and Social Protection (2015):

A mapping of community perceptions of child protection issues conducted in 2010 identified a number of factors perceived to be contributing to juvenile offending include poverty, negative influences from violent films, and pornography, peer pressure, parents' neglect and failure to provide for their children's basic needs, and drug and alcohol use. (p. 4)

Other plausible causes include bad upbringing (pertaining to insufficient discipline), lack of role models, little or no education (leading to no advancement in the community), bad influences from gang activity, lack of religious or spiritual guidance, personal character

and personality issues including failure to understand right from wrong, and the propensity for risk taking. With respect to juvenile delinquency (children in conflict with the law), data available from the courts suggest a relatively low number, as was confirmed by data received from participants. The highest number of cases referred to the DSW in the Accra probation unit was 60. In 2012, there were 28 cases, 2013 had 36, 2014 had 36, 2015 had 56, 2016 had 60, 2017 had 39, and 2018 had 19. This data, however, might not depict accurate information on the trend of juvenile delinquency as it only pertains to cases in the Greater Accra Region of Ghana (only one of 16 regions).

Historically, children in Ghana grow up in close-knit extended family systems where strong cultural traditions govern their formative years. In rural areas, for instance, family members are expected to participate in the upbringing of children. The notion has been that children are the product of the whole village. If they grow up to become productive members of society, it benefits the whole village. While the extended family systems remain intact, poverty and urban migration trends and family breakdowns have contributed to the need to assess the systems to address issues of domestic abuse, social conflicts, and juvenile delinquency. The top crime trend among juveniles in Ghana is stealing. Reports from the DSW indicate that this trend is due to broken homes, resulting in poverty and lack of parental supervision. While some single parents are making efforts to take care of their children, some of these children are not willing to stay at home under these conditions of poverty.

### **Data Collection**

On May 20, 2020, I received approval notification #05-20-20-0741756 from the Walden University Institutional Review Board to proceed with data collection process. In general, finding participants for the study was difficult because of the distance and time difference between the United States and Ghana. This difficulty was compounded by the global novel coronavirus pandemic, which resulted in the closing of businesses around the world, including Ghana. When Ghana reopened for business, it was in shifts. I had no prior relationship with these agencies, and it was difficult to find directors of the relevant agencies to obtain permission to conduct interviews. Finding participants in an already small department and maintaining anonymity was challenging as well. Once I obtained site permission, I had to find a way for participants to not be identified. I sent letters to four potential participants, who all agreed to being interviewed. My participant pool was eight.

My first interview was conducted on July 4, 2020 via email, as the participant and I could not coordinate a good time for a phone or video interview due to the 5-hour time difference between Ghana and the United States, and the novel coronavirus pandemic which had slightly intensified in Ghana. I sent the participants consent forms via email to which they replied with the word *consent*. That email served as a copy of their consent form. There were nine semistructured main questions, 10 possible follow-up questions, and six introductory questions which determined their qualification as participants of this study. The interview guide ensured consistency with my semistructured interview plan. My last and final interview was conducted on July 20, 2020. The phone interview lasted a

little over an hour and the email interviews were over a course of 2 or 3 days depending on how soon the participant answered follow up questions.

Recording interviews by email did not require much transcription because they were already in the participants own written word. The phone interview was done using an app that immediately transcribed the conversation through Notepad. For cross reference, Microsoft word also provides immediate transcripts (Office dictation powered by Microsoft Speech Services) on a word document if you use the computer's audio. None of these options (notepad and office dictation by Microsoft) indicate punctuations so the transcripts needed cross referencing with the recording done with my Olympus VN-5200PC digital voice recorder, which has the automatic capacity of putting each interview in a separate folder (5 folders with 200 files per folder capacity) for ease of access. Time and effort went into cross-referencing with the recorded version.

However, only one interview was done using the phone option. The others preferred the email option. At the end of the interviews, I thanked all participants and told them that they would be provided a copy of the study's summary upon its completion.

Table 1

*Statistical Overview*

Participant	Date	Time	Length	Pages transcribed
PT1	July 4, 2020	N/A	N/A	11 via email
PT2	July 14, 2020	N/A	N/A	7 via email
PT3	July 16, 2020	5 p.m. EST	90 minutes, via telephone	3
PT4	July 20, 2020	N/A	N/A	8 via email

## Data Analysis

### Research Question 1 Data and Analysis

My first research question (RQ1) was an inquiry about how juvenile justice administration agencies coordinate and communicate in a multi-agency system in Ghana to implement juvenile justice policies. My Answers came from Interview question 1 through 6 (IQ. 1 through IQ. 6). The first four (4) questions were fishing questions about the background and trend of juvenile delinquency. Table 3 documents the trends in Juvenile delinquency between 2012 and 2018. Current documentation was not available. Question 5 and 6 were more designed to answer research question 1 (RQ1).

**IQ1 and IQ4: Definition of juvenile delinquency and stages of juvenile justice delivery.** My question as to who was considered a juvenile delinquent was met with “A child between the age of 12 and 17 years who is in conflict with the law” or “a person below the age 18 who takes part in unlawful behavior or act”. Basically, some were specific with the age range of a juvenile delinquent, while others generalized. All participants were consistent with the question about the various stages of processing a juvenile delinquent through the justice system. The stages of juvenile justice delivery include arrest, court, remand, bail, request for social inquiry report, presentation of social inquiry report, mitigation, and sentencing. My question about juvenile justice delivery was geared towards how fair the system was to the juvenile delinquent. The following answer sums up a self-evaluation of a participant, “juvenile justice delivery is effective, and the juveniles are given fair trial. The court also gives opportunity to the juveniles to seek for legal assistance to represent them in court” (PT2). Regarding what stage is

associated to what agency, the following was derived. The police do the arrest, the courts adjudicate, the DSW is in charge of remanding the delinquent, writing the Social Enquiry Report which involves tracing the juvenile's relative/parents (investigation), and supervision, as in probation. The prison services are charged with reformation and rehabilitation and the lawyers defend and mitigate. The introduction of Case Management Conferences and the Justice for Children Policy are set to improve the state of juvenile justice delivery, aiding in expeditious case processing, strengthening programs for social reintegration, and preventing juvenile offending, promote formal and community justice systems to enhance justice for children, and enhance access to justice for children involved in family and other civil proceedings.

