



*Empowering Change: Advancing
Juvenile Justice & Safeguarding
Children's Rights*

Multi Institutional Research into Juvenile Justice



PGO

| 
for every child

FOREWORD

Dr. Edward Addai
UNICEF Representative to Maldives

This publication, ‘Multi-Institutional Research into Juvenile Justice’ is the product of a strategic partnership between UNICEF and the Prosecutor General’s Office. It aims to foster a shared understanding of the technical processes, concepts, and systems related to justice for children, especially those in conflict with the law.

The publication is an important step toward institutionalizing measures that safeguard children, promote community-based rehabilitation, and ensure that every child in conflict with the law is given a second chance. We hope it will serve as a valuable resource for informing evidence-based policies and decisions affecting children within the juvenile justice system.

The Maldives has made commendable progress in advancing the child rights agenda, including the enactment of key legislation such as the Child Rights Protection Act (Law No: 19/2019) and the Juvenile Justice Act (Law No: 18/2019). The country stands out regionally and globally for establishing robust legal frameworks that emphasize prevention, diversion, and rehabilitation over punitive responses.

Despite this progress, challenges remain in fully realizing the rights enshrined in these laws. In recent years, there has been a rise in the number of children involved in criminal activities highlighting the need to address emerging, second-generation challenges. These include school dropouts, the high percentage of children not in education, employment or training (NEET), and increased exposure to violence and exploitation at home, in schools, communities, and online.

This compilation brings together research studies and best practices across four critical areas of juvenile justice: (1) crime prevention and early intervention; (2) prosecution and diversion; (3) rehabilitation and reintegration; and (4) collaboration and community-based services. It offers a wealth of insights to deepen our understanding of children's evolving needs and circumstances, while helping identify key challenges and areas for targeted intervention.

For UNICEF, this publication strengthens our knowledge base and will help us provide more strategic support to the Government of Maldives and our partners. We remain committed to working collaboratively to ensure that every child, regardless of their circumstances, has access to the support and services they need to reclaim their developmental journey.

Looking ahead, I hope this publication proves to be a valuable resource for all stakeholders including government agencies, civil society, development partners, and students seeking a career in this area. At UNICEF, we see this as a starting point for deeper collective action. On behalf of UNICEF, I extend sincere appreciation to the Prosecutor General's Office for their continued partnership. Together, we can help build a safer, more just future where every child can thrive.

Justice (RTD) Uz. Abbas Shareef Prosecutor General of the Maldives.

Juvenile Justice, at its core, is not merely about institutions, systematic policies and sanctions. It is about the individuals, the children and the societies that shape their development. We convened the National Juvenile Justice Conference with a deep sense of duty to examine how our institutions respond to the most vulnerable in conflict with the law. This compilation of research is a reflection of that commitment.

The pages that follow are not just academic exercises. They are the result of careful thought, collaborative inquiry, and the hope that we can build a justice system that not only holds young people accountable, but also helps them heal, grow, and reintegrate. Each paper contributes to a holistic understanding of juvenile delinquency in the Maldives, addressing the social, legal, psychological, and institutional gaps and dimensions that often remain fragmented in policymaking.

This body of work was made possible through the tireless efforts of the researchers, practitioners, and policy advocates who contributed their time and expertise throughout the months pre conference and the months that followed post conference. Their dedication to reform is palpable, and their empathy for the children behind the statistics is clear. I am particularly grateful to UNICEF for their partnership and continued support in championing child rights in our justice systems.

It is my hope that this publication serves as more than a record of what was presented at the Conference. May it inspire practical reforms, thoughtful conversations, and a renewed collective effort to approach juvenile justice not with punitive reflex, but with compassion and faith in the potential of every child to change.

Let us not forget that justice, when it comes to children, must always look forward. Every child is a story in the making. Let's help write it right.

PREFACE

The evolution of the Maldivian Juvenile Justice System has, thus far, been a positive one. This progress is evident in the reforms made in legislative, policy, and administrative frameworks, as well as in the direct engagement with children in conflict with the law. Efforts have also been strengthened through research, strategy formulation, and the training and development of law enforcement and stakeholder agencies. The overarching goal has consistently been to address the situation of young offenders and children at risk, while enhancing the capacity of all institutions operating within the Juvenile Justice System.

However, it must also be conceded that challenges are faced in implementation, and it must be understood that the Juvenile Justice System is in need of further reform. From the collaboration with experts of different profiles within this area, it was evident that there was a need for a platform for dialogue involving all stakeholder agencies within the Juvenile Justice System, with an outlook on both the Maldivian legal framework and International best practices in order to tackle the challenges faced in this area.

Thus, with the assistance of the United Nations Children's Fund (UNICEF), the Prosecutor General's Office (PGO) took the initiative to organise the first National Juvenile Justice Conference of the Maldives. The aim is to find solutions for the Juvenile Justice System with the participation of all relevant institutions involved in this area. The papers presented in this conference are based on focus areas chosen pursuant to extensive discussions amongst practitioners. The PGO has also probed into focus area, and have prepared research papers in each relevant area. The papers prepared for the conference present modern concepts of working in the field of juvenile justice, challenges in the system and their solutions.

This publication comprises the research papers presented at the National Juvenile Justice Conference 2025 and the research papers prepared by the PGO, along with the conference's recommendations. The papers are organised in the sequence in which they were presented during the conference.

The aim of this publication is to serve as a valuable resource for policymakers, professionals specialising in juvenile justice, researchers, students, and other

stakeholders. The PGO hopes that the insights and findings contained herein will be a reference point for practitioners in dealing with children in conflict with the law.

ACKNOWLEDGEMENTS

This publication is made possible by the authors of the research papers and the input, assistance, feedback and guidance of the stakeholder agencies. It is a formulation recording the effort, experience, and ideas of various individuals.

We extend our deepest gratitude to our honourable guest Her Excellency First Lady Sajidha Mohamed for participating in the conference and contributing to our panel discussion.

Our appreciation is also extended to the UNICEF Country Representative to the Maldives, Dr Edward Addai and the UNICEF team, for their invaluable support.

We also gratefully acknowledge the input from various individuals, institutions, and civil society organisations, all of whom are listed in the Contributors section of this publication.

On this note, we highlight the following parties for their exceptional contributions:

- Maldives Police Service
- Loopcraft
- Event Team
- Villa Nautica
- Public Service Media (PSM)
- Members of the Prosecutor General's Office

Lastly, we extend our warmest gratitude to the children who assisted us in various tasks in relation to our work on this conference.

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Juvenile Court

Department of Judicial Administration

Maldives Correctional Services

Maldives National University

Villa College

Maldives Islamic University

Society for Health Education (SHE)

Advocating Rights of Children (ARC)

Ministry of Education

Introduction

This publication is designed to be a valuable resource for practitioners dedicated to further developing the administration of juvenile justice in the Maldives. Its primary purpose is to offer concrete guidance for developing effective juvenile justice programmes.

The content of this publication is based on papers that incorporate the contributions of the field staff, UNICEF, scholars, and other stakeholders involved in the juvenile justice system. It aims to strengthen the juvenile justice system by examining models of best practice from the experiences of all relevant institutions.

The papers included in this publication identify key areas for intervention, providing insights and recommendations to further develop Juvenile Justice administration.

JUVENILE CRIME PREVENTION

Maldives Police Service

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Abstract

The main objective of the paper is to explore factors that influence juvenile crime, preventing juvenile crime, effectiveness of juvenile crime prevention programmes, gaps in the system, and recommendations for future work to improve the system for prevention of juvenile crimes in the Maldives.

Juvenile crime remains a persistent challenge, driven by a complex interplay of social, economic, and environmental factors. Recent statistics from the Maldives Police Service highlight a concerning increase in juvenile crimes, number of minors arrested increased from 43 cases in 2023 to 79 cases in 2024. Police statistics also showed a total of 173 minors (151 boys and 22 girls) who were logged as suspects of criminal activities in 2023 and 325 children (297 boys and 28 girls) in 2024. The majority of the children (minors) suspected of criminal behaviour falls between the ages 15 years and 17 years.

Understanding the drivers—such as family dynamics, adverse childhood experiences, peer influence, economic instability, educational challenges, poor school performance, mental health issues, substance abuse, and exposure to violence—is crucial for effective intervention.

Preventing juvenile crime requires systematic programmes and targeted interventions. School-based programmes, community initiatives, rehabilitation, and awareness programmes help to deter delinquency. The Juvenile Justice Act mandates the state to develop policies and strategies; however, according to stakeholders, early intervention programmes, although developed and available, are not systematically implemented. Effective prevention measures require stronger collaboration between stakeholders, including parents, schools, the state, police, and communities. In addition, systematic implementation of plans and programmes is essential.

The Maldives currently lacks an endorsed juvenile crime prevention plan, as well as relevant programmes, highlighting the need for a comprehensive approach to strengthen families and improve home environments. The key recommendations from the study for this paper, include the development of a detailed, costed juvenile crime prevention plan with strategies, programmes, tools and mechanisms.

Introduction

A juvenile is defined as a person who is younger than the legal age of maturity. Young people who engage in criminal activity are referred to as "juvenile offenders," and those who are apprehended doing these offenses are known as "juvenile delinquents." The involvement of children in unlawful actions and activities is referred to as juvenile delinquency. These types of offenses are specifically handled by the juvenile justice system, which includes juvenile courts and juvenile prison facilities. The system offers a unique method of assessing, detaining, and treating adolescents since it understands that they require a different kind of treatment than adults.

Juvenile crime remains a persistent challenge, both in the Maldives and globally, with its causes rooted in a complex interplay of social, economic, and environmental factors. Understanding the underlying drivers, ranging from family dynamics, adverse childhood experiences, peer influences to economic instability and educational experiences, is crucial for addressing this issue effectively. In a recent media briefing the Maldives Police Service has raised their concern over the increase in juvenile crimes. The statistics show a total of 43 cases of minors who were arrested in 2023 while for 2024 it was 79 cases. Police statistics also show a total of 173 minors (151 boys and 22 girls) who were logged as suspects of criminal activities in 2023 and 325 children (297 boys and 28 girls) in 2024. The majority of the children (minors) suspected of criminal behaviour falls between the ages 15 years and 17 years (figure 1).

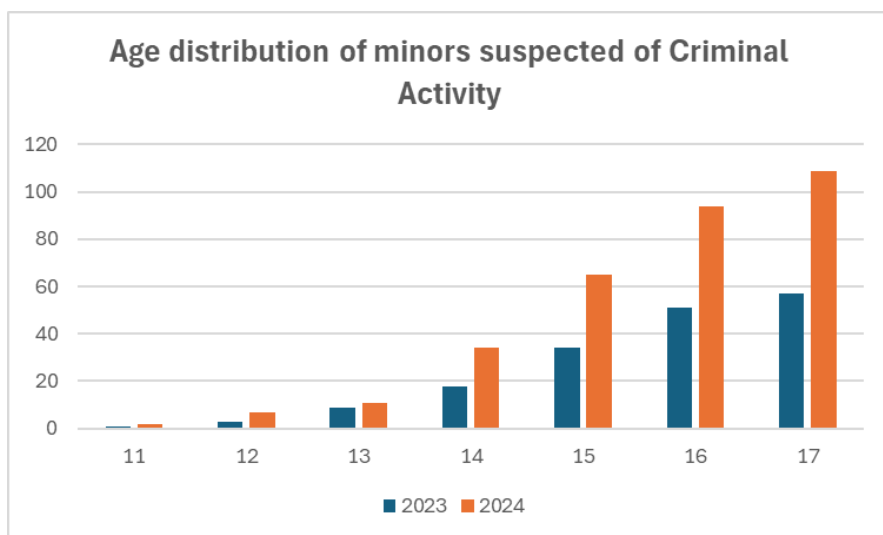


Figure 1: Age distribution of minors suspected of criminal activity in the Maldives

A number of factors influence adolescents to engage in criminal behaviour. Among them (Ajisukusmo, 2023) are both internal and external factors, as well as factors related to the environment. The factors may range from low self-control developed from an early age to influence of family life, association with people who commit crimes, risk taking behaviour among adolescents, anxiety, family instability, poor school performance, mental health issues, substance abuse, and exposure to violence.

The goal of juvenile crime prevention is to keep young people from committing unlawful acts while promoting their optimal development. It encompasses strategies and programmes aimed at reducing the factors that lead adolescents and young people towards taking up criminal behaviours. Due to multiple factors that influence juvenile delinquency, programmes developed to combat the issues have to respond to the many factors. This involves promoting positive personality characteristics, and addressing elements including neighbourhood, school, and family influences. Researchers have discovered programme models and methods of intervention that lower criminality and encourage pro-social growth. According to Peter Greenwood (1986), preventing

criminality not only spares young lives but also stops adult criminal careers from beginning, which lessens the impact that crime has on both its victims and the society.

Methodology

A qualitative approach was mainly used in developing the paper. As such a focused group discussion (FGD) was conducted with a group of 10 youth, aged between 18 and 24 years; and expert interviews were carried out with school principals, parents, and experts with relevant background and experiences. The following parts of the paper are based on the literature review and the findings from the interviews and focused group discussions.

Findings from the literature review and research

Factors contributing to juvenile crimes

A key area of research in juvenile crime prevention is the exploration of theoretical frameworks that explain why juveniles engage in criminal behaviour. Social Learning Theory, proposed by Edwin Sutherland, suggests that juvenile crime results from interactions with peers who model criminal behaviour (Akers, 1998). This theory is supported by studies showing the role of peer pressure in influencing juvenile behaviour (Brezina, 2000). Similarly, the Strain Theory, developed by Robert Merton, argues that juvenile crimes may be a result of not being able to find a legitimate way to achieve societal goals such as academic success or financial stability (Agnew, 1992). Research has demonstrated that juveniles from disadvantaged backgrounds are particularly vulnerable to such strains, leading to higher rates of criminal activity (Sampson & Laub, 1993).

Family-related factors, including parental neglect, abuse, and criminality within the family, have been found to significantly increase the likelihood of juvenile offending (Hoeve et al., 2009). For example, research by Farrington (2002) suggests that juveniles raised in single-parent households or those with absent or criminal parents are more likely to engage in delinquent behaviour. Peer influence is another significant factor; studies indicate that adolescents who associate with delinquent peers are at a higher risk of becoming involved in crime (Dishion et al., 1995). Additionally, socioeconomic

disadvantages, such as living in impoverished neighbourhoods have been linked to higher crime rates among juveniles (Leventhal & Brooks-Gunn, 2000). The expert interviews conducted for this study revealed that children in conflict with the law are often absent from schools, and may totally stop attending school.

Several studies have been conducted to understand the factors that encourage adolescents to engage in criminal behaviour. The Study by Reniers et al. (2016, as cited in Ajisuksmo 2023) indicated that risk perception and risk-taking behaviour among adolescents are influenced by age, sensitivity to reward, behavioural inhibition, impulsiveness, and anxiety in social situations. As argued by Ajisuksmo (2023), citing the research by Omoponle and Olanrewaju (2020) there was a significant correlation between family background, child-rearing practices, self-regulation and adolescent tendencies to criminal acts. According to the study self-regulation was the most significant variable, followed by parenting. The study conducted by Esiri in 2016 (as cited in Ajisuksmo 2023), criminal behaviour is learned through association with people who often commit crimes.

According to Ajisuksmo (2023), poverty is another factor that leads adolescents to engage in crime, and lack of resources to fulfil their basic needs leads adolescents to engage in criminal behaviour. In the Maldives, poor and overcrowded living conditions can be identified as a key factor that leads children to leave home and get picked up by gangs. This is supported by the findings from the interviews with the school principals. Poverty, exposure to domestic violence, and poor living conditions lead to breaking down of parent-child relationships, which is one of the key protective factors. Also, a study on the disengagement of Maldivian youth highlights critical factors contributing to their disengagement, including socio-economic challenges, lack of opportunities, and insufficient support systems. It emphasizes the need for targeted interventions to enhance youth engagement in education, employment, and community activities. (Maldives National University, 2022).

The critical role played by peers in influencing the adolescent delinquent and criminal behaviour, can be confirmed by both the expert interviews as well as the research carried out by Esiri (2016) and Kim & Fletcher (2018) as cited in Ajisuksmo (2023).

The respondents were asked who they see as the most vulnerable children who may end up committing crimes, and the expert interviews carried out for the purpose of this paper identified the following groups of children as those who may end in crimes:

- Children neglected at home and/or school and “unwanted children”
- Children from broken or dysfunctional families
- Children from families that lack good parenting and may have parents and siblings who are engaged in criminal behaviour and have criminal records
- Children with special needs
- Children who are not academically strong and may not be able to cope with studies at school
- Children who may not get enough support in their studies, and those usually with poor school attendance
- According to the stakeholders interviewed, the main reasons for juvenile crimes include:
 - Broken and/or dysfunctional families, negligence, and problems at home such as the need for care and love
 - Poverty, unemployment, economic situation, and for financial gains
 - Physical and mental challenges, and being unable to deal with anger issues
 - Parental influence, and having family members with a criminal background
 - Problems in schools and lack of motivation to study
 - Influence of friends to fit into certain groups, sense of belonging, choosing the wrong people to trust
 - To be cool

Preventing Juvenile Crime

Understanding the importance of systematic juvenile crime prevention programmes and the various types available allows policy makers, educators, and communities to implement targeted interventions for prevention of juvenile crimes.

Several types of programmes aim to prevent juvenile delinquency, including school-based interventions, community-based initiatives, rehabilitation programmes, as well as awareness programmes. School-based programmes often focus on teaching children about the consequences of criminal behaviour and providing conflict resolution skills (Barrera et al., 2001). One widely examined programme is the “Positive Behavioural Interventions and Supports” (PBIS) model, which has been shown to reduce disciplinary actions and improve social behaviours in schools (Bradshaw et al., 2008). Community-based programmes, such as mentorship and afterschool activities, aim to provide positive role models and reduce the time youth spend in environments where crime is prevalent. A study by DuBois et al. (2002) found that mentoring programmes can reduce delinquent behaviour and improve academic performance among at-risk youth.

There is a critical need to focus on prevention of juvenile crimes by addressing the push and pull factors that lead to the increase in the number of adolescents engaging in crime.