The stages of juvenile justice delivery begin with the pretrial stage, followed by the trial stage, and ends with the post-trial stage. At the pretrial stage, the juvenile is arrested by the police and taken to the police station. If the child is not accompanied by a parent or guardian, a probation officer from the DSW is assigned to go to the police station to be the advocate for the juvenile to aid in the explanation of the charges levied against the child before a statement is taken by the police. The case is then processed to court. At the trial stage, the juvenile is read their charges in court in the language he or she understands. Their plea is taken and disclosures such as witness statements, medical report(s), the juvenile's statement, are made to the court, with their counsels (lawyers) present and a case management conference is held. A social enquiry report or an investigation is ordered to ascertain the background of the juvenile before sentencing. The social enquiry report, once completed, is read in court. Defense counsellors are given

copies of the report before it is read. Mitigation by the juvenile or lawyer are made before sentencing. This is the stage where the juvenile, with the help of his or her lawyer, is given the opportunity to reflect on their offending behavior and show some remorse to the court. In post-trial, the juvenile may be released to a parent or guardian and placed on probation. In which case the probation officer prepares a plan for the juvenile and supervises him. An alternate outcome may be commitment to the correctional center. Table 2 lists the stages of juvenile delivery and the agencies associated with the stage.

The DSW recognizes that Children in conflict with the law should only be deprived of liberty, as a measure of last resort. In principle, placement in a remand home, Junior Correctional Centre or Senior Correctional Centre is used only for children who have committed serious offenses involving violence, or in cases of recidivism. Custodial placements in Junior Correctional Centers or Senior Correctional Centers, however, are sometimes necessary if a juvenile offender poses a threat to society. Nonetheless, it is recognized that removing children from their family and community adds to their sense of isolation and stigmatization. To the extent possible, emphasis is placed on strengthening community-based engagement of the family and community in providing supervision, guidance, and rehabilitative support with the help of social workers. The longest duration of the stay of a juvenile in a correctional facility is three years and that is for juveniles with major offenses.

Table 2

*Stages of Juvenile Justice Delivery and Associated Institutions/Agencies*

Stage	Associated institution/agency
Arrest	Police service
Adjudication	Court
Remand, social enquiry report writing, tracing of relative/ parents, and supervision	Department of Social Welfare (juvenile justice division)
Reformation and rehabilitation	Ghana prisons service
Defend/mitigate	Lawyers (counselors)

Table 3

*Trends in Juvenile Delinquency, 2012–2018*

Year	2012	2013	2014	2015	2016	2017	2018
Trend	28	36	36	56	66	39	19

**IQ5 and IQ6: Collaboration and coordination among agencies.** Coordination and collaboration between the DSW and the DOVVSU are not as complicated as it appears. With a Social Welfare Services unit embedded in DOVVSU, referring cases to the Social Service is simple, easy, and on-site. While DOVVSU might encounter cases involving juvenile delinquents, they are not mandated to process them, so they are deferred to the Social Service seamlessly. The social workers at DOVVSU handle children who come in conflict with the law. Sometimes they apply diversion from the court system, provide restitution or caution, and, sometimes, discharge the juvenile. However, they often refer cases, especially minors and those juveniles in moral and

physical danger, to the Probation Unit of the Department of Social Welfare. In this case, the social worker counsels the juvenile, and provides voluntary supervision.

### **Research Question 2 Data and Analysis**

My second research question (RQ2) was an inquiry into how effective the collaboration and communication, between agencies, was in implementing policies in the juvenile justice system. This included any challenges that might hinder progress in any of the processes. Of utmost concern was whether this process helped in rehabilitating juvenile delinquents and whether that rehabilitation was adequate and prevented recidivism. Table 4 documents the interview questions and their purposes, and how they relate to the research questions.

**IQ7: Collaboration and challenges associated with the implementation processes.** Children in conflict with the law are reported to the Police service. The DOVVSU is assigned to deal with crimes committed in the domestic setting but are not mandated to deal with crimes committed by the juveniles. For that reason, children in conflict with the law are usually referred to the department of social welfare or handled by regular police. However, it appears there is no specialized unit within the Police service responsible for dealing with juvenile delinquents which has raised concerns about the lack of proper processing of children in conflict with the law. There have been reports of physical abuse of the juveniles by police. This goes against the policies prescribed in the Juvenile Justice Act of 2003 concerning processing delinquents. Even of more concern is the inadequacies of the age determination process. A juvenile delinquent is a person below the age of 18 who takes part in unlawful behavior or act. In other instances,

a juvenile is defined as a child between the ages of 12 and 17 who conflicts with the law. There are other conceptual difficulties in determining who a child is, considering cultural and legal definitions which is further exacerbated by some parents who do not register their children at birth. The current age of criminal responsibility, which is twelve (12) years, is problematic as such and needs review, as is recommended by the United National Committee on the Rights of the Child (UNCRC). Most of the children arrested are reluctant to provide information pertaining to their parents, making it difficult for the police to contact or locate their parents. This answers the issue stated in another study (Kumi, 2015). This study found that one of the violations in Juvenile justice delivery was the police arresting juveniles without their parents present. While the police are allowed, under the law, to divert delinquents, this provision is hardly ever practiced. The police also have the challenge of caring, properly, for the children in custody, due to lack of alternatives. They are compelled to detain these juveniles in adult cells until arraignment. Resources for food and medical provisions are lacking as well. Family tribunals and juvenile court processes are, often, delayed due to limited sittings stemming from the absence of panel members on assigned days. Sometimes, the transition between retiring panel members and newly appointed ones does not run smoothly, resulting in lapses of time during which the court does not sit.

**IQ8: How these challenges affect policy implementation.** The distribution of these specialized justices for children are highly uneven and with limited reach. The District Assemblies do not provide adequate support for putting up buildings (logistics) for district courts as is prescribed by law, thereby resulting in a limited number of courts.

Child maintenance cases make up the bulk of cases handled by agencies for justice for children including the Department of Social Welfare and The Domestic Violence and Victims Support Unit. Other challenges pertain to funding and logistics. There is great concern for dwindling funds to support juvenile justice programs. Funds are not provided for probationary and investigative services as part of follow up for juveniles in conflict with the law. This makes work and implementation of orders and policies difficult and challenging. Lack of adequate logistics and stationery are also cited as challenges faced by the department of social welfare division of Juvenile Justice.

**IQ9: Do you believe these challenges can be addressed and how?** The data revealed that the staff at DSW and DOVVSU do believe that certain measures taken, and immediately, could alleviate some of the challenges. The design of the juvenile justice system, limitation of access, delays, affordability, lack of confidentiality from the juveniles, and perceived lack of trust in the formal system, with emphasis on non-availability of specialized courts, inadequate professionalized probation services, and limited institution-based rehabilitation, drive these challenges. Therefore, the consensus is that some of these issues can be resolved by making adequate funds and logistics available. Provision of free legal services is also cited as one of the solutions to the resource issues. According to the data collected, the DSW is working hard and should continue to handle the administration of Juvenile Justice in Ghana, as mandated, however, the government should prioritize juvenile justice programs and increase its budget for the purpose of the rehabilitation of juvenile delinquents. Taken into consideration for this possible solution to challenges are the welfare of the juveniles, their

education, shelter, food, clothing, health, home condition, background, offense analysis, previous offenses, risk of future offending, and protective or mitigating factors. Other factors to be considered are the age of the juvenile, the income of their parents, home environments, access to legal representation, and supervision. Tables 5, 6, 7, and 8 list the interview questions and summarized answers from each of the four participants in the study.

Table 4

*Research Questions and Subquestions*

Question type	Questions	Purpose
Introductory	Which agency do you work for? What is your position in the agency? How many years have you worked with this agency? Who is considered a juvenile delinquent? What is the present state of juvenile delinquency in Ghana? What has been the trend in the number of juvenile delinquency cases in Ghana? Do you know of any possible reasons for this trend?	To establish qualification, and knowledge of the juvenile justice system. A prerequisite for inclusion in the sample.
RQ1	How do juvenile justice administration agencies coordinate and communicate in a multi-agency system in Ghana to implement juvenile justice policies?	Basis for interview questions on communication and coordination in the multi-agency juvenile justice administration.
Subquestions under RQ1	What is the present state of juvenile justice delivery and what are the stages? Briefly describe what each stage entails Which institution is associated with each of the stage? Kindly name them and the role they play How do you collaborate with the other agencies at these stages and how do you coordinate the roles associated with these stages?	To answer Research Question 1
RQ2	How effective is this collaboration and communication between the multi-agency in implementing policies in the juvenile justice system?	Basis for interview questions on challenges and the effectiveness in implementing juvenile justice policies
Subquestions under RQ2	What are the challenges associated with each of the stages? Please describe how these challenges you face affect your duties Do you believe these challenges can be addressed and how?	To answer Research Question 2
Possible follow-up questions	Not in any particular order: What is the process for the trial of juveniles? How does the present juvenile justice system address the welfare of juvenile delinquents? How can any challenges associated with juvenile justice system be addressed to enhance the welfare of juvenile delinquents? What are the sources of funding for these projects and activities? What challenges do you face in performing your legal duties? Are counsellors available for these juvenile delinquents?	To establish communication and collaboration between the various agencies and the roles they play
Conclusion	Are counsellors available for these juvenile delinquents? What are the agency's plans for the social rehabilitation of juvenile delinquents?	Tie into purpose of the study

Table 5

*Participant 1, Descriptive Statistics*

Question	Summarized answer
Who is considered a juvenile delinquent	A person below the age of 18 who takes part in unlawful behavior or act.
What has been the trend of Juvenile delinquency cases in Ghana	Answer is the result of table 2 – Number of cases between 2012 and 2018. Stealing was the top offence.
What are the possible reasons for the trend	Broken homes resulting in poverty and lack of parental care
What are the critical areas to consider when dealing with juvenile delinquents	Welfare, education, shelter, food, clothing, health, home condition, background, offence analysis, risk of recidivism, protective/mitigating factors, previous offence, release plan (probation)
What is the present state of juvenile justice delivery and what are the stages? Briefly describe what each stage entails.	Follows written policy (Justice for children policy) Stages: pre-trial through post-trial.
Which institution is associated with each stage? Kindly name them and the role they play.	The law enforcement agency/ The police, Judicial Service/ the Juvenile Court, Department of Social Welfare and Prison Service
How do you collaborate with other agencies at these stages and how do you coordinate the roles associated with them?	While the police may arrest a juvenile delinquent, they always liaise with the Department of Social Welfare to provide services for the juveniles.
Are there counsellors for these Juvenile delinquents?	Yes – referring to lawyers/attorney for the juveniles. UNICEF helps to provide pro-bono lawyers.
What are the challenges you face in implementing juvenile justice programs and policies?	Funding, logistics (children’s courts), and facilities for older girls in conflict with the law
Follow up questions for PT #1	
You mentioned a correctional center. Is this a remand home for juveniles or is it the same as in the adult system?	The correctional centers are different from remand homes. Delinquents are usually housed in remand homes, awaiting trial, if not accompanied by their parents. Correctional facilities are uses if sentenced to protective custody.
If you were asked your opinion, would you suggest a separate agency be created for Juvenile Justice or would you nominate the Department of Social Welfare to continue the administration of Juvenile justice?	Participant opined the status quo. DSW was doing well with this responsibility but needed Juvenile Justice to be prioritized to increase much need programs and funding.
Do you ever collaborate with DOVVSU	Yes. There is a unit within DOVVSU that is an extension of DSW.

Table 6

*Participant 2, Descriptive Statistics*

Question	Summarized answer
Who is considered a juvenile delinquent	A child between the age of 12 and 17 years who is in conflict with the law.
What has been the trend of Juvenile delinquency cases in Ghana	Delinquency is on the increase despite the efforts to contain it.
What are the possible reasons for the trend	Poverty, divorce, insufficient parental control
What are the critical areas to consider when dealing with juvenile delinquents	Age of delinquent, income of parents, home environment, and legal access.
What is the present state of juvenile justice delivery and what are the stages? Briefly describe what each stage entails.	“Effective”, fair trial, legal assistance. Stages: Arrest, court, remand, bail, social enquiry report, mitigation, and sentencing.
Which institution is associated with each stage? Kindly name them and the role they play.	Police (arrest and prosecute), court (adjudicate), DSW (remand, social enquiry report, tracing of relatives/parent, and supervision), Prisons services (reformation and rehabilitation), lawyers (defend/mitigate).
How do you collaborate with other agencies at these stages and how do you coordinate the roles associated with them?	Police inform DSW right away after a delinquent is arrested. All instances are referred to the Department of Social welfare juvenile justice division.
Are there counsellors for these Juvenile delinquents?	Affirmative. UNICEF helps
What are the challenges you face in implementing juvenile justice programs and policies?	Funding and logistics.