Maldives has introduced a range of programs aimed at preventing juvenile crime, including initiatives within schools led by the Maldives Police Service. The Police Service has developed specialized programs for different key stages of students. For Key Stage 1-3, the “Furathama Fiyavalhu” program teaches children about personal safety, including the concepts of “good touch” and “bad touch,” as well as basic preventive measures and important emergency contacts. For Key Stage 4-6, the “Kurimagu” program focuses on essential life skills such as team building, anger management, communication, and anti-bullying strategies. The “Furaavaru” program, designed for adolescents, addresses issues faced by teenagers through a three-day camping experience that covers topics like anti-social behavior, cyberbullying, and values education. However, Maldives Police Service has implemented various awareness programs targeting crime trends among students, focusing on prevention and education. These

initiatives include specialized programs for different age groups, addressing issues such as personal safety, anti-bullying, and social behavior, while also involving parents and community stakeholders in promoting effective parenting and support systems.

The Department of Juvenile Justice also offers specific awareness programs for parents and related agencies, focusing on the Juvenile Justice Act and effective parenting strategies. The Ministry of Education emphasizes the early identification of risk factors among students, with different schools employing various methods to address behavioral issues. The education system includes a referral mechanism that allows schools to direct students to relevant child protection agencies if serious issues are identified. The HAT (Helping Adolescents Thrive) program started among adolescent students focuses on promoting adolescent mental health and resilience. It provides evidence-informed strategies and resources to support young people in managing stress, coping with challenges, and enhancing their overall well-being.

Additionally, the Ministry of Social and Family Development has several programs for children and families. The IBAMA program, known as Ijthimaace Badhahi Madhadhuverin, is a multisectoral initiative aimed at identifying and supporting vulnerable children, individuals, and families by connecting them to essential social services and enhancing social security within communities. The “Beleniveriya Program”, initiated by UNICEF and various stakeholders, emphasizes the importance of communication, parent-child engagement, and positive parenting behaviors to help raise resilient children who can grow into responsible citizens.

Chapter three of the Juvenile Justice Act mandates the state to prevent children from offending. Article 13 (a) states that “in order to prevent children from offending, the State shall develop policies, national plan and a strategy in light of relevant studies and provide special assistance and protection to children”.

Article 13(c) indicates that “the State shall provide necessary treatment to children in conflict with the law who are below the age of criminal responsibility pursuant to section 27 of this Act and make arrangements for taking expedited measures under the Child Rights protection act to prevent such children from offending”. The discussions with different stakeholders revealed that no systematic plan or programme has been developed to address the issue.

The interviews and the focus group discussion indicate that it is critical to recognise and respond to early signs of criminal behaviours. The responses also indicated that the main challenges for preventing juvenile crime arises from lack of:

- Clarity on the definition of “children risk”
- Lack of systematic agreed on methodology and tools for identification of children at risk
- Limited availability of comprehensive early intervention programmes and appropriate services to address the multiple vulnerabilities faced by children and adolescents
- Lack of an endorsed national level multi-sectoral plan or programmes, to address the issue of juvenile crimes

When asked “who is responsible for juvenile crime prevention”, those interviewed for the paper and the participants of the FGD indicated that it should be a whole-community initiative, and more specifically the responsibility lies with:

- Parents and extended families
- Schools
- State
- Police
- Communities

Effectiveness of Juvenile Crime Prevention Programmes

Many studies suggest that well-structured programmes that address multiple risk factors (e.g., family issues, peer influence, and academic struggles) are the most successful in reducing juvenile crime (Wilson et al., 2005).

Early Intervention programmes targeting juveniles in crime has been shown to be highly effective in reducing delinquency, preventing reoffending, and improving long-term outcomes for youth. Early intervention programmes can dramatically reduce the likelihood of adolescents entering into crimes. A study done on High Scope Perry Preschool (Schweinhart, L. J., et al 2005) shows that high-quality preschool education for disadvantaged children can have long-term positive effects on their life. Finding root causes leading children to commit crimes and tackling these causes will reduce juvenile crimes.

However, challenges remain, such as inconsistent implementation and a lack of funding for programmes. A review by Lipsey (2009) found that programmes that involve family therapy, skills training, and positive reinforcement are more likely to reduce juvenile delinquency compared to more traditional punitive approaches. A meta-analysis of juvenile awareness programmes, such as the "Scared Straight" (Petrosino et al., 2003), found that these programmes often increase delinquency rates among participants. The study concluded that such programmes have no positive effect on delinquent behaviour and may even exacerbate it, particularly when follow-up periods are too close.

Gaps

Despite the vast body of research on juvenile crime prevention, several significant gaps persist. In the case of the Maldives, first, there is a need for more longitudinal studies to evaluate the long-term effectiveness of prevention programmes, especially regarding recidivism rates. Second, although many programmes have demonstrated success, limited research exists on how to scale these interventions effectively to benefit larger populations. Third, a shortage of local research and restricted access to data hinder evidence-based decision-making. Additionally, cultural influences on the effectiveness of juvenile crime prevention efforts remain largely unexplored. Further investigation is necessary to understand how cultural contexts shape the outcomes of various strategies. Ongoing efforts to examine the push and pull factors behind juvenile crimes in the Maldives are expected to offer valuable insights specific to the Maldivian context.

The literature on juvenile crime prevention underscores the critical importance of early intervention and comprehensive programming that addresses the diverse risk factors associated with youth delinquency. Although numerous effective models have been identified, challenges such as inconsistent implementation and limited resources continue to hinder their full potential. Further research, particularly into the long-term impact of prevention strategies and the influence of cultural context, will be essential for informing and refining future policies and programmes.

When asked, "What are the key policy and capacity gaps, and how can they be addressed?", several key themes emerged:

Clarity and Communication: While existing policies and legal frameworks are generally well-regarded, many respondents emphasised the need for greater clarity and improved understanding among stakeholders.

Systematic Implementation: A near-unanimous concern was the lack of consistent, structured implementation of laws, regulations, and policies. Respondents stressed that without this, even the most well-designed frameworks fall short.

Empowering Parents and Authorities: Many highlighted a perceived loss of authority or control over children by both parents and relevant authorities. There is a strong need to empower these actors through training, support systems, and guidance.

Balancing Rights and Responsibilities: Respondents noted that current discourse heavily supports children's rights, often at the expense of promoting an understanding of their responsibilities. A more balanced approach is needed.

Deepening the Conversation on Child Protection: Broader and more inclusive discussions on child protection were seen as necessary to foster a deeper, more nuanced understanding of the challenges and potential solutions.

Beyond Ad Hoc Responses: Current interventions are often viewed as fragmented, ad hoc, and superficial. There is a pressing need for holistic, sustained, and child-centred approaches that address the multiple, interrelated challenges faced by vulnerable youth.

Addressing these gaps requires a coordinated effort across sectors, a commitment to continuous learning and adaptation, and the political will to translate policy into meaningful, long-term impact.

Conclusion and Recommendations

The findings from the literature review, key informant interviews and the focused group discussions highlighted several critical insights and recommendations:

Key Findings

- While comprehensive laws, regulations, and policies are in place, full implementation remains a challenge, and certain provisions require greater clarity for effective enforcement.
- Existing plans, programmes, and initiatives must be executed systematically to ensure consistency and long-term impact.
- One of the most pressing challenges is the early identification of children exhibiting behavioural concerns and addressing the vulnerabilities that increase their risk of engaging in criminal activities.
- Juvenile delinquency is influenced by a multitude of push and pull factors, which can only be effectively addressed through coordinated efforts among legally mandated agencies.
- There is currently no officially endorsed national plan or programme specifically dedicated to juvenile crime prevention.
- Greater emphasis must be placed on strengthening families by addressing the root causes of dysfunction, and fostering healthier home environments.
- Schools must become more inclusive and appealing by offering diverse pathways for students, particularly for those who are not academically inclined.

Recommendations

- Clarify and communicate legal provisions to all professionals working with children, ensuring a shared understanding and consistent application.
 - Develop a comprehensive, costed juvenile crime prevention plan with clearly defined strategies and programmes.
 - Provide schools and parents with practical tools, mechanisms, and interventions for the early identification of at-risk children and timely responses.
 - Strengthen intersectoral collaboration and promote integrated, multi-agency interventions to address the complex vulnerabilities that contribute to juvenile delinquency.
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References:

- Akers, R. L. (1998). *Social Learning and Social Structure: A General Theory of Crime and Deviance*. Northeastern University Press.
- Agnew, R. (1992). "Foundation for a General Strain Theory of Crime and Delinquency." *Criminology*, 30(1), 47-87.
- Barrera, M., et al. (2001). "A Review of School-Based Programmes for Preventing Delinquency." *Criminal Justice and Behaviour*, 28(4), 425-446.
- Bazemore, G., & Umbreit, M. (2001). "A Comparison of Four Juvenile Justice Models: The Impact of Restorative Justice Practices on Recidivism." *Youth Violence and Juvenile Justice*, 1(1), 69-84.
- Clara R.P. Ajisuksmo (2023), Factors that Encourage Children Engage in Criminal Acts, *European Journal of Humanities and Social Sciences*, Vol 3No. 6. <https://ej-social.org/index.php/ejsocial/article/view/521>
- DuBois, D. L., et al. (2002). "Effects of Mentoring on Juvenile Delinquency and Risky Behaviours." *Journal of Clinical Child Psychology*, 31(2), 115-125.
- Greenwood P.W.(1986). Differences in criminal behaviour and court responses among juvenile and young adult defendants.
- Olds, D. L., et al. (1998). Long-term effects of home visitation on maternal life course and child abuse and neglect: Fifteen-year follow-up of a randomized trial. *JAMA*.
- Petrosino, A., Turpin-Petrosino, C., & Buehler, J. (2003). Scared Straight and other juvenile awareness Programmes for preventing juvenile delinquency: A systematic review of the randomized experimental evidence. *The Annals of the American Academy of Political and Social Science*, 589(1), 41–62. <https://doi.org/10.1177/0002716203256458>
- Schweinhart, L. J., Montie, J., Xiang, Z., et al. (2005). *Lifetime Effects: The HighScope Perry Preschool Study Through Age 40*. HighScope Press.

Maldives National University. (2022). Disengagement of Maldivian youth. Retrieved from <https://mnu.edu.mv/wp-content/uploads/2022/10/Disengagement-of-Maldivian-Youth.pdf>

Annex 1: Questionnaires

Objectives of the interviews and FGDs: to seek their opinion on the juvenile crime prevention; the reasons, current practices, gaps and recommendation for further improvement.

Questions for expert interviews

Who is responsible for prevention of juvenile crimes?

What Strategies and Programmes do you have for juvenile crime prevention (for children and parents/families)?

How do you address behaviour/discipline issues (only for schools)

Who are most vulnerable and who are we trying to protect?

What Programmes do we need to put in place? Who will provide the Programmes and where?

What policy and capacity gaps do we need to address and how do we address these gaps?

FGD Questions for Youth group

Why do children go into crimes? Do you think it's a serious issue?

Who is responsible for juvenile crime prevention?

Who are the most vulnerable children?

How can we prevent juvenile crimes?

FGD questions for Parents

Why do children get into crimes?

What is the parent's role in prevention of juvenile crimes?

What support/assistance do you get to help parents to deal with CiCL

What additional support is needed?

PREVENTING AND RESPONDING TO EXPLOITATION OF CHILDREN

Aduocating the Rights of Children (ARC) &
United Nations Children's Fund (UNICEF)

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Abstract

This paper explores the exploitation of children in the Maldives. It focuses on key reasons behind child exploitation and its purposes. It also explores gaps in the system in addressing child exploitation, as well as challenges. This paper provides some recommendations at the end, based on a literature review, expert interviews, data and international best practices.

Data from the Ministry of Social and Family Development, Maldives Police Service and Prosecutor-General's Office provide ample evidence of the existence of child exploitation in the Maldives. The data also establish a pattern in which half the exploitation is linked to exploitation into gangs, while a third of the cases are related to sexual exploitation of children.

Understanding risk factors, such as family background, school dropout, and economic status, is important to prevent exploitation and respond to cases. It is also important to understand the lesser discussed reasons behind juvenile delinquency in the Maldives such as prior exposure to violence, disabilities and internal migration, and whether it can be connected to exploitation of children. To that end, it is also important to address the way in which we collect such data.

While the recommendations are expected to be focused on prosecution, preventive work such as awareness, addressing the risk factors, collaboration and other interventions —is also in the best interest of prosecutors.

Introduction

Children in conflict with the law are on the rise, including the severity of the crimes committed by children. The minimum age of criminal responsibility (MACR) was raised to 15 by the Juvenile Justice Act and Child Rights Protection Act, in line with international best practices and the recommendation of the UN Committee on the Rights of the Child (CRC Committee). While that change is progressive, it also increased the exploitation of children by criminal elements in society, as children would face lesser punishments.

The vulnerability of children under MACR to exploitation is often used as an argument to lower MACR and/or restrict the provisions of juvenile justice laws. However, that approach is incorrect as children who are exploited to commit crimes are victims of crimes first and foremost. There is no evidence to suggest that such actions actually decrease juvenile delinquency. Moreover, reducing MACR, without proper actions against adults who exploit them may lead to exploitation of younger children below the new MACR¹. This has led to some countries increasing MACR, just a few years after decreasing it.

Criminal gangs systematically exploit children, especially children who come from challenging family and economic backgrounds. Gangs provide them a sense of identity, economic security and protection². In the context of criminality, the proliferation of gangs was identified as one of the main concerns during a rapid situation assessment in 2012, stating that their number was growing in the country, especially in Male³.

A report by the Human Rights Commission of the Maldives equally confirmed that there are many reasons as to why children join gangs which include the search of identity and protection, while unemployment remains a major driving factor⁴. Indeed, during the assessment it was reported that youth unemployment was between approximately 18 to 25%, providing for a lack of prospects for children⁵.

Our objectives are as follows:

- Explore the areas in which child protection intersects with the criminal justice system, and explore how areas such as social protection, parenting programmes, early detection and intervention could prevent exploitation of children, in addition to a more traditional law enforcement approach.
- Analyze the data from DJJ to understand pre-conditions that lead children to delinquency and exploitation. It also aims to provide practical suggestions to improve data collection.
- Analyze child exploitation data at relevant state agencies and provide practical recommendations to improve the State's response to child exploitation.
- Finally, this paper also aims to present best practices from other countries that can be cost-effective and that can be easily implemented in the Maldives to prevent exploitation of children.

Literature Review and Context Analysis

Article 35 (a) of the Constitution of the Maldives states: “Children and young people are entitled to special protection and special assistance from the family, the community and the State. Children and young people shall not be harmed, sexually abused, or discriminated against in any manner and shall be free from unsuited social and economic exploitation. No person shall obtain undue benefit from their labour”⁶.

The need for children to be protected against all forms of exploitation because of their vulnerability and immaturity first appeared in the 1924 League of Nations Declaration of the Rights of the Child. The United Nations Universal Declaration of Human Rights adopted in 1948 proclaims that childhood is entitled to special care and assistance⁷.

Exploitation of children is prohibited by the United Nations Convention on the Rights of the Child (CRC). Article 19 guarantees that every child has the right to be protected from all forms of abuse, violence and maltreatment, including exploitation. Article 32 and 34 protects children from economic and sexual exploitation respectively. Article 36 also ensures that no child should be taken advantage of or exploited in any way. Finally, Article 39 also ensures that victims of exploitation have the right to help and recover to regain their health and dignity.

According to Article 69 of Child Rights Protection Act, “children who have been a victim to an act of exploitation or live in an environment that could make the child a victim to such an act” is classified as “children in need of care and protection”⁸.

Over the past few years, there have been very useful studies into the Maldives juvenile justice system, ranging from international bodies, state agencies and independent academic researchers. This work has broadened our understanding of juvenile justice in the Maldives, both in law and practice. However, while highlighting exploitation as a pull factor for juvenile delinquency, the literature provides limited data on exploitation of children. As part of this paper, eight interviews were conducted with schools, all of whom acknowledged the existence of exploitation.

However, those interviews also revealed that exploitation of children is still considered as a “taboo” subject for two reasons. First being inherent dangers of speaking out against those who exploit children. The second reason is the belief that speaking out will be ineffective without more measures in place to criminalise exploitation and to provide support for children who wish to move out of crime.

Data from Maldives Police Service indicates that from 1 January 2022 to 31 March 2025, 942 cases of child exploitation were investigated across the country. However, only 100 cases were submitted by PGO to Maldivian courts during that period. The low ratio of investigated vs prosecuted cases is a concern among the child protection system, law enforcement and justice system.

An analysis of the child exploitation caseload in the Maldives reveals that exploitation of children occurs across the Maldives, from urban centres such as Male’ City, all the way to the most remote and sparsely populated island’s north and south of the country. Detailed data from MPS are disaggregated by island and by crime and is useful in understanding where exploitation happens and with what frequency for each island.

Almost 1000 cases of exploitation cases across the Maldives in four years is not positive. However, a deep dive into specific geographies reveal that in atolls and cities with larger populations the number of cases are decreasing. This includes Male’ City, Addoo City, Fuah Mulah City, H.A. Atoll and H.Dh. Atoll. But in other specially smaller atolls cases seems to be increasing. This includes A.A. Atoll, A.Dh. Atoll, L. Atoll, M. Atoll and Kulhudhuffushi City. An overview of the exploitation cases by geography is shown in Figure 1.

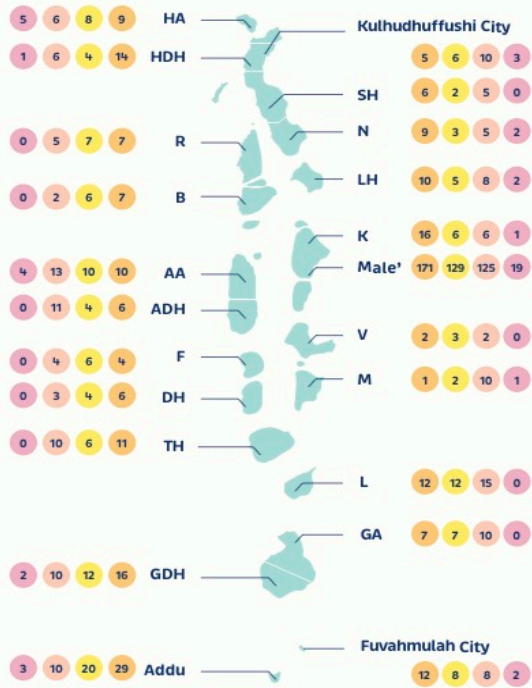
Nevertheless, PGO and MPS provided extremely insightful data on the prevalence of exploitation in the Maldives. From 2020 to 2025, PGO has submitted 126 cases of alleged exploitation to Maldivian courts. Figure 2 indicates the number of exploitation cases prosecuted by year.