Table 7

*Participant 3, Descriptive Statistics*

Question	Summarized answer
Who is considered a juvenile delinquent	A child below the age of 18
What has been the trend of Juvenile delinquency cases in Ghana	Not sure about percentage (no formal logging of delinquent cases)
What are the possible reasons for the trend	Divorce, broken home, illiteracy, poverty, no parental supervision
What are the critical areas to consider when dealing with juvenile delinquents	Home conditions, background, education, type of or lack of supervision.
What is the present state of juvenile justice delivery and what are the stages? Briefly describe what each stage entails.	Mostly handled by DSW
Which institution is associated with each stage? Kindly name them and the role they play.	Police, DSW, Court
How do you collaborate with other agencies at these stages and how do you coordinate the roles associated with them?	DOVVSU refers Juvenile delinquent cases to the Department of Social Welfare
Are there counsellors for these Juvenile delinquents?	Yes – Pro bono and help from UNICEF
What are the challenges you face in implementing juvenile justice programs and policies?	Logistics Funding

Table 8

*Participant 4, Descriptive Statistics*

Question	Summarized answer
Who is considered a juvenile delinquent	A child below the age of 18 and over 12
What has been the trend of Juvenile delinquency cases in Ghana	On the rise. Difficult to pinpoint. Not all delinquents get arrested. Truancies are not always reported to the authorities. It is difficult to pin-point the percentage in rise of delinquency.
What are the possible reasons for the trend	Poverty, broken homes, truancy, lack of parental/relative supervision.
What are the critical areas to consider when dealing with juvenile delinquents	Home condition, Age, education, household income.
What is the present state of juvenile justice delivery and what are the stages? Briefly describe what each stage entails.	Juvenile justice delivery is to follow the procedures noted in the Juvenile Justice Act. From arrest to post-trial.
Which institution is associated with each stage? Kindly name them and the role they play.	Police – arrest, court – adjudication, DSW – remand, investigation, tracing of relatives/parent, and supervision, Prisons – reformation/rehabilitation, lawyers – defense/mitigation.
How do you collaborate with other agencies at these stages and how do you coordinate the roles associated with them?	DSW is notified when the police or DOVVSU encounter a delinquent.
Are there counsellors for these Juvenile delinquents?	Some from UNICEF. Others are pro bono.
What are the challenges you face in implementing juvenile justice programs and policies?	Logistics, funds, and resources

**Conclusion for Research Questions 1 and 2.** Through analysis of the data gathered from RQ1 and RQ2, I determined that personnel working with Juvenile delinquents in both the DSW and DOVVSU were knowledgeable about the procedures under the Child Act 2003 and the Justice for Children Policy and the aims and strategies for equity. Both agencies have a unified desired goal of affording justice to juveniles in conflict with the law and are determined to reduce recidivism, preventing juvenile offending, and rehabilitating juvenile offenders. According to the analysis of the data collected the DSW has had only a couple of cases of re-offending behavior (one was last year and the other two years ago). One was male and was committed to a senior correctional center after he breached his probation period. The other is still in the junior girls' correctional center where she was committed because there was no facility for her at the senior correctional center. UNICEF provides pro bono lawyers to represent juveniles in the courts in Accra (Greater Accra Region). Some parents can provide lawyers of their choice for their wards, mostly from the Legal Aid Services. Arriving at these finding required creating a coding and theming system that helped me in my deductive analysis of the data collected. As stated, the majority of my interviews was by email due to the global pandemic of 2020 and owing to the 5-hour time difference between Ghana and the United States.

### **Coding and Theming**

My coding was based on my interview questions. In other words, I used the main interview questions as codes (nodes in NVivo). Since my interview questions were structured (and mostly via email), there was not much transcription done. This made the

deductive process remarkably simple. Table 9 shows the codes, my memo describing the codes, how many files had those codes, and the references to the codes. My memos enabled me to record ideas, insights, interpretations, and growing understanding of the data collected and formed the basis for my deductive reasoning and write up.

Out of those codes I derived themes which were frequently occurring words from the participants. The process in NVivo collected these themes and counted their mentions across all interview sources – Table 10. NVivo grouped these words by compiling words with the same stem. For instance, under the first stem (Behavior), is listed codes “good behavior,” “offending behavior,” and “unlawful behavior.” The themes I derived from the interviews were concerns with behavior of delinquents, home conditions of the juveniles, offense analysis (whether it was a first offense or a repeat offense), liaising with the police on advancing the rights of the delinquent, stages of juvenile justice delivery, including investigations, trial, and adjudication, case load, community justice, probation, and programs that include correctional centers and remand homes geared towards rehabilitation. The recurring idea, in light of all these themes, was the lack of community support, resources, funds, and logistics (enough cells to keep juveniles separate from adults in the jails, enough buildings designated to children’s courts, correctional centers to enable effective rehab, and most of all a separate correctional facility for girls – younger girls are forced to be housed with the senior correctional centers for girls because there were no such provisions for them). These issues are linked to the perceived misalignment between policy and implementation or the perceived lack of collaboration between agencies.