An analysis of the type of exploitation committed revealed that almost half of the cases involve exploiting children to commit crimes. However, a third of the exploitation cases are linked to sexual exploitation. Figure 3 gives an overview of the type of exploitation cases according to PGO data.

We have also explored international literature, including from UNICEF global and regional offices, academic institutions such as John Hopkins School of Advanced International Studies.

Based on data the following types of exploitation were identified: (a) Exploitation of children for crime and violence and (b) Sexual exploitation of children

EXPLOITATION OF CHILDREN BY GEOGRAPHY



	No. of Cases By Year			
	2022	2023	2024	2025
	359	264	274	45

Figure 1: Number of child exploitation cases investigated by geography

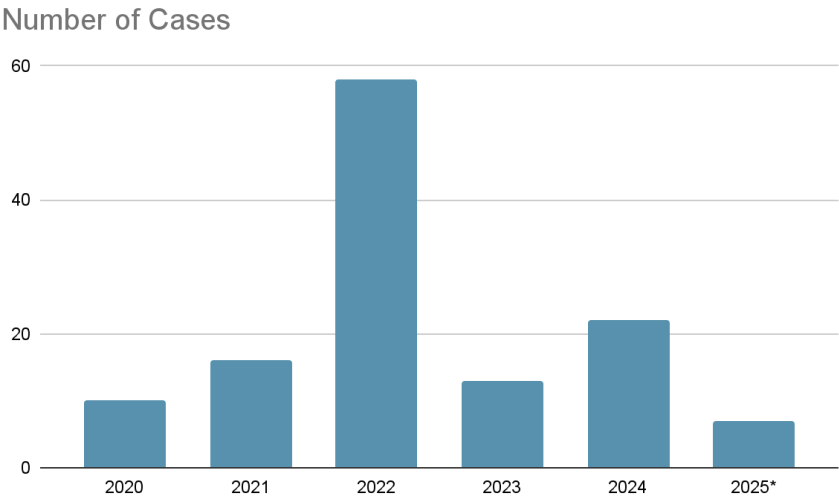


Figure 2: Number of child exploitation cases prosecuted by year

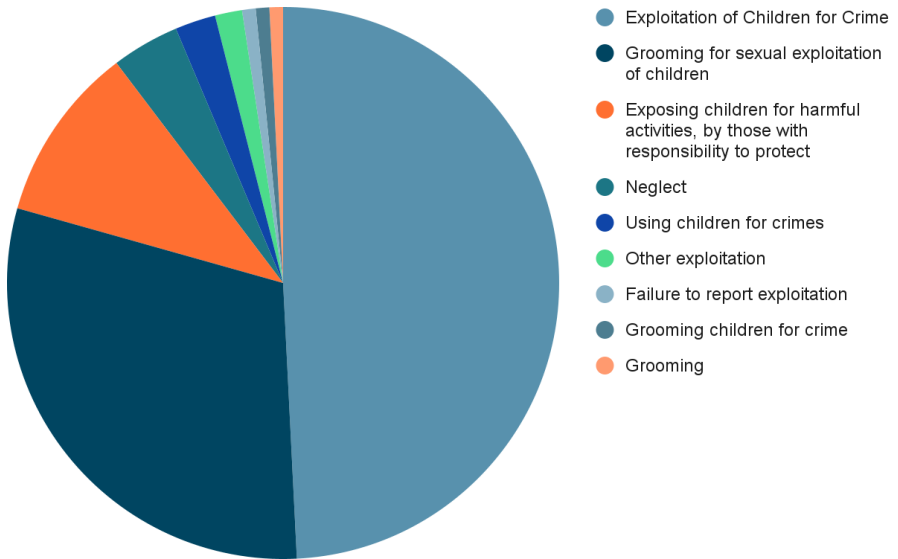


Figure 3: Types of child exploitation

Exploitation of children for crime and violence

In the Maldivian context, exploitation of children occurs through gangs. In 2012, it was estimated that 20 to 30 gangs operated in Male City, with 50 to 400 members. The current research shows that although young people are at the forefront of gang violence, they are not entirely to blame and many factors drive youths to join gangs and participate in gang violence⁹.

Sixty-three percent of gang members (not necessarily limited to children) who contributed to the report in 2012 were unemployed, and 52 percent had never been employed. The average monthly income among those who were employed was MRF 9238 (USD 607). Of those who reported being employed, 19 percent considered selling, smuggling or peddling drugs as a form of employment.. A majority of the FGD participants reported that their police records created difficulties in obtaining gainful employment, and a large number of them used and/or sold drugs.

Younger gang members are the most vulnerable within gangs. They are used by gang leaders to carry out the gang's dirty work, such as selling drugs and alcohol, inflicting harm on others and vandalizing property. Judges have the discretion to deliver more lenient sentences for most criminal offences committed by offenders aged 16 years or younger [as of 2012] and gang leaders exploit this by using minors to carry out crimes.

We have also extensively studied the data provided by law enforcement and social services agencies on cases of exploitation. This analysis also incorporates the concluding observations from the CRC Committee and other international best practices.

Sexual Exploitation of Children

Literature and case data indicate the existence of sexual exploitation of children in the Maldives. Around one-third of the exploitation cases prosecuted by PGO since 2020 is relate to sexual exploitation of children.

Literature also reveals that the system is ill-prepared to deal with such cases. For instance, secondary legislation required by the CRC Committee for crime prevention is still lacking. Child sexual abuse, especially of girls, remains common and largely unreported, with low conviction rates and the early release of perpetrators back into the community. Even judges sometimes hold discriminatory views towards women, girls, and sexuality, showing insensitivity towards victims of child sexual abuse¹⁰.

According to UNODC's Technical Assistance Needs Assessment (TANA) mission report, continued application of existing national legal provisions, such as the Special Provisions Act to Deal with Child Sex Abuse Offenders and others, may lead to the criminalisation of child victims of sexual exploitation¹¹.

The Human Rights Commission of Maldives, in its 2010 Submission to the Universal Periodic Review, revealed that underage girls and boys engage in prostitution and drug offences as a means of earning income¹².

The CRC Committee also flags a major systemic flaw in the Special Provisions Act: the legal minimum age for sexual consent is set too low, at 13 years. As a result, children, especially from vulnerable backgrounds, are at risk of being sexually exploited, including for production of child sexual abuse material (CSAM).

Internet as a tool for facilitating exploitation

Use of online platforms such as online exposure to inappropriate content, social media and online games to recruit children is an emerging trend globally, including in the Maldives. However, this is not a different type of exploitation, but a different platform to recruit children for both major types of exploitation.

Child sexual abuse and exploitation facilitated by digital technologies are significant global concerns, with data highlighting their alarming prevalence and impact. The rise of AI-driven technology introduces new risks, as manipulated and artificially generated content can deceive and harm children. This issue encompasses several forms, some of which may intersect, such as the production, sharing and possession of child sexual abuse materials, including computer-generated child sexual abuse materials, grooming for sexual abuse, trafficking for sexual exploitation, and sexual extortion. There are also intersections between online child sexual abuse and exploitation and technology-facilitated gender-based violence (GBV) (TFGBV), including in the context of adolescent peer relationships and technology-facilitated domestic violence. In some instances, there are links to organised crime.

Data on Children in Conflict with Law and Children-at-Risk

Annual statistics for 2023 from the Department of Juvenile Justice reveal that 63% of children-at-risk comes from broken families. The same report also indicates that 45% of children in conflict with the law come from broken families, while for 16% of that group family situation could not be determined.

Out of school children is another phenomenon that could be linked to CICL. Only 29% of the CICL attended school in 2023, with 30% having completed grade 10 but not pursuing further education, and 27% not having attended school at all. Children who dropped out of school did so as early as grade 5, typically in grades 9 and 10.

During the interviews with school principals, two key issues were raised. The first was that some private schools push underachieving children to public schools closer to the O'Level exam, disrupting their education and adding pressure to an overburdened public school system. The second point concerned the attendance policy of MOE. While schools agree with the purpose and objectives of the policy, they noted risks to teachers when visiting children's homes after attendance thresholds are not met.

Another risk factor is lack of employment opportunities (for children above the age of 16). Only 7 CICL were employed, while 41 children were unemployed and no data was available for 14 children.

The purpose of analysing family status, education and employment of the CICL and CAR is to provide an overview of the risk factors, exploited by adults. DJJ's report provides 21 push and pull factors for juvenile delinquency, and 16 of them are directly related to adults rather than children themselves. Adults, such as parents and those in authority, can do much to address the remaining five factors as well.

Figure 4 is an analysis of available data from DJJ's annual reports into the family situation of CICL and CAR. Figure 5 is an analysis of available data from DJJ's annual reports into the education status of CICL. Figure 6 is an analysis of available data from DJJ's annual reports into the employment status of CICL.

Gaps and Challenges

One of the biggest gaps in the fight against exploitation is the limitation in law to address exploitation effectively. Both MPS and PGO highlight current legal challenges in investigating and prosecuting exploitation of children due to limitations in the CPC. A key challenge is the restriction on investigation and prosecution timeline. The CPC imposes a 30-day limit for cases with pre-trial detention, unless the case is classified as a “major crime”. However, exploitation of children is not classified as a major crime, making it impossible to properly investigate such cases without pre-trial detention. This has resulted in a low number of cases being investigated, prosecuted and resulting in convictions.

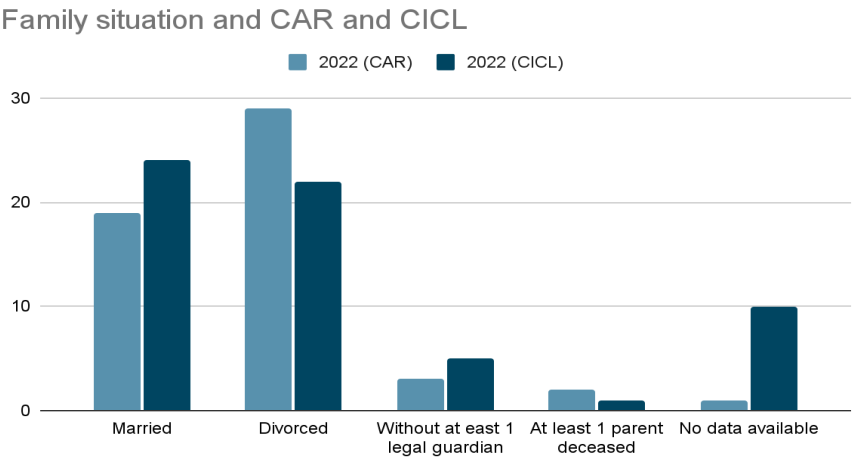


Figure 4: Family status and children in conflict with the law

A second gap in the system is the lack of alternative pathways for victims of exploitation. There are limited opportunities for children to exit criminal environments once recruited. Even where such opportunities are exist, children may still struggle to access them due to the stigma associated with the crimes in which they have been involved.

DJJ data establish a linkage of vulnerabilities such as coming from broken families, dropping out of school, unemployment (for children over the age of 16), past exposure to violence, and juvenile delinquency.

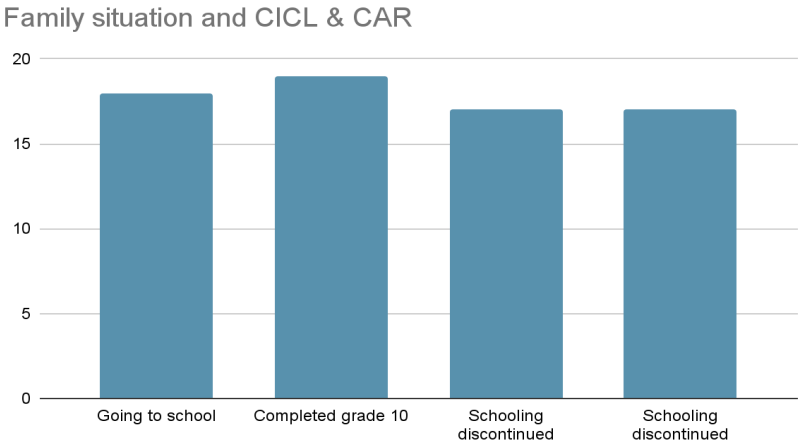


Figure 5: Education status and children in conflict with the law

Employment and CICL

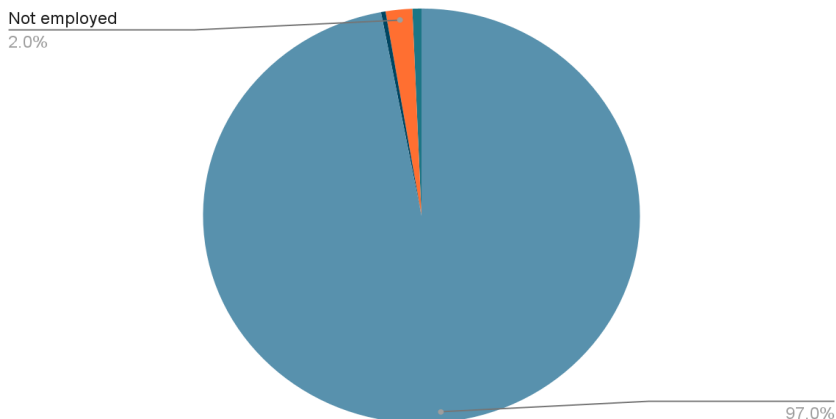


Figure 6: Employment status and children in conflict with the law

Furthermore, there are four key challenges for implementing JJA.

- a. The first is the absence of restorative justice pathways and detention facilities that the Act envisages. Since there is only one juvenile detention facility in the country, judges at the Juvenile Court are compelled to place children who have committed both serious and minor offences in the same detention facility. The Court has also raised concerns about children in pre-trial detention being housed with those serving sentences, in clear violation of Prisons and Parole Act.
- b. The second challenge is the lack of substantive actions against neglect and/or abuse by legal guardians, which is a common precursor for CICL.
- c. The third challenge is the absence of adequate measures against gangs and other criminal elements in society who exploit children in their criminal activities, as previously discussed.

- d. Fourth and the final challenge is the prevalence of community-based vulnerabilities that act as push/pull factor for juvenile delinquency. These include lack of access to education, broken families, and prior exposure to VAC. While data is not available, anecdotal evidence suggests that economic status, disabilities and internal migration also contribute to children's vulnerability.

Methodology

This paper is based on a literature review on juvenile justice in the Maldives and globally. While there is adequate literature on the general subject of juvenile delinquency in the Maldives, understanding of exploitation remains limited.

While reviewing a mixed approach was used including in interviews conducted with school principals and analysis of data collected on both exploitation and juvenile delinquency.

The qualitative analysis involves interviews with schools as well as Maldivian and international research on juvenile delinquency. It is acknowledged that exploitation is a sub-topic within juvenile delinquency, and as a result, very few studies on juvenile delinquency focus specifically on exploitation.

However, data provided by Maldives Police Service and Prosecutor-General's Office gives a clear overview of investigated and prosecuted cases, including types of exploitation and their geographic distribution. Annual reports from the Department of Juvenile Justice present overall patterns on why children commit crimes, which is critical for our discussions on the vulnerabilities that provide ample breeding grounds for exploitation.

Finally, while making the recommendations, we have analysed existing recommendations on the Maldives by UN bodies, as well as technical studies and recommendations collected from expert interviews. We have also reviewed international case studies on the prevention and/or responding to exploitation of children from "100 Best Practices in Child Protection" by John Hopkins School of Advanced International Studies and International Center for Missing and Exploited Children, to contextualise them within the Maldivian context.

Key findings and analysis

Our key findings are as follows:

Exploitation of children for criminal purposes

According to data from the Prosecutor-General's Office, almost half of the exploitation cases involve children being exploited to engage in criminal activities, mostly by gangs. Hence, the State's response to gang violence in the Maldives as well as its response to drug trafficking is critical in preventing exploitation. Therefore, its response to both social issues must be welcomed and supported.

Sexual exploitation of children

A third of the cases are linked to sexual exploitation of children. CRC Committee's fourth and fifth combined periodic report in 2016 flagged the issue of the age of consent for sexual activities being 13, under the Special Provisions Act to Deal with Sexual Abuse and Exploitation of Children 2009, which the Committee believes renders children vulnerable to sexual exploitation. Despite the remarkable progress in child protection laws through the Child Rights Protection Act and Juvenile Justice Act, this age of consent has remained unchanged.

Children's vulnerabilities to exploitation

Annual data from DJJ establishes that there are three core vulnerabilities:

Family & Parenting: Data indicates that there is a clear link between children in conflict with the law and family status. However, over the years the percentage of children in families in which both parents are present as opposed to others varied. The link should not be seen through the mere presence of both parents but also through the quality of parenting they receive.

Access to education: Data indicates a connection between children in conflict with the law and access to education. Measures to ensure that children have access to education and are continuing to attend classes is critical, especially in exploring

practical ways to implement MOE policies such as attendance policies. There is also a need to provide more opportunities beyond conventional education opportunities such as trade schools that are accessible for children in conflict with the law, including the prerequisites for entry.

Economic status: Global data indicates economic status as a vulnerability for exploitation. While a significant proportion of CICL are above 16 and are legally eligible for employment that is deemed safe for them, only 7 children were employed, 41 children were not employed, and the employment status of 14 children could not be determined. The youth unemployment rate is also high, creating opportunities for exploitation.

Other factors: Literature review and expert interviews also note that other factors such as previous exposure to violence, disabilities and internal migration, also increase the chances of exploitation. However, as data is not disaggregated by those factors it is difficult to ascertain those risks in terms of numbers. Rapid migration from islands to Male' City is also posing serious challenges to an already over-burdened system including schools, social services, law enforcement agencies, health centers and open spaces.

Online Platforms and Exploitation of Children

According to a WeProtect Global Alliance to end child sexual exploitation online, there are two risk factors for online facilitation of exploitation. First, is the rate of internet penetration, and second is the lack of necessary laws to prevent such exploitation. While internet penetration in the Maldives is at 85% or higher, the highest in the South Asian region. While there was a recent amendment to the Penal Code in 2024 focusing on cybercrime, it mostly deals with unauthorized access to computer systems, unauthorized use of data, interference, misuse, forgeries, fraud and copyright infringement, rather than the exploitation of children online.

Gaps and challenges

There are significant gaps and challenges in addressing child exploitation in the Maldives.