Table 9

*Nodes/Codes*

Name	Memo	Files	References
Addressing the welfare of juveniles	Process from arrest through rehabilitation	3	3
Challenges	Creating the perception of inaction, miscommunication, or misalignment between policy and implementation or standing blocks to positive progress	2	3
Collaboration and communication	Real or perceived lack of collaboration and communication between administrative agencies	4	4
Counsellors	Attorneys for the juvenile delinquents	1	1
Critical areas to consider in Juvenile Justice	Pertains to what should be taken into consideration when dealing with children in conflict with the law.	2	2
Juvenile Justice Projects	For rehabilitating delinquents and reducing recidivism	1	1
Opinion as to solution	What participants opined could be done to improve juvenile justice delivery (policy implementation)	2	3
Plans for social rehab for Juveniles		1	1
Remand home	Housing for delinquents while in court (if their parents are not able to house them)	2	2
Stages and associated institutions	Any of the agencies involved in Juvenile justice delivery	4	4
Stages of Juvenile Justice delivery	Procedures noted in the Juvenile Justice Act.	2	4
The juvenile delinquent	Who is considered a juvenile delinquent	4	4

Table 10

*Coded Themes*

Name	Files	Reference
Behaviour	3	4
-good behaviour	1	1
-offending behaviour	2	2
-unlawful behaviour	1	1
Cases	2	3
-case mitigation	1	1
-expediting cases	1	1
-juvenile cases	1	1
Centre	2	6
-centres officers	1	1
-correction centre	1	1
-correctional centre	4	18
Home	3	9
-broken homes	1	1
-children home	1	1
-home condition	2	3
-home environment	1	1
-juvenile home	1	1
-private home	1	1
-remand homes	1	1
Justice	3	5
-community justice systems	1	1
-justice delivery	1	1
-juvenile justice delivery	1	1
-juvenile justice programs	1	1
-juvenile justice system	1	1
juvenile	3	11
-counsel juveniles	1	1
-duration juvenile	1	1
-juvenile cases	1	1
-juvenile court remand	1	1
-juvenile delinquency	2	3
-juvenile home	1	1
-juvenile justice delivery	1	1
-juvenile justice programs	1	1
-juvenile justice system	1	1
Juvenile delinquency	2	3
Juvenile delinquency cases	1	2
Juvenile justice	1	6
-juvenile justice delivery	1	4
-juvenile justice policies	1	1
Offence	2	6
-major offences	1	1
-minor offences	2	2
-offence analysis	1	1
-previous offence	1	1
-top offence	1	1
Police	2	6
-police – arrest	1	1
-police liaison	1	1
-police station	1	4
Policies	1	2
-implementing policies	1	1
-juvenile justice policies	1	1
Present state	1	2
Probation	3	5

-centres officers	1	1
-probation officer	2	3
-probation period	1	1
Programs	2	2
-juvenile justice programs	1	1
-strengthening programs	1	1
Stage	2	4
-final stage	1	1
-pre-trial stage	1	3
System	3	3
-community justice systems	1	1
-court system	1	1
-juvenile justice system	1	1
Trial	3	2
-expeditious trial	1	2
-fair trial	1	1
-pending trial	1	1
-Pre-trial stage	1	3

### **The Remand Home Versus Junior/Senior Correctional Facility**

There are Remand Homes and Correctional facilities for Juveniles in Ghana. If a juvenile is remanded in the process, an Enquiry Report will be attached to the detention order before the correctional facility can accept the juvenile. At the correctional facility (usually a Junior Correctional Facility) the juvenile learns a trade of their choice. The juvenile may be cautioned and discharged or sign a bond of good behavior or be placed in a private home where the juvenile receives care and protection. In the case of minor offenses like petty theft, unlawful entry etc. the court encourages alternative dispute resolutions and settlement is endorsed as the court judges. The correctional center or facility is different from the Remand Home. When juveniles come to court unaccompanied by their parents or guardians, they are normally housed in a Remand Home pending trial. When accompanied, they are released on bail to their parents or guardians. When sentenced, they are committed to the correctional center for Juveniles. Unfortunately, some parents prefer not to take their children home, or they never show up during trial. For this reason, even in case of minor offenses, the juvenile is committed to

the correctional center where they are cared for, fed, and learn a trade of their choice.

This decision, though difficult for the social worker, is made in the interest of the juvenile to ensure their safety and proper supervision.

### **Evidence of Trustworthiness**

Trustworthiness, within the context of this Chapter, was established by demonstrating that the results of this study were sound and strong. Results from the data collected were crosschecked with existing government data. Trustworthiness was determined by taking into consideration the credibility, transferability, dependability, and confirmability of the data collected. To maintain credibility, I employed a triangulation technique, using interviews, observation, and government document review, to monitor accuracy of findings. I also used member checks to confirm the accuracy of data collected and the analytic processes. Triangulation and member check are common strategies used to test the credibility of findings. In so doing I determined that all data sources agreed or, at least, did not provide much contradiction. Member checks were made to confirm agreements between myself and the participants as to the authenticity of the data collected and did not reflect any biases on my part.

As I had mentioned earlier in this study, transferability or generalizability might not be possible, considering the limitation of the study. To achieve dependability, I practiced a self-audit to maintain consistency in data collection, data storage, and how data was analyzed. To confirm that data was authentic, I audited the research process to make sure that the findings and interpretations were supported by data collected. In conclusion, I have shown that my study was trustworthy by ensuring that my research

procedures, as described, assures reliability, and that findings are valid. I have demonstrated that any biases I might have had, did not influence the interview process, ensuring that the integrity of the outcome of the study is preserved.

### **Presentation of Results**

Presentation of the results was based on the order of the interview questions, but I also used themes derived from the data analysis. Presentation was centered around the concepts of existing (or non-existing) collaboration and communication between the individual agencies (DOVVSU etc.), its effectiveness, and goals towards rehabilitation of juvenile delinquents. Using a semistructured interview, the plan was to, first, organize by questions to compare how each participant answered that question and note what new information came up with each interview. By comparing answers, I summarized and captured every possible angle of the answers to that question. This phase provided a descriptive analysis of the study and explained findings. Once an analysis was completed that explained the phenomena of study, the plan was to find out if the information found was generalizable beyond the case studied. The next and final step was the conclusion – my interpretation of the data.

### **Summary**

The primary purpose of Chapter 4 was to address the two research questions by presenting the data provided by four participants and determining the findings for the study. I gave the findings both relevance and meaning by employing the following elements: (a) the purpose of the study, which was to explore what may improve the rehabilitation process for juvenile offenders in the Ghanaian criminal justice system, (b)

the theoretical framework, to help understand how the various agencies in charge of juvenile justice administration, in Ghana, communicate and coordinate efforts in the interest of implementing the juvenile justice policy for processing juvenile delinquents with the goal of rehabilitation, considering competing public policy agendas, (c) the research questions, with corresponding interview questions, and (d) the participant profiles.