Law and implementation of the law: While the improvements in child protection laws are commendable, much more needs to be done when it comes to child exploitation, as child exploitation is not limited to responses from the child protection system.

Perspectives on child exploitation: Traditionally child exploitation is dealt as a law enforcement issue and hence shall be addressed through law enforcement, either directed on the children who commit crime as a result of exploitation or against those who exploit children. However, an effective response to child exploitation response requires broader social and economic response, including child protection, social protection, education, housing, and drug response, in addition to law enforcement to name a few.

Disregarding family structures and poor parenting: Beyond economic support to those families in need, families and children also need to be empowered with knowledge in modern parenting, managing relationships and conflict resolution.

Opportunities for the justice system are explored as part of the recommendations and policy implications under chapter 6.

Recommendations and Policy Implications

The expected outcomes of the Conference are expected practical, evidence-based recommendations tailored to policymakers and practitioners. Recommendations could be divided into 7 distinct areas of and are as follows:

Legal reform

There are key laws that needs to be amended to address the challenges highlighted.

Recommendation: Further strengthening Child Rights Protection Act by including key child rights concepts such as age of consent for sexual activities to keep in line with international standards.

Recommendation: Amending Juvenile Justice Act to address challenges in implementing the Act but without compromising key concepts of the Act such as MACR.

Recommendation: Overhauling Special Provisions Act to deal with Child Sex Offenders, to make the law online with international standards as well as to align it with the new child rights protection system and to reflect experience on investigating, prosecuting and sentencing by the Act

Recommendation: Revising Criminal Procedure Code, to facilitate investigation, prosecution and sentencing in child exploitation cases.

Recommendation: Amending the Prevention of Gang Violence and Other Dangerous Crimes bill before the Parliament to align it with Juvenile Justice Act, ensure victim protection during police operations, and address the exploitation of children in gang violence and gang financing. The current bill primarily focuses on law enforcement, which, while necessary, is insufficient without complementary interventions from the social, education and economic sectors. These responses must be incorporated.

Recommendation: Amending Drug Act to harmonize with Juvenile Justice Act, and to urgently implement the provisions relevant for children and substance abuse. Addressing drug issue will also contribute to addressing exploitation of children as well.

Law enforcement

Recommendation: No amount of financial compensation is going to heal the physical and psychological challenges that children go through after abuse and exploitation. In many types of crimes, perpetrators maybe subject to a fine or even assets may be forfeited. But generally, in the Maldives victims are not eligible to receive any financial benefit even if the perpetrator is fined or their assets confiscated. Under the 1979 Texas Crime Victims' Compensation Act, the state of Texas created a fund and established statutory guidelines for providing certain benefits to children who are abused and neglected and are, therefore, victims of a crime. In response to the physical and emotional harm suffered because of violence, abuse, or exploitation, an award can help pay for medical expenses and counseling.

Recommendation: In the state of Colorado¹³, asset forfeiture is applicable to buildings, land, vehicles, and any real property used in the commission of crimes against children including sexually exploiting a child, soliciting a child for prostitution, pandering of a child, keeping a place of child prostitution, pimping of a child, or inducement of child prostitution. Falling within the civil system, in these cases asset forfeiture is mandatory. According to the law, property is to be sold and then used to pay any liens, compensate an innocent partial owner and any person who suffers bodily injury or property damage as result of the nuisance, in addition to others.

Collaboration

Recommendation: Providing legal mandate by law to IBAMA network initiated by Ministry of Social and Family Development, such as National Child Traumatic Stress Network¹⁴, in the United States, created by Congress in 2000 as part of the Children's Health Act to raise the standard of care and increase access to services for children and families who experience or witness traumatic events. IBAMA can play a significant role in prevention of abuse and exploitation, especially if granted proper legal status, ensuring its sustainability across successive administrations.

Recommendation: Working in multi-disciplinary teams (MDTs) can reduce the potential re-victimization of children, whether in abuse or exploitation cases. Children's Advocacy Centers (CAC), run by the National Children's Alliance (NCA)¹⁵, in the United States, aim to end child abuse and neglect after disclosure.

Comprehensive victim response typically includes agency personnel from law enforcement, child protective services, prosecution, medical assistance, victim advocacy, and mental health services. Each agency has its own role in the investigation and intervention procedures. As such, efforts are often duplicated, resulting in multiple interviews that may re-traumatize the child victim. The NCA Children's Advocacy Centers were founded in an attempt to coordinate these processes so as to best protect the victim while still fulfilling all necessary legal and social service requirements.

Recommendation: Immediately after COVID 19, the Ministry of Gender and Family and the Ministry of Science and Technology inaugurated a Working Group on the Prevention of Online Abuse and Exploitation of Children, with a view to launch a National Action Plan on Online Safety. However, the Working Group was discontinued and the plan was never launched, although the National Action Plan on Preventing and Responding to Violence Against Children included online safety as one of its five domains.

Smart Online Safe Offline (SOSO)¹⁶ is an Australian non-profit social partnership that combines the strengths of local communities and the digital media industry to create online campaigns that educate youth about the dangers of the online environment. Employing a multifaceted media approach, SOSO uses the online space to raise awareness among young internet users on safe internet conduct. In an engaging web

portal, SOSO advocacy efforts target online threats such as predation, grooming, cyber bullying, and identity theft. The Maldives needs a similar initiative that leverages digital platforms to reach out to children and ensure their online protection.

Service provision

Recommendation: Child abuse victims, including victims of exploitation, need assistance including, but not limited to counselling, educational classes, and skills training. While there are organizations that work on the prevention of violence, few programmes are specifically tailored to children already exposed to violence in the Maldives.

Be-Free¹⁷, from Bahrain provides such programmes to support child abuse victims, Be-Free provides counseling, classes, and training sessions to educate and assist the community with issues related to child abuse. Utilising the latest sciences and techniques, Be-Free provides parents and caregivers with the tools to support and strengthen the emotional capacity of children affected by abuse and empowers victims to rebuild self-confidence and trust. The Maldives would benefit from such survivor-centred support mechanisms to ensure these children are not revictimized and/or become perpetrators themselves.

Recommendation: While institutionalising children in conflict with the law has yielded limited result in the Maldives and across the board, facilities that children choose to attend to study, learn a trade, etc, are widely regarded as more effective across the globe. Currently, the Maldives lacks such facilities for children in conflict with the law. Cambodian Centre for the Protection of Children in partnership with Senhoa, opened the Lotus House in Siem Reap¹⁸, Cambodia.

Lotus House is a transition home for up to 15 women, providing them with safe and secure subsidized accommodations. Lotus House focuses on helping girls become independent and enabling them to prepare for life outside of a shelter. The girls must find employment in order to live in the house and must contribute a small amount to the running of the house each month. Through this innovative approach, young women learn the skills necessary for independent, healthy living and receive the

educational and situational building blocks necessary to lay the foundation for a safe, secure life.

Recommendation: Ministry of Social and Family Development as well as Advocating the Rights of the Child had facilitated internships for older children living in shelters as part of their reintegration process. Many of these opportunities were found in resorts, which offer varied vocational roles such as restaurant services, water sports, diving, transportation, and more. Resorts, being isolated also provides a safe haven from the problematic family lives as well as neighborhoods they have left behind. Similar vocational paths can be extended for victims of abuse, provided that there is willingness from the resorts to take such children onboard and mentor them into becoming the next generation of hospitality professionals.

Recommendation: The Safer Internet Programme¹⁹, under the framework of the European Commission and co-funded by the European Union, is a multi-stakeholder project administered by Insafe and INHOPE, representing networks of NGOs, law enforcement bodies, and academic institutions committed to making the Internet a safer place for children. Although children and young people are well-skilled in using the Internet, often they are ill-equipped to navigate the potential risks that exist online. The Safer Internet Programme, through a network of Safer Internet Centre's, comprised of an awareness center, helpline, hotline, and youth panel, provides young people, parents, educators and caregivers with information, advice, support, and resources.

Education

Recommendation: Data from DJJ establish a link between children in conflict with the law and out of school children, especially among children aged 16 - 17. Many of them completed grade 10, but did not enroll into higher secondary education.

Cimientos²⁰, Argentina was founded by a group of professionals who believe that only through education can the cycle of poverty be broken. It's Scholarship Program provides financial assistance in the form of annual scholarships, personalized mentoring, and a safe space to discuss challenges and experiences for qualified students. This effort strives to improve school retention among students from low-income families within

the formal education system and to bolster their learning experience. Once students complete the Scholarship Program, they join the Cimientos Graduate Network, where they receive additional complementary assistance such as job training resources and ongoing learning opportunities. Their goal is to equip children with the tools to improve the chances of graduating from High School.

Social Protection

Recommendation: Another area of vulnerability linked to children in conflict with the law is economic status. Globally, poverty and other economic factors contribute to the exploitation of children.

A study by Save the Children, “Cash and Child Protection: How Cash Transfer Programming Can Protect Children from Abuse, Neglect, Exploitation and Violence”²¹, analysed the use of ‘cash transfer’ programming to realize child protection outcomes in emergency and non-emergency situations. The direct and indirect impacts of cash transfer programs on child protection were discussed and ultimately cash transfers were shown to positively impact the education, nutrition, food security, and livelihoods of the children whose families received the cash transfer, and help to reduce instances of child exploitation.

Maldives allocates a significant amount of its budget on social protection. According to data on the budget website, 3.9 billion ruffiya was spent on social protection between January and November 2022, but only 6% was spent on children and families²². While embarking on its much-awaited social protection reform, Maldives shall explore changing the current social protection schemes for children to gradually realize the implementation of a universal child benefit and introduce behavioural nudges through the incorporation of top-up mechanisms.

In addition, the current subsidy programme could be restructured to fund a universal child benefit system. Transitioning from an equality-based to an equity-based social protection model can help address some of the economic pressures that facilitates child exploitation, while building a more cost-effective and sustainable social protection system.

Awareness Programs

Recommendation: Many organizations conduct awareness sessions on child protection issues such as violence against children. However, most of the programmes focus on a single aspect such as awareness sessions, or TV/radio ads or social media messaging, limiting reach and impact. Moreover, they lack monitoring and evaluation frameworks, and as a result is impossible to measure their effectiveness.

The Soul City Institute for Health and Development Communication²³, an NGO based in South Africa, designed and implemented the Soul Buddyz series, a targeted program for children ages 8-12 years and their caregivers that addresses children's rights and health issues relevant to children. This innovative project utilizes the “edutainment” methodology, integrating both health education and social issues into programming. Capitalizing the highly developed mass media infrastructure in the country, the Soul Buddyz series includes a mix of television, radio, and print components for complementary reinforcement. This holistic model could be adopted in the Maldives to increase impact and ensure long-term behavior changes in child protection efforts.

Reference

- [1] UNICEF Europe and Central Asia Office Regional (ECARO), Guidance Note - Children Under the Minimum Age of Criminal Responsibility, p.13
- [2] Zeema Nasheed Aboobakuru, “A Maldivian Perspective on Juvenile Justice”, in: Annual Report for 2016 and Resource Material Material Series No.102, Juvenile Justice and the United Nations Standards and Norms, UNAFEI, (Fuchu, Tokyo, Japan, September 2017), p. 20.
- [3] The Asia Foundation and Maldives Institute for Psychological Services, Training and Research, “Rapid Situation Assessment of Gangs in Male”, Maldives, 2012
- [4] Human Rights Commission of the Maldives, HRCM Submission to the Universal Periodic Review of the Maldives, April – May 2015 (22nd session) (September 2014), p.6
- [5] UNDP, Maldives, Maldives human development report 2014 bridging the divide: Addressing vulnerability, reducing inequality, 2014)
- [6] President’s Office, Official Translation of Maldives Constitution, 2008
- [7] International Association of Prosecutors, Model Guidelines for the Effective Prosecution
of Crimes Against Children, p.3
- [8] Family Legal Clinic, Unofficial Translation of Child Rights Protection Act
- [9] The Asia Foundation, Rapid Situation Assessment of Gangs in Male, p.5
- [10] Concluding observations on the combined fourth and fifth periodic reports of Maldives, p.11
- [11] UNODC, Report of the Technical Assistance Needs Assessment in the Area of Juvenile Justice, May-July 2020, p.13
- [12] Zaeema Nasheed Aboobakuru, A Maldivian perspective on juvenile justice, p.4

- [13] UNICEF, Policy Brief on protecting children from violence and exploitation in relation to the digital brief, p.8
- [14] <https://www.texasattorneygeneral.gov/crime-victims/crime-victims-compensation-program>
- [15] http://sharedhope.org/wp-content/uploads/2012/09/Asset_forfutures.pdf
- [16] <http://www.nctsn.org/>
- [17] www.nationalchildrensalliance.org
- [18] <http://www.soso.org.au>
- [19] <http://www.befreepro.org/en/>
- [20] <https://ccpcr.org.kh/article/1/activities/lotus-house-siem-reap.htm>
- [21] <https://digital-strategy.ec.europa.eu/en/policies/safer-internet-centres>
- [22] <https://www.cimientos.org/en/>
- [23] <https://resourcecentre.savethechildren.net/document/child-outcomes-cash-transfer-programming-synthesis-evidence-around-survival-education-and/>
- [24] <https://budget.gov.mv/en/monthly/functional-classification>
- [25] <https://www.soulcity.org.za>

Juvenile Crime Prevention

Prosecutor General's Office

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Abstract

The juvenile offenders' rates are increasing in an alarming rate raising concerns amongst the stakeholders of the criminal justice system to take effective measures to cater and combat the Juvenile offences being committed in our society.

This essay is primarily based on the qualitative research method. This paper will address the current practices adopted by authorities to address the Juvenile Offences and understand the loopholes in the existing mechanisms contributing to the involvement of adolescence in criminal offenses. In addition to this, this paper would also demonstrate how relevant authorities namely, Ministry of Social and Family Development, Education, UNICEF and Department of Juvenile Justice have the major role in safeguarding the rights of children and juvenile offenders. The endeavour of this research paper would be to provide recommendations and identify the practical measures that can be taken to ensure and safeguard the rights of children, while offering insight on the importance on the collaboration and harmonization of the rules and regulations within the criminal justice system.

Keywords: Juvenile, Offenders, Collaboration, Juvenile Delinquencies, Intervention Plan

Introduction

Maldives is a small country located in the Indian ocean with the most dispersed islands in the world. Due to the number of geographically dispersed islands the citizens of Maldives have different social dynamics in different islands. After the outbreak of covid 19 pandemic and the subsequent global recession Maldives experienced massive transformation in the technology and internet. This led to the emerging of new social challenges among children and young people.

In the recent years we have noted an alarming increase in the number of crimes committed by minors ranging from misdemeanour to serious criminal offense such as murder¹. The recent surge in criminal offenses committed by children has prompted stakeholders to place greater emphasis on the issue of juvenile delinquency. This growing concern has led to increased discussions on effective preventive measures and alternative rehabilitation strategies that can facilitate the reintegration of young offenders into society.

There is less research conducted on this raising concern and the available limited resource are only confined and restricted to the authorities. In this research we have however used the available materials to understand the major risk factors and provide a future intervention plan.

Juvenile delinquencies are caused by various psychological and social circumstances. Children who experience lack of parental guidance and suffer from childhood psychological trauma are at significant risk of engaging in criminal behaviour. Maldivian Juvenile Justice System set out the legislation, policies and practices for managing children and young people who have committed or allegedly committed offenses. The Child Protection Act (19/2019) and Juvenile Justice Act (18/2019) are the key legislative frameworks ensuring that all children and adolescents under the age

¹ *Maldives Financial Review, Addressing youth crime in the Maldives: proposals for reform and rehabilitation, 7 April 2024*

of 18 who are in conflict with law enjoy the protection of the juvenile justice system that align with the international standards.

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Law Number: 18/2019 (Juvenile Justice Act)

This act mainly outlines the rights of children/adolescents who conflict with the law or juvenile delinquency and the means to prevent it. The act further provides a means for reforming these juvenile delinquents to a productive member of the society we live in through the rehabilitative facilities mentioned in the act.

Upon the ratification and Publishing of this bill, the Juvenile Justice Unit, which previously was known as a subunit under the Ministry of Home Affairs, was changed to the Department of Juvenile Justice. Moreover, the act states that the people such as police, prosecutors, correctional officers, etc... who deal with such children must be specialized in this area. This act also introduces early intervention mechanisms to prevent offending.

According to this act, no child under 15 can be penalized for any criminal activity. This means that, no matter how severe the crime is, the only course of action available to us regarding this is rehabilitation and reintegration. However, it's in conflict with Islamic Shariah since Shariah states that once a child reaches puberty, they can be convicted of crimes. While there has been one amendment to this act, there are 8 regulations as of now made detailing how to properly follow procedures in the act.

High court of Maldives, Gaziyya no: 2024/HC-B12/49, A case where police requested in Juvenile Court for a court order to confiscate the phone of a 14-year-old child regarding a case, the High court supported the Juvenile Courts decision to not give such order since the child can't be penalized and there is nothing any authority can do if the child decide to not obey the court order. The gaziyya further mentions that the action regarding such children is stated under the Regulation no: 2021/R-81 (Regulation on the system of expedited action against children exposed to illegal activities/ in conflict with law) made under Act no: 18/2019 (Juvenile Justice Act)².

² *Prosecutor Generals Office v Nil, 2024/HC-B12/49 06 November 2024*

Law number: 19/2019 (Child rights Protection Act)

Maldives is among the countries which started implementation of the UN's Convention on the Right of Child (CRC). Within less than a year, the act no: 9/91 (Child Right Protection Act) came to existence and has been followed until the new act on it, Act no: 19/2019 (Child Right Protection Act) was passed on. The new act is more detailed on the rights available to Children, the duties imposed on them, the duties imposed on family, community, State and other parties with regards to Children, and the guidelines relating to provision of care and protection to Children, in order to protect Children's rights in the Maldives³.

The new child protection act addresses the gaps in the system and introduces new rights such as, prohibiting child marriage, setting age of criminal responsibility to 15, prohibiting death penalty for crimes committed as a child. The act recognizes at risk or vulnerable children and has a set of guidelines for the safety of them and recognizes grooming and failure to report harm caused to a child as a criminal activity. A child protection service is created under this activity by safety of children and Child Protection Council for the improvement of coordination among state agencies and finally Children's Ombudsperson to ensure the implementation of the act effectively.