Using introductory questions, I determined the qualification of each participant ensuring that they were well-versed in the policies and practices pertaining to the Juvenile Justice administration. The responses from all participants showed that they had sufficient knowledge about the subject under study. As it pertains to the research questions, participants showed indication of sufficient commitment towards communication and collaboration to ensure equity and fairness for juvenile delinquents and the goal of rehabilitation. This unified effort contributes towards uniformity among all actors in the implementation of juvenile justice policies to the best of their ability, despite challenges. In Chapter 5, I continue with analysis of the findings of the study. Specifically, I present interpretation of the findings, implications for social change, and recommendations for action and for further study.

## Chapter 5: Discussion, Conclusions, and Recommendations

### **Introduction**

Juvenile delinquency is a global phenomenon that has led to efforts toward rehabilitating young offenders to become responsible adult citizens. Juvenile justice in Africa, and particularly in Ghana, is far behind global efforts to rehabilitate the juvenile delinquent population, specifically the processing of juvenile delinquents as it pertains to rehabilitation and reformation. The current law (Juvenile Justice Act of 2003) in Ghana requires that when a juvenile enters the system, they should be processed expeditiously (within 48 hours) to facilitate rehabilitation of the juvenile delinquent and the reintegration of offenders into mainstream society. However, because of a fragmented system, there seems to be no standard process that allows for tracking and monitoring to ensure each juvenile receives adequate consideration toward the possibility of rehabilitation (Kumi, 2015). A review of the literature indicated no known record of what factors may improve the rehabilitation process for juvenile offenders in the Ghanaian criminal justice system. Many factors may contribute to this problem, including the fragmentation of the services and miscommunication between the multiple agencies charged with the administration of juvenile justice.

As is reported in existing literature and data collected, the issues plaguing the administration of juvenile justice in Ghana stem from lack of resources and general disinterest in juvenile justice by the community assemblies (the government) who should be concerned with the welfare of children. Also, existing literature indicates the notion that justice for children is lacking in the criminal justice system in Ghana. The perceived

fragmentation is manageable, and the efforts of the DSW are commendable. However, despite their efforts, lack of resources makes it difficult to fully implement policies regardless of intentions. The rise in juvenile delinquency and recidivism is not part of Ghanaian culture and there is no effective way of documenting the true number of juvenile delinquents, which prompted my interest in exploring the phenomena. The goal of my research was to identify possible solutions to the issue. My intent was to gain an understanding of the perspective of the social workers and police who deal with abused victims and delinquents on a regular basis.

In this chapter, I present my interpretations of the findings obtained from the analysis of the data. I discuss the findings in relation to the conceptual framework and existing literature. My interpretation of each finding is based on data collected from semistructured interviews and a document review from the Ghana government website on Justice for Children. The data obtained from the interviews are discussed to show how such data align with the purpose of the study, the research questions, the conceptual framework, and the existing literature.

### **Interpretation of the Findings**

My interpretations and findings were concentrated on the two main research questions:

RQ1: How do juvenile justice administration agencies coordinate and communicate in a multiagency system in Ghana to implement juvenile justice policies?

RQ2: How effective is this collaboration and communication among the multiple agencies in implementing policies in the juvenile justice system?

**Research Question 1**

To determine the communication and collaboration among agencies, I had to find out the stages of the process for dealing with juvenile delinquents and what agency was involved at any given stage. My intent was to determine where any issues in communication occur and the effect of any such issues.

**Arrest.** While the police are responsible for arresting the juvenile, it does not appear that they are specially trained in dealing with juvenile delinquents. A social worker is still required to be present at the police station if a child is unaccompanied by a parent or guardian. DOVVSU, which is a division of the GPS, encounters cases involving juvenile delinquents in their line of work, but they are not mandated to process them, so they are referred to DSW. The juvenile is processed to court at this time.

**Court.** Whether court happens right away or within 48 hours (as per the Juvenile Justice Act of 2003) is not clear, but the juvenile is processed to court once they are booked at the police station in the presence of a parent or guardian, social worker, or probation officer. The juvenile's charges are read to them in court in the language they understand. A plea is taken and disclosures, such as witness statements, medical report(s), and the juvenile's statement, are made to the court, with their counsel present, and a case management conference is held. Bail is set at this time. Where necessary, the child is sent to a remand home to await trial. An investigation is ordered pertaining to the juvenile's background. This report is presented in court, and mitigation is made before sentencing. Mitigation takes into consideration any remorse shown by the juvenile.

**Sentencing.** At this time, the courts might release the child to their parents or guardian. Should the child be released, the probation officer then prepares a plan for supervision of the delinquent. If the outcome is commitment to a correctional center, an enquiry report must be presented before the juvenile is accepted into the correctional center. For rehabilitation purposes, the juvenile learns a trade of their choice while in the correctional center. Juveniles sentenced to centers are those who have committed more serious crimes. As much as possible, the DSW uses correctional centers as a solution of last resort. Juveniles with minor offenses are entered into alternative dispute resolutions and settlements endorsed by the court. Unfortunately, some juveniles with minor crimes go to correctional centers because their parents are reluctant to take them back home. My interpretation of the data in relation to the first research questions shows that much of the collaboration and communication here involves alerting the DSW of any encounters with juvenile delinquents either by the general police or by DOVVSU because they are not mandated to process them.

**Collaboration and communication.** The DOVVSU is assigned to deal with crimes committed in the domestic setting but are not mandated to deal with crimes committed by juveniles. For that reason, children in conflict with the law are usually referred to the DSW or handled by regular police. Within DOVVSU, there are DSW personnel (probation officers) who handle the referral of juvenile delinquents. This makes the communication between agencies seamless.

**Research Question 2**

To determine whether this communication and collaboration was effective in the implementation of juvenile justice polices with the goal of rehabilitation, I had to consider any challenges the agencies faced, which might be reason for the perceived ineffectiveness of the juvenile justice system. Of utmost concern was whether this process helped in rehabilitating juvenile delinquents and whether that rehabilitation was adequate and prevented recidivism.

**Challenges.** (a) Children in conflict with the law are typically reported to the general police. However, it appears there is no specialized unit within the Police service responsible for the dealing with juvenile delinquents which has raised concerns about the lack of proper processing of children in conflict with the law. (b) A juvenile delinquent is a child between the ages of 12 and 17 who conflicts with the law. However, there are some conceptual difficulties in determining who a juvenile delinquent is considering cultural and legal definitions, further exacerbated by some parents who do not register their children at birth. (c) Most of the children arrested are reluctant to provide information pertaining to their parents, making it difficult for the police to contact or locate their parents. This means more children in correctional centers when they do not need to be. (d) The police are allowed, under the law, to divert delinquents, but this provision is hardly ever practiced. The police have the challenge of caring, properly, for the children in custody, due to lack of alternatives. They are compelled to detain these juveniles in adult cells until arraignment. (e) According to information from the Ghana Government website on Justice for Children, family tribunals and juvenile court

processes are, often, delayed due to limited sittings due to the absence of panel members on assigned days.

Sometimes, the transition between retiring panel members and newly appointed ones does not run smoothly, resulting in lapses of time during which the court does not sit. This renders the 48-hour processing of juvenile delinquents, moot. (f) The District Assemblies do not provide adequate support for putting up buildings (logistics) for district courts as is prescribed by law, thereby resulting in a limited number of courts. (g) Other challenges pertain to funding and logistics. There is great concern for dwindling funds to support juvenile justice programs. Funds are not provided for probationary and investigative services as part of follow up for juveniles on probation. This makes work and implementation of orders and policies difficult and challenging. (h) There is no formal tracking which separates the number of juvenile delinquents from their adult counterparts by the police. The trend of juvenile delinquency reported is from the Department of Social Welfare and DOVVSU. My interpretations of the findings for my second research question reveals that communication and collaboration is not the issue that ails this division but rather the challenges they face. These challenges make it difficult for the Department of Social Welfare to efficiently implement juvenile justice policies. When asked if they could suggest what may improve or solve their current challenging issues, they all, unanimously, suggested increases in funding and attention to logistics.

### **Support for the Theoretical Framework**

The theoretical framework for my study was based the ACF presented by Sabatier and Jenkins-Smith, which describes loose associations between like-minded institutions working together in pursuit of common goals as a way of viewing interactions between competing public policy agendas. My findings and interpretations supported the theoretical framework. The DSW's primary function is the protection of children, in general. Within the Department of Social Welfare is located the Juvenile Justice Administration. There are Social workers also located within the DOVVSU. Funding is therefore share between these agencies and the Juvenile Justice administration. The Department of Social Welfare also manages the remand homes and junior correctional centers. Sabatier and Weible (1999) stated, "Coordination involves some degree of working together to achieve similar policy objectives" (p. 196). This framework helps understand how the various agencies in charge of juvenile justice administration, in Ghana, communicate and coordinate efforts in the interest of implementing the juvenile justice policy, with the common goal of rehabilitating juvenile delinquents.

### **Limitations of the Study**

There were a few updates to the limitations, assumptions, delimitations, and the significance of the study. Regarding my assumptions that there will be full participation of all participants and that all questions would be answered truthfully and honestly, there were a few updates. Unavailability issues required that I reduce the number of participants, although all questions were answered truthfully and honestly. My findings showed that information received from participants matched existing literature on the

Ghana government website on juvenile justice administration in Ghana. Answers from participants were reflective of their expertise, recollections, and experiences. Regarding the limitations to my qualitative study, I did not generalize the findings of my research. The nature of sampling made the study not generalizable to other regions of Ghana, as this study only included the Greater Accra region of Ghana (only one region out of 10 regions). Regarding the purposeful sampling of the participants, there was minor deviation from the original plan as approved by IRB. The original plan called for selecting a minimum of two participants from DSW and two participants from DOVVSU. Due to availability concerns, only one participant was selected from DOVVSU. I was, however, able to get three participants from DSW. I believe that these changes did not affect the results of the study, considering that DSW is the agency that has a division for juvenile justice. Regarding delimitations, the scope and boundaries for my study remained intact. I endeavored to be objective and kept any biases from the interviewing process.

The study was delimited by virtue of the fact that I did not have any personal or professional relationships with any of the participants nor the agencies charged with the juvenile justice administration in Ghana. Finally, regarding the significance of the study, my findings should fill a gap in the knowledge needed to address the problem of a fragmented juvenile justice administration system and gives us a glimpse into the phenomenon from the perspective of the staff of the agencies charged with the implementation of juvenile justice policies in the administration of juvenile justice. These insights also provided possible solutions to challenges existing between the several

agencies responsible for the administration of juvenile justice policies. As to filling a gap in the literature, the results of my study should add to existing literature, this time from the perspective of personnel.

## **Recommendations**

### **Recommendations for Action**

While it is commendable that a unit within the Department of Social Welfare is mandated for Juvenile Justice, my recommendation is for a separate division directly under the Ministry of Justice, incorporating social workers, and not under the Department of Social Welfare. A separate justice division with its own budget will bring juvenile justice to the fore, making its priority the rehabilitation of and justice for children in conflict with the law. As it stands, juvenile justice shares (or competes for) funds with other divisions in the Department of Social Welfare. I suggest that this is one of the sources for its challenges. There should be specially trained personnel including police, probationers, juvenile justice judges, and court officers solely for this agency. The UNICEF currently helps with counsel (lawyers) for delinquents, but it does not appear that other personnel are specially trained to deal with juvenile delinquents, especially the delinquents that commit serious crimes. There are special tribunals and courts for juvenile delinquents, but they are inadequate. This is a challenge all my participants referred to as logistics. This will bring Ghana par with other countries in terms of justice for children in conflict with the law. UNICEF and the United Nations must reactivate their efforts to hold the Ghana government accountable for seeing to the complete implementation of the Juvenile Justice Act.

### **Recommendations for Further Research**

This study was conducted in the Greater Accra region of Ghana only, and needs to be duplicated in the other 15 regions (The Ashanti region, Ahafo region, Bono region, Bono East, Central region, Eastern region, Western region, Western North region, Northern region, North East region, Savannah region, Upper East region, Upper West region, Oti region, and Volta region). Also recommended for further research is the exploration into the lack of an adequate tracking system for juvenile delinquents. Research on police training and how much of the training is dedicated to juvenile justice and the laws that govern this unit of government is also recommended.