³ Law Number 19/ 2019 (Protection of The Rights of Children Act (Unofficial Translation by Family Legal Clinic), Lethun

Summary of International Frameworks

United Nations Convention on the Rights of the Child (UNCRC)

UNCRC is a treaty adopted by UN's general assembly on 20th November 1989. Every UN member except the US are parties to this treaty with the total of 196 countries. The main principle of this includes Non-discrimination, acting on the best interest of child, Right to Life and development and the respect for their views⁴.

United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules)

The Beijing Rules were adopted by the UN's general assembly on 29th November 1985. These rules were implemented to strengthen the juvenile justice system with objectives such as emotional, mental and physical well-being of juveniles and to have the principle of proportionality in such cases. According to these rules, the minimum age entirely depends on the history and culture of any country but at the same time, it should be reasonable and applicable globally/internationally. The rules also talk about diversion as something that help preventing the stigma of being convicted by removing the juveniles from the normal criminal justice system and redirecting them towards community. The mechanism of diversion can be followed by Police, Prosecutor General, Court, hence providing the opportunity to give the possibility of diversion at all stages. The rules also states that detention needs to always be the last resort and must be for the shortest period of time and for the juveniles who are in detention entitled to

⁴ *Convention on the Rights of the Child*

a standard minimum rule for the treatment of prisoners by UN. These rules further states on how they are to be separated from adults, to be partly or entirely subjected to parental supervision and to be given institutional treatment, when necessary,⁵

United Nations Guidelines for the Prevention of Juvenile Delinquency (The Riyadh Guidelines)

The Riyadh Guidelines were adopted in the UNs plenary meeting on 14th December 1990. This guideline emphasizes on the cruciality of reducing juvenile delinquency to reduce the overall crime. They highlight the need of having a child-centred approach and stress on the vital role community plays or should play on ensuring the wellbeing of children an early age. The guideline focuses on creating a positive environment for the juveniles before the delinquencies start. The main idea around it includes, helping them out before they get into trouble, supporting the education, family life, friendships and community involvement (great support system), treating them with respect, while addressing the risks early and without labelling them, the whole community to work together to ensure they are on a good path, giving them good opportunities instead of punishing them, avoiding harsh treatment and ensuring every child get equal treatment irrespective of their gender and background. The whole idea of this guideline surrounds on giving hope to children, a sense of belonging, to give them a world where they feel safe and supported which would eventually reduce the chances of crime⁶

UN [General Assembly resolution 74/170](#) (Integrating sport into youth crime prevention and criminal justice strategies)

5 United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules)

6 United Nations Guidelines for the Prevention of Juvenile Delinquency (The Riyadh Guidelines)

UN General Assembly resolution 74/170 “Integrating sport into youth crime prevention and criminal justice strategies was adopted in December 2019. This focuses on the role of sport as a tool against youth crime prevention by incorporating sports into crime prevention and criminal justice strategies, advocating the benefits of using sport in social integration of young offenders, promotion and facilitation in this area to assess the effectiveness and impact of it and providing technical assistance and using sport as a tool for development of skill⁷.

The UNODC has been implementing the resolution through Youth Crime Prevention through Sport initiative. This includes life skill training, community-based interventions, facilitating access to sports, etc⁸.

ECOSOC resolution 2016/18, “Mainstreaming holistic approaches to youth crime prevention”

ECOSOC resolution 2016/18, “Mainstreaming holistic approaches to youth crime prevention” was adopted in July 2016. It contains strategies to follow to prevent involvement of youth in crime and stress on the need of multi-sector collaboration which links areas like education, health, social support and justice system.

This one advocates on integrating in various sectors so that the root cause of it can be addressed more well. It also highlights on role of community and stress on need of community-based programs, monitoring and evaluation mechanisms and international collaboration to share best practices⁹.

⁷ United General Assembly, Resolution Adopted by the General Assembly, A/74/400, 7 January 2020

⁸ United Nations, Youth Crime Prevention through Sports 06 April 2025

⁹ United Nations, Resolution adopted by the Economic and Social Council, 26 July 2016

Research Methodology

This research uses both qualitative and secondary data analysis to figure out the key elements that would help in juvenile crime prevention. This method is ideal as it provides deep insight into personal experiences, beliefs, social area/environment etc. and helps to investigate Realtime data of institutions involved which can then give an overall insight about society in this specific matter.

Hence the study would have an input of the experience lived by purpose social workers, case workers, teachers and community leaders with the relevant knowledge, skills and expertise. All the information included has been with their consent and they were assured of fully confidentiality and anonymity.

The data from these focus group was collected using interviews and discussions both, allowing us to get into more details of the answers given to the asked questions. Interviews lasted for 20-30 minutes. The research adhered to ethical standard to ensure that the participators rights were always protected. The participation was solely voluntary, and all the information were maintained with strict confidentiality.

Key Factors contributing to Juvenile Crimes

1. Socioeconomic Challenges

Many juveniles involved in crime come from underprivileged backgrounds, where poverty, unemployment, and lack of access to resources limit their opportunities. These economic difficulties can push young people towards illegal activities as a means of survival or status acquisition. The absence of constructive recreational options or positive role models in their communities also contributes to delinquency.

2. Family Dynamics and Emotional Neglect

Unstable family environments are a major contributing factor. A significant number of juveniles involved in criminal activities come from households marked by:

- Emotional neglect
- Domestic violence
- Lack of parental supervision and guidance

These conditions foster feelings of abandonment and low self-worth among children, increasing their vulnerability to external negative influences.

From the research interviews, it was discovered that this is the most common factors contributing to children's involvement in criminal activities. Behavioural issues and engagement in criminal behaviour often begin around the ages of 13 to 14. The research also revealed that the majority of children exhibiting behavioural problems come from broken families, where parents are either separated or absent, and there is often no positive role model to guide them. A key recommendation from the interviewees to address these issues was to increase awareness among parents and within the community. However, this has proven to be very challenging, as the parents who are most in need of such programs often do not attend them.

3. Peer Pressure and Gang Influence

Peer pressure plays a critical role in leading juveniles into criminal behaviour. In particular, gang-related crimes are increasingly reported among youth aged 14–18. Young individuals may seek belonging or protection within gangs, which can offer a sense of identity that they lack at home or in school. Unfortunately, this often leads to involvement in violent and unlawful acts.

From the research interviews with four principals from different schools, it was noted that, compared to the number of cases reported to the schools, gang violence or gang-related incidents are brought to their attention, and necessary actions are taken. However, they mentioned that such incidents usually occur outside school premises, which limits the school's ability to intervene directly. When these issues are brought to the school's attention, or if the school discovers that a student is involved, the child's parents are called in for a discussion in the presence of the student. According to the principals, the purpose of involving the parents is to make them aware of the situation so they can take appropriate action outside of school. Unfortunately, they shared that many parents either do not support the school's efforts or deny that their child could be involved in such behaviour. However, in cases where parents are supportive, necessary actions are taken, and positive changes are observed in the child's behaviour. If such behaviour is observed within the school premises, the school management treats it very seriously and takes action in accordance with Ministry policies. Additionally, the child is provided with necessary mental and psychological support through the school counsellor.

It was found that such matters are taken seriously and, whenever necessary, they are brought to the attention of relevant institutions such as the Department of Juvenile Justice, the Ministry of Social and Family Development, and, if required, the Maldives Police Service. These institutions then work with the child as needed, providing early intervention programs and offering necessary support using the available resources.

4. Educational Environment and School-Based Issues

Schools in the Maldives are also facing serious behavioural and safety challenges, including:

- Bullying and violence
- Vaping and substance use
- Cybercrimes such as cyberbullying and online sexual harassment

Although schools run awareness programs and follow Ministry guidelines to curb these issues, their efforts are often undermined by external factors beyond the school's control.

From the research interviews with four principals from different schools, it was noted that the majority of reported cases are related to cyberbullying and vaping. Since vaping is now banned in the Maldives, they believe the issue is no longer a major concern. However, serious concerns were raised regarding cyberbullying and other crimes committed using the internet.

According to the interviews, students do not have access to electronic devices without supervision while on school premises, so these issues typically do not originate at school, they begin at home. The principals pointed out that the unlimited access to the internet and the widespread use of electronic devices at home have become a major contributing factor. But in current situation of Maldives, it is considered essential.

5. Lack of Parental Involvement and Support

One of the most critical obstacles to addressing juvenile crime is the lack of parental support. Schools report that:

- Many parents are disengaged from their children's lives.
- There is a general absence of love, care, and emotional support at home.
- Efforts made by educational institutions are often not reinforced or supported by families.

This disconnect hampers the long-term effectiveness of school and community interventions.

Current Prevention Strategies Adopted by Key Institutions

Ministry of Education

Schools play a crucial role in shaping us to become who we are by offering us a safe, structured environment for our studies. Education is at the forefront of preventing juvenile crimes. By giving support to children academic programs, counselling services based in the majority of schools and through extracurricular activities, we are offering them ways to stay engaged and build a trusted relationship with adults.

As a student, half of our day is spent in school, which means that it is indeed easier to identify vulnerable and at-risk children at school. The early identification of them and the interventions carried out through their education and offering them behavioral support will help them from turning to crime.

Our Ministry of Education has many policies and circulars, detailing the procedures to be followed whenever possible. One of the Policy among those is the national child protection policy, which ensures the responsibility of schools in protecting the rights of children/students and states on how everyone working at school must ensure that the relevant legislation, policies and procedures on protection of children are implemented in all school activities. The policy also mentions on how to deal with vulnerable students and in other areas where a child's protection is at risk such as Bullying, Behavior Management, Corporal Punishment, Self-harm and suicide prevention, sexual behavior between children, student attendance.

In addition to this policy, there are detailed policies in the areas of attendance, behavior management, anti-bullying, cyber security, and suicide prevention. The policies in detail outline the preventive measures and procedures to follow regarding violence, vulnerabilities and other issues that children are exposed to. Within the context of these policies, cases are first attended by school and if needed further action, are then referred to the Ministry of Education.

In the past, it was once highlighted in the Juvenile Justice report that among the juvenile offenders, 95% of them were school dropouts. The report then further highlighted those children prone to delinquency often belong to gangs and were deprived of education, furthermore it talked about the possibility of living away from parents as one of the reasons for criminal activities¹⁰

The Ministry of Education, in their annual report of 2024 has included the work done regarding protection of students and other aid given under section 1.20¹¹. According to the report, there were a total of 518 cases reported related to attendance policy, from which 33 students already have started going to school regularly. Out of them, 27 of the cases were referred to other institutions including Ministry of Social and Family Development, Maldives Police Service, Department of Juvenile Justice, Child Development Centre, Department of Inclusive Education and Ibama. The report further addresses on things such as, actions taken to provide education to 13 children who returned from a battlefield area, Alternative learning pathway for vulnerable children, how vaping is banned within the schools and 25ft from the school wall area, development of risk and vulnerability assessment toolkit with the participation of Transparency Maldives and assistance from Beyond Group, Works regarding Preventing and Countering violence extremism and radicalization, Joint Positive Parenting Programs, School based Mental Health communication strategy, Program to help Adolescents to thrive and several other areas. Although the gender or age group isn't identified in the report, this report has the statistics on the types of cases which students were victimized to, type of causes related to criminal activities, types of cases related to education and types of cases related to physical and mental wellbeing. Moreover, the report mentions that the Ministry of Education has attended a total of 4477 cases through the academic year 2024 and total of 507 cases being referred to other institutions with majority of cases (369 cases) being referred to Ministry of Social and Family Development.

¹⁰ Minivan News Archive, *Legal reforms needed to curb corporal punishment of children: SAIVEC*, 12 April 2025

¹¹ Ministry of Education, *Annual Report 2024*

Ministry of Social and Family Development.

Ministry of Social and Family Development holds a national mandate to protect and promote the rights of children across the Maldives. In line with this responsibility, the Ministry established the Maldives Child Protection Database (MCPD) in 2016.¹² This system facilitates the collection and sharing of data across relevant agencies and plays a vital role in strengthening the national child protection response framework.

To further improve accessibility and decentralize child and family services, the Ministry has established 19 Family and Child Service Centers—one in each atoll. These centers ensure that critical social services are made available at the community level, reducing the reliance on central institutions and improving response times for child protection concerns.

In 2017, with the collaboration of UNICEF and Maldives Police Service, the Ministry introduced the 1412 helpline and the “Ahan” mobile app to make it easier for people to report cases of violence against children. These resources enable the public to quickly raise concerns, helping to ensure timely intervention and support for the children involved.¹³

According to statistics released by the Ministry for the year 2024, a total of 2,855 cases were reported across various categories. Of these, 1,222 cases involved violence against children, while 237 cases were related to behavioral problems. Additionally, 53 cases involved violations of child rights, and 359 cases were linked to family issues. The remaining cases addressed matters such as gender-based and domestic violence, care

12 Ministry of Gender, Family and Social Services, Ministry of Gender and Family establishes the Maldives Child Protection Database (MCPD), 29 September 2016

13 Ministry of Gender, Family and Social Services, Ministry of Gender and Family has launched 1412 Call Centre and “Ahan” Mobile application in collaboration with UNICEF and Maldives Police Service, 13 July 2017

and support services, social welfare and well-being, and incidents of self-harm or suicidal behavior.¹⁴

Several facilities and services operate under the Ministry to support child protection efforts. These include Fiyavathi (part of Kudakudhinge Hiyaa, catering to children under the age of 13), Kudakudhinge Hiyaa, Amaan Hiyaa, Family and Child Service Centers, the National Social Protection Agency, the Special Needs Center, and Child and Family Protection Services. Together, these institutions form the operational backbone of the Ministry's child protection infrastructure.

Despite these efforts, the Ministry faces significant challenges in implementing its mandate effectively. A key issue is the shortage of qualified and willing caseworkers, particularly in remote atolls. In many instances, caseworkers must travel from central islands to outlying communities to assess and manage cases, which strains both time and resources.

This situation is further exacerbated by the current civil service classification of caseworker roles as administrative rather than technical positions. As a result, these roles offer lower salaries and do not include travel or living allowances, making them less attractive—especially in geographically isolated areas. Addressing these systemic challenges is crucial for ensuring consistent, high-quality social services and comprehensive child protection across all regions of the Maldives.

14 Ministry of Gender, Family and Social Services, Jan – June 2024

UNICEF

The United Nations International Children's Emergency Fund (Hereafter: UNICEF) in the Maldives works collaboratively with various institutions to ensure every child is protected and prevented from engaging in criminal offenses. The implementation of United Nations Convention on the rights of the child has played a vital role in expanding and strengthening the juvenile Justice and ensuring an effective legal system which guarantees children's access to justice. Number of laws are enacted and embraced globally regarding juvenile justice and protection of children who come in conflict of law.

The 2023 UNICEF Maldives Annual Report highlights that Maldives has made a noteworthy progress by establishing a comprehensive child protection system which includes the Child Rights Protection Act and Juvenile Act of 2019¹⁵. UNICEF has provided their continuous support in this progress by helping to develop standard operating procedures and providing training to key stakeholders, ensuring the effective enforcement and impact of these laws.

In addition to this UNICEF Representative to Maldives, Dr. Edward Addai, has introduced 8 Flagship Programmes of UNICEF Maldives which are designed to be enforced during the 2022 to 2026 period¹⁶. In the context of preventing juvenile crimes and ensuring child rights, Dr. Edward Addai identified the need to implement these key flagships that offers to contribute to achieving universality and leaving no child behind. The 2023 Annual report shows the successful implementation of the following innovative flagships.

Positive Parenting: Beleniueriyaa

This Program was designed to empower parents with positive parenting skills to support their children's development taking into consideration the need to address

15 2023 UNICEF Maldives Annual Report

16 UNICEF Maldives' 8 Flagship Programmes 2022 - 2026

challenges such as violence, abuse and exploitation¹⁷. These joint programs are arranged in collaboration with Department of Juvenile Justice (DJJ), Education, councils and Police. A staff of DJJ was interviewed to collect data for this area. During the interview she emphasised the need to make parents aware of the parenting techniques that can be used to protect their children from engaging in criminal activities. In addition to this, she acknowledged that there are special trainees qualified to take these training sessions and noted that the initiation of such programs has had a positive impact on society overall. However, she also highlighted on the challenges that they face due to the staff shortage in different areas of Maldives.

After the enactment of law number 19/2019 Child Rights Protection Act, government has prioritized the need to provide every child in the state care a Family. “A Family for Every Child Program” was then initiated raising awareness regarding the number of vulnerable children in the state care and the alternative care mechanism such as fostering. Fostering and reintegration allows the vulnerable children to grow up in a safe, nurturing, and supportive environment, rather than in institutional settings. This Program also aligns with the goal of UNICEF which advocates for positive parenting.

Caring Island Communities: IBAMA

UNICEF has been successful in establishing IBAMA in 123 islands, 3 cities and 12 atolls. IBAMA stands for Ijuthimaaee Badhahi Madhahuverin, which is a multisectoral platform aimed to identify the vulnerable children in our society and assist these children and their families. This programme ensures the accessibility of social service to all the vulnerable citizens and those in need of support.

17 Government and UNICEF launches Joint Positive Parenting Program, 02 June 2022

Ministry of Youth Empowerment

Juveniles entering the juvenile justice system can be characterized as those being socially and financially vulnerable. Family background can, therefore, be profiled as a huge factor leading to the concerning behaviour among children¹⁸. It is therefore, noted that the group of children with proper parenting and higher education level commit significantly less offences. These corresponds well with the interviews conducted with Ministry of Social Services DJJ, and education.

There are various prevention programmes that are established within the Ministry of Youth that work to keep young people away from crime. Within the Ministry there are Youth counselling Service sessions targeted to parents as well as children at risk. Strengthening and empowering the youth extends beyond taking awareness sessions. Thus, introducing more job opportunities and access to information is of primary importance in preparing them to face the real-life challenges and fostering their confidence. Although there is no official statistical report indicating the success rate, this initiative can serve as a viable mechanism through which vulnerable individuals may access the mental health support they require.

Department of Juvenile Justice (DJJ)

Originally established in 2010 as the Juvenile Justice Unit, the institution was rebranded as the Department of Juvenile Justice (DJJ) following the enactment of the Juvenile Justice Act in 2019. The DJJ now operates under the Ministry of Homeland Security and Technology.

The Department of Juvenile Justice plays a critical role in the prevention of juvenile delinquency through early intervention strategies, diversion programs, community outreach initiatives, and rehabilitative services designed to address the root causes of youth offending. The DJJ seeks to mitigate risk factors and promote positive youth development, thereby reducing recidivism and enhancing public safety. In addition,

¹⁸ *Disengagement of Maldivian Youth, Research Development Office, The Maldives National University, October 2022*

the Department conducts targeted awareness programs aimed at both at risk youth and the general public to sensitize communities to the consequences of juvenile delinquency and the importance of prevention. It also provides psychological and social support to children who are, or may be, exposed to criminal environments, with the aim of preventing deeper involvement in unlawful behaviour. Moreover, the DJJ is responsible for identifying and planning specialized training programs for professionals involved in managing juvenile cases such as law enforcement officers, social workers, and legal practitioners to ensure child sensitive and rights-based approaches. The Department further facilitates inter-agency training initiatives to enhance familiarity with the juvenile justice system across all relevant sectors.

The 2023 Juvenile Justice Report by Department of juvenile Justice highlights the factors leading to the commission of crimes by juveniles, many of which are rooted from their upbringing and environment. A lack of emotional support and protection from parents, especially in cases of family separation or divorce, lead to emotional neglect and instability contributes to criminal behaviour. Juveniles who have endured mental, physical, or sexual abuse are at greater risk of engaging in criminal behaviour, as such experiences can cause psychological trauma and dysfunctional coping mechanisms. Inadequate parental supervision or guidance, whether due to a lack of knowledge or other reasons, further heightens the risk of delinquency. Additionally, the absence of essential life skills, leaves children unprepared to handle challenges, making them more vulnerable to criminal conduct. Economic struggles, often resulting from a poor financial situation, drive juveniles toward crime. Peer pressure leads children to commit criminal acts. Growing up in an unsafe environment and having a family history of crime can normalize criminal behaviour, making it more likely that juveniles will engage in criminal activities.

According to information provided during an interview with staff member from the Department of Juvenile Justice (DJJ), who is currently working in prevention of Crimes Department, despite limited resources, the department continues to implement essential training and awareness programmes aimed at strengthening juvenile justice practices across the Maldives. These efforts include facilitator training, parental skills sessions, and targeted outreach initiatives directed at schools, local councils, police, and other relevant agencies particularly within the atolls. Staff member noted that, based on internal research and case analysis, DJJ identifies and prioritizes cases and regions

requiring the most immediate attention. Programmes are conducted across various regions upon referral or request, with data collection carried out through coordination with schools, councils, and police, while also considering complaints raised by children and their parents. Although a Psychological Support Unit exists within the department, it currently lacks a full-time psychologist or counsellor, and psychological services are outsourced as needed. It was also highlighted that there are no branch offices in the atolls, requiring staff to travel to deliver sessions. Human resource limitations were emphasized as a key challenge, with only one staff member currently assigned to the Prevention Department, though recruitment efforts are ongoing. The department also provides juvenile justice training to institutions involved in the system. Despite these constraints, DJJ officials expressed that meaningful progress is being made, with increased community awareness and positive behavioural changes observed among juveniles both within the system and in the broader community.

Recommendations

Through this research, it has been identified that the existing legislative framework provides a solid foundation for effective juvenile crime prevention. However, the primary challenge lies in the inadequate allocation of funding and resources, which significantly hinders the successful implementation of the current mechanisms in place. Beyond this central issue, the following key recommendations are proposed as essential measures to effectively prevent juvenile delinquency:

Expand Awareness Programs for Parents and Children:

Increase the frequency and accessibility of awareness programs focused on parenting and child development. Special attention must be given to ensuring that parents of at-risk children attend these programs. A structured accountability mechanism should be developed for those who fail to participate.

Enhance Access to Psychosocial Support Services:

Strengthen the availability of psychosocial support at the community level, ensuring that children and families can access counselling, therapy, and mental health services in a timely and consistent manner.

Establish an Improved Monitoring and Multi-Agency Communication System:

Develop a more effective coordination framework among relevant stakeholders—such as schools, law enforcement, social services, and health care providers—to ensure timely information sharing and collaborative case management.

Promote Community Engagement and Provide Safe Spaces for Youth:

Encourage active community involvement through local programs and create safe, supportive environments where children and adolescents can participate in recreational, educational, and developmental activities.

Implement Policies Addressing Poverty and Economic Inequality:

Introduce and expand social policies aimed at reducing poverty, ensuring families have access to basic needs such as food, shelter, healthcare, and education.

Create Employment and Development Opportunities for Youth:

Provide job training, apprenticeships, and development programs to equip young people with practical skills and productive pathways that deter engagement in criminal activities.

Introduce and Strengthen Structured Rehabilitation Programs

Develop comprehensive rehabilitation programs that focus on reintegrating juvenile offenders into society through counselling, skill-building, education, and mentorship, rather than punitive approaches.

Conclusion

Juvenile crime in the Maldives is a growing concern, driven by factors such as poor family environments, lack of education, and limited access to support services. While there are strong policies and institutions in place, challenges like resource shortages and weak coordination hinder effective implementation. To address this, a greater focus on prevention, community involvement, and early intervention is needed. Strengthening support systems, improving agency collaboration, and empowering families can help reduce juvenile delinquency and support at-risk youth toward a better future.

References

Maldives Financial Review, Addressing youth crime in the Maldives: proposals for reform and rehabilitation, 7 April 2024

Prosecutor Generals Office v Nil, 2024/HC-B12/49 06 November 2024

Law Number 19/ 2019 (Protection of The Rights of Children Act (Unofficial Translation by Family Legal Clinic), Lethun

Convention on the Rights of the Child

United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules)

United Nations Guidelines for the Prevention of Juvenile Delinquency (The Riyadh Guidelines)

United General Assembly, Resolution Adopted by the General Assembly, A/74/400, 7 January 2020

United Nations, Youth Crime Prevention through Sports 06 April 2025

United Nations, Resolution adopted by the Economic and Social Council, 26 July 2016

Minivan News Archive, Legal reforms needed to curb corporal punishment of children: SAIVEC, 12 April 2025

Ministry of Education, Annual Report 2024

Ministry of Gender, Family and Social Services, Ministry of Gender and Family establishes the Maldives Child Protection Database (MCPD), 29 September 2016

Ministry of Gender, Family and Social Services, Ministry of Gender and Family has launched 1412 Call Centre and “Ahan” Mobile application in collaboration with UNICEF and Maldives Police Service, 13 July 2017

Ministry of Gender, Family and Social Services, Jan – June 2024

2023 UNICEF Maldives Annual Report

UNICEF Maldives' 8 Flagship Programmes 2022 - 2026

Government and UNICEF launches Joint Positive Parenting Program, 02 June 2022

Disengagement of Maldivian Youth, Research Development Office, The Maldives National University, October 2022

Child Exploitation

Prosecutor General's Office

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Introduction

Definition and Scope

Child exploitation refers to the unethical, illegal, or harmful use of children for the benefit of others, often involving intimidation, manipulation, or abuse of power. Child exploitation remains a pressing concern in the Maldives, manifesting in forms such as commercial sexual exploitation, forced labor, and trafficking. This paper examines the current landscape of child exploitation in the Maldives, evaluates existing prevention and intervention strategies, and proposes recommendations to enhance protective measures. Emphasis is placed on the importance of early intervention, robust legal frameworks, and community engagement to safeguard children's rights and well-being. The scope of child exploitation is global, affecting both developed and developing countries, with millions of children at risk due to factors such as poverty, conflict, lack of education, and weak child protection systems.

Importance of the Topic

The Maldives, renowned for its picturesque islands and vibrant tourism industry, faces significant challenges concerning child exploitation. Factors such as geographic dispersion, economic disparities, and limited resources contribute to the vulnerability of children to various forms of exploitation. Child exploitation is a pressing human rights issue that demands urgent attention from governments, organizations, and society as a whole. Its impact is profound and far-reaching—children who are exploited often suffer from long-term trauma, health problems, and lack of access to education and opportunities, which perpetuates cycles of poverty and vulnerability. Furthermore, child exploitation undermines social development and economic progress. Understanding and addressing the root causes and mechanisms of exploitation is essential to safeguarding the well-being of children and promoting a just and equitable society.

Objectives of the Study

This study aims to:

1. **Examine the various forms of child exploitation** and their manifestations in different social and cultural contexts.
2. **Identify the key causes** and contributing factors that lead to the exploitation of children.
3. Analyze the short-term and long-term impacts of exploitation on children's lives.
4. **Evaluate existing policies, laws**, addressing child exploitation.
5. **Propose recommendations** for more effective strategies to combat child exploitation and protect vulnerable children globally.

Forms of Child Exploitation

Child exploitation can take many different and often overlapping forms. Each type involves the abuse of a child's vulnerability for the benefit of another person or group. Understanding these forms is crucial in identifying victims, preventing abuse, and protecting children's rights.

4.1- Child Sexual Exploitation

Child sexual exploitation (CSE) occurs when a child is manipulated, coerced, or forced into sexual activities in exchange for money, gifts, protection, or basic needs. It can involve direct abuse, grooming, and the creation or distribution of sexual images. Often, victims do not recognize they are being exploited, especially when perpetrators build emotional dependency. CSE has devastating emotional and psychological effects, including trauma, shame, and long-term mental health issues.

4.2- Child Labor and Forced Labor

Child labor involves the employment of children in work that deprives them of their childhood, potential, and dignity, and that is harmful to their physical and mental development. While not all work done by children is considered exploitative, child labor becomes a serious issue when it interferes with education or poses health risks. Forced child labor, in particular, refers to situations where children are made to work under threat, coercion, or without the ability to leave the job, often in hazardous conditions such as mines, factories, or agricultural sectors.

4.3- Child Trafficking

Child trafficking is the recruitment, transportation, transfer, harboring, or receipt of children for the purpose of exploitation. It is one of the most severe forms of child exploitation and often overlaps with other categories such as sexual exploitation, labor exploitation, or forced begging. Children are

trafficked across borders or within their own countries and are frequently subjected to violence, deprivation, and abuse throughout the process.

4.4- Child Criminal Exploitation

Child criminal exploitation involves the use of children to commit crimes for the benefit of an individual or group, often as part of organized criminal networks. This includes drug trafficking, theft, fraud, and even acts of violence. Children are often groomed, manipulated, or coerced into criminal activity, and face legal consequences while their exploiters remain hidden. This form of exploitation blurs the lines between victim and offender and presents serious challenges for justice systems.

4.5- Online Exploitation

With the rise of digital technology, online child exploitation has become increasingly prevalent. It includes grooming, distribution of child sexual abuse material, live-streamed abuse, sextortion, and cyberbullying. Perpetrators can target children from anywhere in the world, often anonymously, making detection and prevention more complex. Children with unsupervised internet access or those experiencing social isolation are particularly vulnerable. The psychological impact of online exploitation can be profound and lasting, especially when material is shared or remains online indefinitely.

Causes of Child Exploitation

Child exploitation is a complex issue rooted in various interrelated social, economic, political, and cultural factors. Understanding these causes is essential for developing effective prevention and intervention strategies. Below are some of the primary contributors to the exploitation of children:

5.1- Poverty and Economic Hardship

Poverty is one of the most significant drivers of child exploitation. Families struggling to meet basic needs may feel forced to involve their children in income-generating activities, regardless of the risks involved. In some cases, children are sent to work or trafficked to reduce the financial burden on the family or to contribute to household income. Economic desperation creates a vulnerable environment where exploitation thrives, especially in communities with limited access to social safety nets. Around the world, 160 million children toil in child labor at an age when they should be nurtured and supported through education, adequate health and social protection, and enough play and leisure time, they have to work instead.¹⁹

In Maldives The tourism-dependent economy, severely impacted by events like the COVID-19 pandemic, exacerbated poverty, leading to heightened vulnerabilities. The economic downturn increased instances of neglect and abuse as families struggled to meet basic needs. The rise in violence against children, including sexual abuse, during the economic fallout of COVID-19.²⁰

¹⁹ ILO, 'Child Labour: Global Estimates 2020, Trends and the Road Forward | International Labour Organization' (www.ilo.org 10 June 2021) <<https://www.ilo.org/publications/major-publications/child-labour-global-estimates-2020-trends-and-road-forward>> accessed 13 April 2025.

²⁰ Oda Jernberg, 'NRC' (NRC2016) <<https://www.nrc.no/expert-deployment/2016/2021/strengthening-protection-of-children-in-the-maldives>> accessed 13 April 2025.

5.2- Lack of Education

Education plays a critical role in protecting children from exploitation. Without access to quality education, children are more likely to enter the workforce prematurely or fall victim to traffickers and abusers. A lack of education also limits awareness among children and families about their rights and the dangers of exploitation. Additionally, when schools are under-resourced, unsafe, or far from home, children are more likely to drop out, increasing their vulnerability. At the start of 2020, an estimated 160 million children worldwide were engaged in child labor, with almost half, 79 million, in hazardous work.²¹

Limited awareness among parents, communities, and even authorities on the signs of exploitation hinders prevention efforts. For example, families may not recognize the risks of sending children to live with others for education or work. Inadequate education on child rights and protection laws contributes to the persistence of exploitative practices, as communities and officials fail to intervene effectively. Only 35% of Maldivians had heard of human trafficking, reflecting a broader lack of awareness about.²² Adolescents migrating to Male' for secondary education (due to limited school options in atolls) often live without parental supervision, exposing them to gangs, drug abuse, and exploitation.

²¹ 'Leveraging Education to End Child Labour' (Unicef.org 31 July 2024)

<<https://www.unicef.org/innocenti/reports/leveraging-education-end-child-labour>> accessed 11 April 2025.

²² ILO, 'Child Labour: Global Estimates 2020, Trends and the Road Forward | International Labour Organization' (www.ilo.org 10 June 2021) <<https://www.ilo.org/publications/major-publications/child-labour-global-estimates-2020-trends-and-road-forward>> accessed 13 April 2025.

5.3- Weak Legal Frameworks and Child Protection System

In many countries, inadequate laws, poor enforcement, and widespread corruption enable child exploitation to go unpunished. When legal systems fail to protect children or prosecute offenders, exploiters act with impunity. Lack of coordination among law enforcement, social services, and judicial systems further weakens protection efforts. In some regions, corrupt officials may even be complicit in trafficking networks or turn a blind eye to abusive labor practices.

The Maldives' child protection infrastructure is under-resourced and poorly coordinated, particularly in remote areas. Family and Children's Service Centers lack trained staff and funding to handle complex cases of abuse or trafficking effectively. State care facilities, housing children removed from abusive environments, are often understaffed and lack trauma-informed care, leaving children vulnerable to further harm or exploitation.²³

5.4- Demand for Cheap Labor and Exploitation

A global demand for cheap goods and services fuels the exploitation of vulnerable populations, including children. Industries such as agriculture, textiles, mining, and domestic work often rely on underpaid or unpaid child labor to cut costs. In some cases, organized crime networks exploit children to generate profits through illegal activities. The commodification of children as a source of profit lies at the heart of many exploitative practices.

23 Oda Oda Jernberg, 'NRC' (NRC2016) <<https://www.nrc.no/expert-deployment/2016/2021/strengthening-protection-of-children-in-the-maldives>> accessed 13 April 2025.

5.5- Cultural and Social Factors

Cultural norms and social attitudes can also contribute to the acceptance or perpetuation of child exploitation. In some communities, early marriage or child labor may be seen as traditional practices or rites of passage. Gender discrimination can make girls especially vulnerable to sexual exploitation or domestic servitude. Additionally, social stigma may prevent victims from speaking out or seeking help, further entrenching the cycle of abuse.

Cultural attitudes that normalize violence against children as a “family matter” discourage reporting and perpetuate exploitation in Maldives. In close-knit island communities, stigma prevents victims, particularly girls, from seeking help, especially in cases of sexual abuse. Low public awareness of issues like human trafficking further compounds the problem.

Consequences of Child Exploitation

Child exploitation leaves deep and lasting consequences on its victims, affecting every aspect of their lives. The harm is not limited to the individual child—it also damages families, communities, and societies at large. These consequences can persist into adulthood and even be passed on to future generations if not properly addressed.

6.1- Psychological and Emotional Effects

Child exploitation, including abuse, neglect, and trafficking, severely impacts a child's psychological and emotional health, often with enduring consequences. Children who experience sexual abuse, for instance, may experience intrusive thoughts or dissociation, which impairs mental clarity and academic performance. Many children internalize blame, leading to social withdrawal and challenges in forming trusting relationships.

6.2- Physical Harm and Health Impacts

Child exploitation, including physical abuse, sexual abuse, neglect, and trafficking, inflicts significant physical harm and long-term health consequences on victims. Physical abuse often results in immediate injuries such as bruises, fractures, burns, or internal damage, which can lead to chronic pain or permanent disability if untreated.

6.3- Educational and Economic Consequences

Child exploitation, such as abuse, neglect, and trafficking, disrupts education and economic prospects, entrenching poverty. Exploited children often miss school, underperform, or drop out due to trauma, injuries, or forced labor. Child labor or trafficking denies access to education, limiting literacy and skills. Economically, these educational gaps reduce employability and earnings in adulthood. Families may incur debts or lose income, worsening financial strain. Without remedial education or social support, socioeconomic disadvantage continues.

Legal Frameworks Addressing Child Exploitation

Legal frameworks play a critical role in preventing child exploitation, prosecuting offenders, and protecting victims. Over the years, both international and national laws have been developed to tackle various forms of child abuse and exploitation. However, despite progress, significant gaps and challenges remain in the implementation and enforcement of these laws.