### **Implications**

Regarding the implications for social change, my findings and interpretations suggested that social change might not be easy considering cultural traditions. However, social change is possible, with adequate education of the general population through the Department of Social Welfare. Currently, there is sense of urgency that leaders in the community assemblies make it a priority to build facilities for juvenile courts. To that end, my findings supported this need for logistics. My findings and interpretations support my hope that positive social change occurs by making juvenile justice a priority, to achieve effective rehabilitation for juvenile delinquents and to reduce recidivism. The implication of my study for social change is that my study will persuade the government to make juvenile justice and the rehabilitation of juvenile delinquents a priority and to make funds, specialized personnel, and needed resources available for the administration of juvenile justice in Ghana. The implications for positive social change include the

creation of a juvenile justice system as an agency unto itself, with resources that make rehabilitation of juvenile delinquents a possibility and to reduce recidivism and juvenile delinquency in Ghana.

### **Conclusion**

The purpose of my study was to explore what may improve the rehabilitation process for juvenile offenders in the Ghanaian criminal justice system. My study was conducted within the Department of Social Welfare of Ghana (DSW) and the DOVVSU, a division of the GPS, the two agencies directly involved in the administration of juvenile justice. I found that all 4 of the participants from DSW and DOVVSU were qualified and knowledgeable and were committed to improving processes for juvenile delinquents. Participants also showed real concern for effective rehabilitation of juvenile delinquents and support for reducing recidivism. My findings and interpretations suggested that the DSW was working extremely hard to ensure justice for children but for certain challenges they faced. Furthermore, my findings and interpretations revealed that budget related issues hindered the performance of social workers in the administration of juvenile justice policies. My interpretations of the findings confirmed and added to information from existing literature obtained from the Ghana government website on justice for children. In terms of recommended action, it is hoped that the results of my study will inform leaders in District and community assemblies of the need to prioritize juvenile justice.

Finally, I hope that the results of my study will persuade these leaders not to ignore the issues of juvenile delinquency in Ghana and move to provide resources for the

administration of juvenile justice. In terms of implications for social change, my findings and interpretations added to the existing literature on challenges experienced from the perspective of the personnel involved in the administrative part of the juvenile justice system. Additionally, my hope for positive social change is that my study will contribute towards the creation of specialized training for juvenile justice administrators, and court actors, and the provision of resources to enhance the administration of juvenile justice. The rehabilitation of juvenile delinquents and a reduction in recidivism is especially important to the future of Ghana.

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## Appendix A: Site Permission letters

Juliana MameEfua Asamoah  
613 Willow Drive  
Ocean, New Jersey 07712  
Date

The Director  
Department of Social Welfare  
P. O. Box MB 230  
Accra - Ghana

Dear Sir or Madam:

## PERMISSION TO CONDUCT INTERVIEWS AT SOCIAL WELFARE, ACCRA

I am a student at Walden University in the USA. As part of my studies, I am conducting a research in Juvenile Justice Administration in Ghana.

I would, therefore, be grateful if could grant me permission to conduct interviews with the staff at the Social Welfare, Accra, since they work directly with the Juvenile Justice System. This is to enrich my research. Thank you for your consideration.

Yours faithfully,

  
Juliana MameEfua Asamoah

Juliana MameEfua Asamoah  
613 Willow Drive  
Ocean, New Jersey 07712  
Date

The Director  
DOVVSU  
National Secretariat  
Police Headquarters  
Accra - Ghana

Dear Sir or Madam:

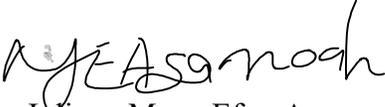
PERMISSION TO CONDUCT INTERVIEWS AT DOVVSU REGIONAL  
HEADQUARTERS, ACCRA

I am a student at Walden University in the USA. As part of my studies, I am conducting a research in Juvenile Justice Administration in Ghana.

I would, therefore, be grateful if could grant me permission to conduct interviews with the staff at the Accra Regional DOVVSU, since they work directly with the Juvenile Justice System. This is to enrich my research.

Thank you for your consideration.

Yours faithfully,

  
Juliana MameEdua Asamoah

## Appendix B: Interview Guide – Data Collection Tool

**Title of Study: Juvenile Justice Administration in Ghana  
Interview Guide**

Date: \_\_\_\_\_

Time: \_\_\_\_\_

Location: \_\_\_\_\_

Name of interviewer: Juliana MameEdua Asamoah

Participant #: \_\_\_\_\_

The Interview

**My research questions:**

RQ1. How do juvenile justice administration agencies coordinate and communicate in a multi-agency system in Ghana to implement juvenile justice policies?

RQ2. How effective is this collaboration and communication between the multi-agency in implementing policies in the juvenile justice system?

**Introduction**

Thank you for considering participation in this project. This interview will pertain to the administration of Juvenile justice in Ghana to meet the needs of children in conflict with the law.

As a reminder, this interview will be recorded. This is to ensure that I get accurate details of this conversation. Information shared in this interview will be held in utmost confidence.

**The interview questions.**

**Introductory questions to establish qualification, and knowledge of the juvenile justice system.**

**Fact finding and demographics.**

Which agency do you work for?

What is your position in the agency?

How many years have you worked with this agency?

Who is considered a juvenile delinquent?

What is the present state of juvenile delinquency in Ghana?

What has been the trend in the number of juvenile delinquency cases in Ghana?

Do you know of any possible reasons for this trend?

**Main questions**

1. What is the present state of juvenile justice delivery and what are the stages?  
Briefly describe what each stage entails.
2. Which institution is associated with each of the stages? Kindly name them and the role they play.
3. How do you collaborate with the other agencies, such as Department of Social Welfare, at these stages and how do you coordinate the roles associated with them?
4. What are the challenges associated with each of the stages?
5. Please describe how these challenges you face affect your duties.
6. Do you believe these challenges can be addressed and how?

**Follow up questions – not in any order.**

1. What is the extent of your collaboration with Social Welfare? Do you work side by side with Social Welfare or do you just turn over any delinquents that you come across? Particularly, is it DOVVSU or the general Police Service that works directly with the Juvenile Justice Division of the Social Welfare?
2. What is the process for the trial of juveniles?
3. How does the present juvenile justice system address the welfare of juvenile delinquents?
4. How can any challenges associated with juvenile justice system be addressed to enhance the welfare of juvenile delinquents?
5. What are the sources of funding for these projects and activities?
6. What challenges do you face in performing your legal duties?
7. What are the agency's plans for the social rehabilitation of juvenile delinquents?

**Conclusion**

Once again, thank you for your participation in this study. I appreciate your taking time out of your busy schedule to offer your contribution towards this study.