7.1- International Laws and Conventions

Several international agreements and treaties establish the global legal standard for child protection. International legal frameworks provide a foundation for protecting children from exploitation, setting standards that countries like the Maldives are expected to adopt and implement. Key conventions and protocols relevant to child exploitation include;

- **The United Nations Convention on the Rights of the Child (UNCRC) – 1989:** The CRC is the most widely ratified human rights treaty, outlining children’s rights to protection from all forms of exploitation, including sexual abuse, trafficking, and hazardous labor. The Maldives ratified the CRC in 1991,²⁴ committing to align its laws and policies with these standards.
- **Optional Protocol to the CRC on the Sale of Children, Child Prostitution, and Child Pornography (2000):** This protocol strengthens CRC provisions by requiring states to criminalize the sale of children, child prostitution, and child pornography, and to protect

²⁴ United Nations Treaty Collection, ‘UNTC’ (Un.org2009)

<https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-11&chapter=4&clang=_en> accessed 14 April 2025.

victims during judicial processes. The Maldives ratified this on, 29th December 2004.²⁵

- **The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (Palermo Protocol) - 2000:** This is a key instrument under the United Nations Convention against Transnational Organized Crime and is specifically aimed at combating human trafficking. Part of the UN Convention against Transnational Organized Crime, this protocol focuses on preventing trafficking, protecting victims, and prosecuting offenders, with specific attention to children. It defines trafficking broadly to include exploitation like forced labor and sexual exploitation, requiring states to adopt comprehensive anti-trafficking measures.²⁶ The Maldives ratified this on, 14th September 2016.²⁷
- **International Labour Organization (ILO) Conventions:** ILO Conventions, particularly Convention No. 182 on the Worst Forms of Child Labour, are crucial to combating child exploitation because they provide a legal framework and international standards for eliminating such practices. These conventions establish a global commitment to protecting children's rights and well-being, especially by prohibiting the worst forms of child labor.
- **Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (Lanzarote Convention):**

²⁵ 'United Nations Treaty Collection' (treaties.un.org)

<https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-11-b&chapter=4&clang=_en> accessed 12 April 2025.

²⁶ 'United Nations Treaty Collection' (treaties.un.org)

<https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-11-b&chapter=4&clang=_en> accessed 12 April 2025.

²⁷ 'United Nations Treaty Collection' (treaties.un.org)

<https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XVIII-12-a&chapter=18> accessed 11 April 2025.

Though not directly applicable to the Maldives (as a non-European state), this convention sets global benchmarks for criminalizing sexual exploitation, protecting victims, and preventing abuse, influencing international standards.

- **Optional Protocols to the UNCRC:** These include additional protections against the sale of children, child prostitution, and child pornography. Optional Protocol was passed by the People's Majlis on 4 September 2019. 28

7.2- Laws in Different Countries

Many countries have adopted domestic laws to criminalize and prevent child exploitation. Examples include:

- **United Kingdom:** The UK gets a lot of credit for its comprehensive setup. The Sexual Offences Act 2003 lays out clear definitions and tough penalties for child sexual abuse, covering everything from grooming to trafficking. They've got specialized units like the National Crime Agency's CEOP (Child Exploitation and Online Protection) that focus on online and offline exploitation.
- **Australia:** Australia is one of the best countries in the world to fight against child exploitation. It has got a solid framework, especially for tackling those offences. The Crimes Act 1914 and state-level laws set harsh penalties for things like child trafficking, abuse, and online grooming. They were early movers on extra territorial laws, with the Crimes (Child Sex Tourism) Amendment Act 1994 letting them go after citizens exploiting kids overseas. Dedicated task forces like the Australian Federal Police's Child Protection Operations keep things proactive.

²⁸ Alex, 'Maldives Ratifies Three International Conventions at the United Nations' (Foreign.gov.mv 29 September 2019) <<https://foreign.gov.mv/index.php/en/media-center/news/maldives-ratifies-three-international-conventions-at-the-united-nations>> accessed 9 April 2025.

- **Canada:** Canada's Criminal Code is pretty robust, with sections targeting child sexual exploitation, trafficking, and pornography. Bill C-22 raised the age of consent to 16, tightening protections, and they've got mandatory reporting laws across provinces. The RCMP's National Child Exploitation Crime Centre coordinates globally, which helps with cross-border cases. Some argue, though, that sentencing can be too lenient compared to the crime's impact, and rural areas sometimes lack resources for enforcement.

7.3- Laws in Maldives

- Child Rights Protection Act (Law No. 19/2019)
- Prevention of Human Trafficking Act (Law No. 12/2013)
- Employment Act (Law No. 2/2008):
- Special Provisions Act to Deal with Child Sex Abuse Offenders (Law No. 12/2009):
- Child Rights Protection Act (Law No. 19/2019)

The Protection of the Rights of Children Act (Act No. 19 of 2019) came into effect on November 20, 2019. Since its enactment, a total of 126 charges have been filed in various courts under the provisions of this Act. The highest number of cases—62 in total—have been submitted to the Criminal Court of the Maldives. The majority of these charges, amounting to 70, were filed under Section 122 of the Act, (Using a Child in the commission of a criminal offence). Additionally, 39 charges were filed under Section 123, relating to the offense of grooming, while 17 charges were submitted under Section 124, which addresses the offense of child neglect.

Gaps and Challenges in Implementation

There is currently no effective mechanism for enforcing laws in an appropriate and consistent manner. Consequently, there is a shortage of professionals in the field who are adequately trained to address such issues. Additionally, there is insufficient funding to implement and sustain relevant programs. Maldives's institutional framework does not support the development of strong, collaborative relationships among stakeholders in this sector. Furthermore, the country tends to adopt laws and regulations modeled after European nations, which have significantly larger populations and resources. While the formulation of laws is indeed important, these laws must be tailored to Maldives's unique context.

Many rural areas in Maldives still lack access to essential services such as education, healthcare, and basic infrastructure which leads to migrate people to capital Male' City making the situation worse. Although legal frameworks are in place, enforcement remains inconsistent and inadequate. Unlike in many other countries where crimes fall under a unified legal system, Maldives has multiple laws governing similar offenses, each with its own procedures. This fragmentation further complicates the legal process and hinders effective administration of justice.

Despite progress in child protection laws, the Maldives faces significant gaps in implementing policies to combat child exploitation. Limited coordination between agencies, such as the Ministry of Gender and police, hampers effective case management. Resource constraints, including insufficient funding and trained personnel, restrict the expansion of Community Social Groups (CSGs) to all atolls, leaving remote islands underserved. Underreporting of abuse, driven by social stigma and lack of awareness, undermines data accuracy and response efforts. Weak enforcement of laws, like the Child Rights Protection Act, persists due to gaps in judicial training and cultural acceptance of practices like early marriage. Centralized services limit access for dispersed populations, exacerbating vulnerabilities. Strengthening multi-stakeholder collaboration, decentralizing resources, and raising awareness are critical to address these challenges.

Recommendations

Based on the documents and identified gaps, the following actions are suggested to strengthen child protection in the Maldives:

1. Enhance Legal Frameworks
2. Improve Enforcement
3. Expand Data Collection
4. Strengthen Protection Systems
5. Raise awareness
6. Support Vulnerable Groups
7. Improve Victim Support

Conclusion

Child exploitation in the Maldives, encompassing sexual abuse, forced labor, and trafficking, remains a significant concern, driven by geographical isolation, poverty, and weak protection systems. While the government has made strides through legal reforms (e.g., Child Rights Protection Act, Anti-Trafficking amendments) and programs like helplines and CSGs, gaps in enforcement, data, and cultural awareness persist. Collaborative efforts by the government, NGOs like ARC and UNICEF, and international partners are crucial to address these challenges, ensuring every child in the Maldives is protected from exploitation and can thrive in a safe environment.

References

UNICEF. (2022). Child labour report. UNICEF. https://data.unicef.org/wp-content/uploads/2022/01/Child-Labour-Report-1_24.pdf

UNICEF Innocenti. (2024). Leveraging education to combat child labour. UNICEF Innocenti. https://www.unicef.org/innocenti/media/9371/file/UNICEF-Innocenti-Leveraging-Education_Child-Labour-2024-report.pdf

International Organization for Migration (IOM). (2014). Field survey report: Final draft. International Organization for Migration. https://maldives.iom.int/sites/g/files/tmzbd11666/files/documents/Field%20survey%20report_final%20draft_AF_revised%20version_18072014.pdf

UNICEF Maldives. (n.d.). Child protection. UNICEF. <https://www.unicef.org/maldives/what-we-do/child-protection>

Norwegian Refugee Council (NRC). (2021). Strengthening protection of children in the Maldives. Norwegian Refugee Council. <https://www.nrc.no/expert-deployment/2016/2021/strengthening-protection-of-children-in-the-maldives>

U.S. Department of Labor. (2021). 2021 findings on the worst forms of child labor: Maldives. U.S. Department of Labor. https://www.dol.gov/sites/dolgov/files/ILAB/child_labor_reports/tda2021/maldives.pdf

United Nations. (n.d.). Convention concerning the prohibition and immediate action for the elimination of the worst forms of child labour (ILO Convention No. 182). United Nations Treaty Collection. https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-11&chapter=4&clang=_en

United Nations. (n.d.). Protocol to the convention concerning the prohibition and immediate action for the elimination of the worst forms of child labour (ILO Protocol No. 182). United Nations Treaty Collection.

https://treaties.un.org/pages/viewdetails.aspx?src=treaty&mtdsg_no=iv-11-b&chapter=4&clang=_en

United Nations. (2000). Report of the Secretary-General on the implementation of the United Nations Convention on the Rights of the Child. United Nations. https://treaties.un.org/doc/source/docs/A_55_383-E.pdf

United Nations. (n.d.). International Convention on the Elimination of All Forms of Racial Discrimination (CERD). United Nations Treaty Collection. https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XVIII-12-a&chapter=18

United Nations General Assembly. (2025, April). Privileges and immunities, diplomatic and consular relations, etc. United Nations.

Council of Europe. (2007). Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (CETS No. 201). <https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/201>

Ministry of Foreign Affairs. (2019, September). Maldives ratifies three international conventions at the United Nations. Ministry of Foreign Affairs of the Republic of Maldives. <https://foreign.gov.mv/index.php/en/media-center/news/maldives-ratifies-three-international-conventions-at-the-united-nations#:~:text=The%20submission%20of%20the%20Instrument,Majlis%20on%204%20September%202019.>

[1] International labour organization, “Child labour Global estimates 2020, trends and the road forward, 2021, accessed April 13, 2025)

https://data.unicef.org/wp-content/uploads/2022/01/Child-Labour-Report-1_24.pdf

[2] Oda Lykke Jernberg, “Strengthening protection of children in the Maldives, “Norwegian refugee Council”, July, 2021, accessed April 13, 2025, <https://www.nrc.no/expert-deployment/2016/2021/strengthening-protection-of-children-in-the-maldives>

[3] Leveraging Education to End Child Labour” Lessons from Bangladesh and India, 2024, July, accessed 11 April, 2025)

https://www.unicef.org/innocenti/media/9371/file/UNICEF-Innocenti-Leveraging-Education_Child-Labour-2024-report.pdf

[4] Annett Fleischer, “results of the Field Survey on Human Trafficking in Male’, Maldives, “International Organization for Migration, July 2014, accessed April 13, 2025,

https://maldives.iom.int/sites/g/files/tmzbd11666/files/documents/Field%20survey%20report_final%20draft_AF_revised%20version_18072014.pdf

[5] UNICEF, “Child Protection, “UNICEF Maldives, 3, accessed April 13, 2025, <https://www.unicef.org/maldives/what-we-do/child-protection>

[6] Oda Lykke Jernberg, “Strengthening protection of children in the Maldives, “Norwegian refugee Council”, July, 2021, accessed April 13, 2025, <https://www.nrc.no/expert-deployment/2016/2021/strengthening-protection-of-children-in-the-maldives>

[7] U. S. Department of Labor. (2021). Findings on the worst forms of child labor: Maldives. Retrieved April 14, 2025, from https://www.dol.gov/sites/dolgov/files/ILAB/child_labor_reports/tda2021/maldives.pdf

[8] United Nations Treaty Collection, April, 2025, accessed 14 April 2025, https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-11&chapter=4&clang=_en

[9] United Nations Treaty Collection, April, 2025, accessed 14 April 2025, https://treaties.un.org/pages/viewdetails.aspx?src=treaty&mtdsg_no=iv-11-b&chapter=4&clang=_en

[10] United Nations General Assembly, “Report of the Ad Hoc Committee on the Elaboration of a Convention against Transitional Organized Crime on the work of its first to eleventh sessions”, November, 2000, accessed April, 03, https://treaties.un.org/doc/source/docs/A_55_383-E.pdf

[11] United Nations Treaty Collection, April, 2025, accessed 14 April 2025, https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XVIII-12-a&chapter=18

[12] United Nations General Assembly, “PRIVILEGES AND IMMUNITIES, DIPLOMATIC AND CONSULAR RELATIONS, ETC”, April, 2025, accessed, 09 April 2025

[13] Council of Europe Treaty Series-No. 201, “Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse”, 2007, accessed 02 April 2025

[14] Ministry of Foreign affairs, “Maldives ratifies three international conventions at the United Nations”, 2019, September, accessed 07 April 2025, <https://foreign.gov.mv/index.php/en/media-center/news/maldives-ratifies-three-international-conventions-at-the-united-nations#:~:text=The%20submission%20of%20the%20Instrument,Majlis%20on%204%20September%202019.>

Alex, ‘Maldives Ratifies Three International Conventions at the United Nations’ (Foreign.gov.mv 29 September 2019) <<https://foreign.gov.mv/index.php/en/media-center/news/maldives-ratifies-three-international-conventions-at-the-united-nations>> accessed 9 April 2025

Fleischer DrA, ‘Results of the Field Survey on Human Trafficking in Male’, Maldives’ (July 2014) <https://maldives.iom.int/sites/g/files/tmzbd11666/files/documents/Field%20survey%20report_final%20draft_AF_revised%20version_18072014.pdf> accessed 13 April 2025

ILO, ‘Child Labour: Global Estimates 2020, Trends and the Road Forward | International Labour Organization’ (www.ilo.org 10 June 2021) <<https://www.ilo.org/publications/major-publications/child-labour-global-estimates-2020-trends-and-road-forward>> accessed 13 April 2025

Leveraging Education to End Child Labour' (Unicef.org31 July 2024)
<<https://www.unicef.org/innocenti/reports/leveraging-education-end-child-labour>>
accessed 11 April 2025

Oda Jernberg O, 'NRC' (NRC2016) <<https://www.nrc.no/expert-deployment/2016/2021/strengthening-protection-of-children-in-the-maldives>>
accessed 13 April 2025

United Nations Treaty Collection, 'UNTC' (Un.org2009)
<https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-11&chapter=4&clang=_en> accessed 14 April 2025

'United Nations Treaty Collection' (treaties.un.org)
<https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-11-b&chapter=4&clang=_en> accessed 12 April 2025

United Nations Treaty Collection' (treaties.un.org)
<https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XVIII-12-a&chapter=18> accessed 11 April 202

Understanding the Effectiveness of IBAMA as a Collaborative Community Mechanism for Juvenile Crime Prevention

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Abstract

Ijthimaace Badhahi Madhadhuverin (IBAMA) initiative is a multisectoral community-level program aimed at supporting vulnerable groups, including preventing juvenile crime. This paper is a qualitative study that utilized a single-case study approach to evaluate the effectiveness of IBAMA's community-based interventions in addressing juvenile delinquency and supporting at-risk youth within the Maldivian juvenile justice system. Four thematic areas were focused on from the case study; smoking, curfew violation, deceptive interactions and Skipping School. Interventions demonstrate a promising approach to juvenile crime prevention in the Maldives; further refinement is necessary to ensure sustained impact. Strengthening interagency collaboration, enhancing family engagement, and integrating emotional and psychological support are essential steps toward more effective and holistic juvenile justice practices.

Key Words: Child protection, juvenile justice, child protection, juvenile crime, risk youth, Ijthimaace Badhahi Madhadhuverin (IBAMA) initiative, multisectoral community-level program, community-driven efforts, vulnerable youth, Interventions

Introduction

Child protection is a fundamental pillar of social services worldwide, ensuring the safety and well-being of children, particularly those in conflict with the law. In the Maldives, the Child Protection Act (CPA) 19/2019 and the Juvenile Justice Act 33/2020 establish a legal framework designed to safeguard children and protect their rights. (<https://mvlaw.gov.mv/dv/legislations/141/consolidations/169>, 2019).

The CPA emphasizes that children under the age of 15 should not be held criminally responsible, while also stating that those aged 15 and above should be assessed holistically, considering mental, physical, and environmental factors (<https://mvlaw.gov.mv/dv/legislations/141/consolidations/169>, 2019). These laws align with international child protection standards and reflect the Maldivian government's commitment to providing age-appropriate interventions rather than punitive measures.

Despite these protections, recent statistics reveal a troubling rise in juvenile offenses, particularly drug-related crimes, highlighting ongoing challenges in effectively preventing juvenile crime and supporting at-risk youth. In 2023 alone, 34 cases of children in conflict with the law were reported to the Ministry of Social and Family Development (MSFD), with nearly the same number reported by September 2024 (MSFD, 2024). Additionally, the Maldives Police Service reported 307 cases involving crimes against children, along with 134 juvenile offenses in 2023 (Rate of juvenile offenders increasing rapidly, 2024). As of early 2024, an additional 41 child-related cases and 12 juvenile offenses had already been submitted for investigation (Rate of juvenile offenders increasing rapidly, 2024). Furthermore, former Prosecutor General Hussain Shameem estimates that over 200 children are currently living in criminal environments, with over 70% of incarcerated youth serving time for drug-related offenses. (Incarcerating young kids might not be the solution to the increasing problem in the Maldives, 2024) This data highlights the pressing need for more effective interventions to address the root causes of juvenile delinquency, which is essential for both safeguarding at-risk youth and preventing future crime.

A primary challenge to addressing these issues lies in the geographically dispersed nature of the Maldives. With communities spread across numerous small islands,

providing consistent support and social services to vulnerable children becomes a complex logistical endeavor. This dispersion complicates cross-sectoral collaboration and limits the capacity of the juvenile justice system, as well as social services, to deliver timely and adequate interventions to all communities (UNICEF, 2021). Additionally, the Department of Juvenile Justice is limited to the capital, Male', placing a considerable burden on local councils, which may lack the resources or expertise to address complex juvenile issues effectively.

In response, the Maldivian government established the Ijthimaaee Badhahi Madhadhuverin (IBAMA) initiative, a multisectoral community-level program aimed at preventing juvenile offenses and supporting vulnerable groups. Composed of representatives from local councils, the Maldives Police Service, the health sector, the education sector, and MSFD, IBAMA seeks to prevent juvenile crime through early intervention and community-based support. Since its inception, IBAMA has expanded its reach significantly; as of September 2024, it operates in 16 atolls, covering 135 islands with over 900 participants (MoSFD, 2024). While IBAMA's decentralized approach shows promise, the effectiveness of its community-based interventions, such as violence prevention, diversion programs, and child rights awareness, has not yet been comprehensively evaluated.

This study focuses on assessing the effectiveness of IBAMA's interventions in preventing juvenile crime and providing support to at-risk children. By analyzing a case study of IBAMA members' interventions, this research aims to evaluate the strengths and limitations of IBAMA's approach and explore how these community-driven efforts can better align with national juvenile justice objectives. Addressing these issues will provide insights into strengthening juvenile protection in the Maldives, ensuring that interventions not only meet legal requirements but also proactively prevent juvenile crime and offer meaningful support to vulnerable youth.

Despite the Maldives' legal frameworks aimed at safeguarding children, juvenile crime rates, particularly drug-related offenses, continue to rise, posing ongoing challenges in effectively supporting at-risk youth. Limited resources and geographic dispersion across the islands further restrict timely interventions and consistent social support, underscoring the need for locally adapted solutions. In response, the IBAMA initiative, a community-based, multisectoral approach, was introduced. One of the objectives is

to prevent juvenile crime and provide support for vulnerable children. However, the effectiveness of IBAMA's interventions in reducing juvenile crime and addressing root causes has not yet been thoroughly assessed. This study explores IBAMA's impact on juvenile crime prevention and support for at-risk children, seeking to identify the initiative's strengths and limitations to inform improvements in community-based juvenile justice strategies across the Maldives.

To understand how effective IBAMA's interventions are in preventing juvenile crime and supporting at-risk children within the Maldivian juvenile justice system, this paper aims to:

- Evaluate the effectiveness of IBAMA's community-based interventions in reducing juvenile crime rates across the Maldives.
- Assess the impact of IBAMA's support services on the rehabilitation and well-being of at-risk youth.
- Identify strengths and limitations in IBAMA's approach to juvenile crime prevention and child protection.
- Provide recommendations to enhance community-driven juvenile justice strategies in the Maldives based on IBAMA's outcomes.

Literature Review

Juvenile delinquency, particularly in vulnerable and high-risk youth populations, is a growing area of concern globally. This review critically examines existing literature on the definitions and causes of juvenile delinquency, the importance of preventive approaches, the role of community and government agencies, interagency collaboration, and school and family intervention models. Together, these perspectives provide a foundation for analyzing community-based approaches like IBAMA in the Maldives.

Definitions and Characteristics of Juvenile Delinquency

Juvenile delinquency is commonly defined as criminal activities committed by individuals under the age of 18 (Rai & Dubey, 2023). It typically involves youth brought before juvenile courts for criminal offenses or other behaviors deemed within the court's jurisdiction (Mitchel, 2017, as cited in Rai & Dubey, 2023). This definition establishes juvenile offenders as a distinct group requiring a tailored approach within the justice system, as they are considered in a developmental phase and not fully responsible under the law. This perspective is critical, as it justifies the need for specialized juvenile justice systems and interventions that focus on rehabilitation over punishment. However, critics argue that traditional definitions may not adequately address underlying social and environmental influences that contribute to delinquent behavior (Marpna, 2017). The complex nature of juvenile delinquency necessitates an approach that considers both the developmental limitations and the socio-economic contexts influencing youth behavior.

Socioeconomic and Environmental Factors Influencing Delinquency

Socioeconomic factors, including low family income and limited parental education, are identified as significant predictors of juvenile delinquency (Sarker, 2023) (Sarker, 2023). Additional contributors include dysfunctional family dynamics, mental health issues, peer pressure, and substance misuse (Sarker, 2023). Marpna (2017) highlights the vulnerability of youth to negative influences, emphasizing that children in unstable environments may be more susceptible to deviant behavior. These findings are echoed in studies examining the links between socio-economic disadvantages and higher crime rates among juveniles, suggesting that delinquency is often a symptom of broader systemic issues. Addressing these root causes requires a comprehensive approach that includes educational support, mental health services, and family-centered interventions, rather than focusing solely on punitive measures. The critical challenge, however, lies in identifying and addressing these factors early in a young person's life to prevent them from escalating into criminal behavior.

Preventive Approaches to Juvenile Delinquency

Prevention is widely acknowledged as the most effective strategy for addressing juvenile crime, with a focus on proactive interventions for at-risk youth (UNICEF, Prevention of Children at risk from coming in conflict with the law with Europe and Central Asia, 2022). Successful preventive models involve both community-based initiatives and support from government agencies, aimed at deterring juveniles from criminal activities before they occur. Marpna (2017) argues that preventive approaches must account for the inherent vulnerability of youth and focus on early intervention in risky environments. The literature suggests that community involvement is essential in fostering resilience among at-risk youth, yet the effectiveness of prevention programs often depends on adequate resources, consistent implementation, and community buy-in. Despite these challenges, preventive approaches remain vital as they address root causes rather than merely the symptoms of delinquency.

Community's Role in Preventing Juvenile Crime

Community involvement is a critical component in preventing juvenile delinquency, as community-based programs provide a network of support and address localized issues (Surong & Lyngdoh, 2020). Community awareness programs help connect young people and their families with necessary resources, fostering a safer and more supportive environment. According to Surong and Lyngdoh (2020), initiatives that incorporate community members, social media, and local police departments can improve neighborhood conditions and build collective responsibility for crime prevention. Majeed et al. (2024) add that community policing and visible patrols not only deter criminal behavior but also establish trust between law enforcement and community members, creating a proactive stance toward crime prevention. However, these strategies can be limited by a lack of coordination and resource allocation in more remote or under-resourced areas, an issue especially pertinent to island-based communities like the Maldives.

Government and Interagency Collaboration

The role of government organizations in juvenile justice is central to implementing effective safeguards, rehabilitative programs, and preventive measures for young offenders (Majeed et al., 2024). A recurring theme in the literature is the need for strong interagency collaboration among law enforcement, juvenile justice systems, educational institutions, and social services. Loeber & Farrington, (2001) emphasize that juvenile delinquency requires a coordinated response from multiple agencies to address the diverse needs of young offenders comprehensively. Collaborative efforts, such as establishing interagency councils, help create continuity of care and coordinated intervention strategies that are often more effective than isolated measures (Loeber et al., 2001). Yet, these collaborations can face practical challenges, such as bureaucratic hurdles, conflicting priorities, and gaps in communication. Effective interagency collaboration depends on clear communication channels, shared goals, and adequate resources, factors that may be challenging in the Maldives due to logistical issues related to its island geography.

School and Family Interventions

Educational and family-oriented interventions are also critical to addressing juvenile delinquency. A study by Putri et al., (2020) found that counselors working with at-risk youth utilized strategies like home visits, family counseling sessions, and coordination with teachers to encourage positive behavior changes. These interventions emphasize a supportive approach that involves both the school and the family, aligning with best practices in juvenile justice. Such strategies highlight the importance of building social support networks for juveniles and equipping families with the tools needed to guide youth away from criminal behavior. Family-focused interventions have proven effective in addressing behavioral issues at an early stage, yet their success often hinges on factors like family engagement, community support, and access to resources, which can be inconsistent in some regions.

Application to IBAMA's Approach in the Maldives

The literature reviewed stresses that a community-centered, interagency approach is essential for preventing juvenile delinquency and supporting at-risk youth. Successful models of juvenile intervention rely on community involvement, preventive measures, interagency collaboration, and family engagement. The IBAMA initiative in the Maldives represents an attempt to incorporate these elements by establishing a multisectoral, community-level intervention program across various islands. However, as IBAMA is relatively new and its reach is still expanding, there is limited data on its effectiveness in practice. This study's qualitative examination of IBAMA's interventions, using a case study, aims to contribute to the literature by providing an in-depth assessment of the effectiveness of community-based strategies within the Maldivian juvenile justice system. By exploring real-life cases and experiences of IBAMA members, this research will evaluate the impact of IBAMA's support services on preventing juvenile crime and improving the well-being of at-risk youth. Through this lens, the study will also identify specific strengths and limitations within IBAMA's approach, highlighting opportunities to enhance its alignment with established best practices. Ultimately, the findings aim to offer insights into how community-driven efforts can be refined to more effectively prevent juvenile delinquency and strengthen protective measures for vulnerable children in the Maldives.

Methodology

This qualitative study utilized a single-case study approach to evaluate the effectiveness of IBAMA's community-based interventions in addressing juvenile delinquency and supporting at-risk youth within the Maldivian juvenile justice system. The study focused on the case of a 15-year-old boy living in an island community in Shaviyani Atoll, whose behavior reflects a range of challenges associated with juvenile delinquency, including truancy, smoking, curfew violations, and manipulation of peers. By examining the intervention strategies employed by IBAMA and local authorities, this study aimed to assess the impact of these community-driven efforts on the boy's behavior, his engagement with school and family, and his general well-being. This aligns with the study's primary research question: "How effective are IBAMA's interventions in preventing juvenile crime and supporting at-risk children within the Maldivian juvenile justice system?"

Case Description

The case involved a teenage boy from a divorced family background, currently living with his mother and stepfather's family. Observed behavioral concerns included truancy, smoking, staying out late at night, sneaking into others' homes, and manipulation of peers. These behaviors were exacerbated by factors such as inconsistent school attendance and limited parental oversight. The intervention plan, designed during a vulnerability mapping exercise by IBAMA in July, sought to address these issues through targeted strategies implemented by community members, school staff, and law enforcement.

Intervention Plan and Implementation

The intervention plan aimed to address four main areas of concern—smoking, curfew violations, deceptive interactions, and skipping school—through a set of coordinated community-based actions:

- **Smoking:** Awareness sessions were conducted for students, parents, and community members to educate them on the risks associated with smoking. Local businesses were also informed of regulations prohibiting the sale of smoking materials to minors.
- **Curfew Violations:** The local police took an active role in addressing the boy's curfew violations. Regular check-ins were conducted, and police officers brought the boy home on two occasions when he was found outside at night. They also engaged his parents, encouraging them to monitor his whereabouts more closely.
- **Deceptive Interactions:** Due to the school counsellor's temporary leave, arrangements were made for another school staff member to continue behavior modification sessions with the boy. This continuity of counseling was designed to address issues of manipulation and deceptive behaviors.
- **Skipping School:** A specific teacher was assigned to check on the boy regularly, providing him with someone to talk to and motivating him to attend classes. This teacher also coordinated with other staff to help the boy catch up on missed lessons, aiming to improve his engagement with school.

These interventions were continuously monitored by a designated member of the Ministry of Social and Family Development (MSFD), who followed up with IBAMA members and other stakeholders to assess progress. A follow-up discussion with IBAMA members revealed that the interventions were actively implemented, with the police regularly patrolling the area and engaging the family to reinforce curfew rules.

The school was similarly involved, with ongoing efforts to address truancy and deceptive interactions.

Data Collection

Data for this case study were collected from three primary sources to capture a holistic view of the boy's experience and the effectiveness of the interventions:

Document Review: Relevant documents, including the initial intervention plan, vulnerability mapping reports, and notes from follow-up discussions, were reviewed to contextualize the interventions.

Observational Data from Stakeholder Reports: Observations reported by the Ibama focal for the school and police were used to capture direct accounts of the boy's behavior, such as truancy, curfew violations, and interactions with peers. These observations were particularly helpful in assessing whether the boy's behaviors improved over the intervention period.

Key findings and Analysis

Thematic analysis was used to examine patterns and themes within the data related to each of the research objectives:

Effectiveness of Interventions: The analysis focused on stakeholders' reflections on behavioral changes or stability observed in the boy's smoking, curfew adherence, and school attendance following intervention efforts. Themes of behavior change, community engagement, and family involvement emerged.

Impact on Rehabilitation and Well-being: Data related to the boy's emotional responses, such as feelings of guilt after misbehavior, were analyzed to understand how interventions affected his sense of accountability and willingness to engage in positive behaviors. Stakeholder feedback on his creativity, interest in specific subjects, and

engagement in sports provided additional insights into his potential pathways for rehabilitation.

Strengths and Limitations of IBAMA's Approach: Challenges such as the school counsellor's absence and the difficulty of sustaining regular attendance were identified as limitations, while the proactive engagement of the police and school staff were recognized as strengths. Insights on the role of community awareness and family engagement provided a deeper understanding of what aspects of IBAMA's approach were effective or needed adjustment.

Recommendations for Improvement: Based on identified strengths and limitations, themes related to enhancing community engagement, improving continuity in counseling, and reinforcing parental responsibility were developed to inform recommendations.

Ethical Considerations

This study ensured ethical safeguards to protect the minor and another participant while anonymizing all identifying information. To minimize harm, interviews and observations were conducted with care, respecting the boy's vulnerability and focusing on understanding his needs without judgment. The research observed IBAMA's interventions without influencing them, allowing natural progress.

Results

The results of this case study illustrate both the successes and challenges encountered in implementing IBAMA's community-based interventions to support a 15-year-old boy in Shaviyani Atoll exhibiting delinquent behaviors. The findings are organized around the four primary behavioral concerns identified; smoking, curfew violations, deceptive interactions, and truancy, and reflect the insights gained from stakeholders, document reviews, and observational data.

Smoking

The intervention to address smoking involved one-to-one session with a boy by a school liaison officer explaining the health hazards of smoking. While community-wide awareness sessions for students, parents, and local businesses are planned, they have not yet been conducted. , Despite the session, observations indicated that the boy continued to smoke occasionally. Although his parents and other stakeholders noted some improvement in his understanding of the health risks, the limited enforcement of regulations regarding cigarette sales to minors posed a challenge to fully curbing this behavior.

Curfew Violations

The intervention to address curfew violations involved regular police check-ins, and discussions with the boy's family to reinforce the importance of adhering to curfews. Observational data from police officers indicated that the boy initially continued to stay out late at night and was escorted home by officers on two occasions. Following these incidents and conversations with his family, the boy's curfew violations significantly decreased. Police noted that he had not been seen outside late at night since their interventions, and his family observed that he was more likely to stay at home in the evenings.

Deceptive Interactions

Efforts to address deceptive interactions were hindered by the temporary leave of the school counselor, which resulted in a delay in ongoing behavioral support. A substitute staff member attempted to continue behavior modification sessions yet lacked the specialized training of the counselor, limiting the effectiveness of these efforts. Although the boy engaged in occasional discussions with school staff, his deceptive behaviors, such as manipulating peers for Wi-Fi access, continued with minimal change.

Skiping School

Truancy remained one of the most challenging behaviors to address. A designated teacher monitored the boy and encouraged him to attend classes regularly. However, despite these efforts, the boy's school attendance did not improve significantly. Interviews with the boy's school liaison officer revealed that he continued to avoid school, especially following incidents where he got into trouble. It was noted that he expressed feelings of guilt and embarrassment after disciplinary issues, leading to avoidance rather than engagement.

Overall, the results indicate that IBAMA's community-based interventions had a mixed impact on addressing the boy's delinquent behaviors. While curfew violations decreased significantly due to active police involvement, other behaviors, particularly deceptive interactions and school attendance, remained challenging to address fully. Additionally, the case study reveals key areas where IBAMA's interventions could be strengthened, such as by enhancing family involvement, establishing contingency support for absent staff, and focusing on the emotional needs underlying delinquent behaviors.

Recommendations and Policy Implications

The results of this study highlight both the potential and challenges of community-based interventions by IBAMA in addressing juvenile delinquency. The case of a 15-year-old boy from Shaviyani Atoll who exhibits multiple delinquent behaviors such as smoking, curfew violations, skipping school, and manipulative interactions provides a concrete example of the effectiveness and limitations of IBAMA's strategies. This discussion critically explores these findings in relation to existing literature, shedding light on both the alignment and divergence between IBAMA's interventions and best practices in juvenile crime prevention.

Preventive Approaches and Socioeconomic Influences

The literature emphasizes that prevention is the most effective strategy for reducing juvenile delinquency (UNICEF, 2022). As noted by Marpna (2017), children, particularly those from vulnerable or unstable environments, require significant support to avoid being influenced by negative surroundings. In this case, the boy's family background; living in a blended family following his parents' divorce may contribute to a lack of structure and supervision, creating conditions conducive to delinquent behavior. Research by Sarker (2023) further suggests that factors such as family instability and low parental involvement increase the risk of delinquency, making it imperative to address these root causes through targeted family-centered interventions.

Surong and Lyngdoh (2020), who argue that community-based interventions are most effective when coupled with strong regulatory support. This suggests that community awareness will be a positive step, however stronger regulatory enforcement might be needed to address smoking effectively in the long term.

Role of Community and Law Enforcement

The literature indicates that community involvement, especially through programs led by police and local organizations, is crucial in preventing juvenile crime (Majeed et al., 2024). In this case, the police played an active role in curbing the boy's curfew violations, which was one of the few behaviors that saw significant improvement. The regular patrols and direct engagement by police not only discouraged the boy from staying out late but also built a network of accountability involving his family and other community members. This aligns with findings by Majeed et al. (2024) that emphasize the importance of visible patrols, community engagement, and proactive crime prevention. The study's outcome reinforces the idea that close monitoring and law enforcement involvement are effective tools in controlling curfew violations and may be similarly effective in addressing other delinquent behaviors.

However, the findings also reveal that the effectiveness of community policing is limited by its scope. While the police were able to prevent curfew violations through patrols, they were less involved in other delinquent behaviors, such as truancy and deceptive interactions. Furthermore, the literature by Loeber and Farrington (2001) emphasizes the need for collaboration between law enforcement, schools, and social services, particularly in handling multifaceted cases. The lack of a coordinated interagency response limited the depth of support available to address the boy's broader behavioral issues, suggesting that IBAMA's interventions might benefit from a more integrated, multi-agency approach.

Interagency Collaboration and Counselling Support

The literature strongly advocates for interagency collaboration as a cornerstone of effective juvenile justice interventions (Loeber et al., 2003). The case study illustrates the challenges associated with limited collaboration, particularly during the school counselor's absence. As Putri et al. (2020) emphasize, counselors play a critical role in helping young offenders modify their behaviors through consistent guidance and support. The boy's

manipulative interactions and ongoing absenteeism highlight the impact of disrupted counseling on behavior modification efforts. Without a trained professional consistently available to provide behavioral support, the boy's deceptive interactions and school avoidance behaviors persisted.

This finding highlights the importance of continuity in counseling and suggests that additional staff training or contingency plans could mitigate the impact of staff absences. Furthermore, Loeber et al. (2003) suggest that an interagency council or governing body could help create a comprehensive care plan that would coordinate the various agencies involved in juvenile justice. In this case, an interagency plan might have bridged the gap in counseling services by involving mental health and social service agencies, thus providing the boy with continuous behavioral support even in the counselor's absence.

Family Engagement and Emotional Support

Family involvement is repeatedly highlighted in the literature as a critical factor in addressing juvenile delinquency (Surong & Lyngdoh, 2020). In this case, the boy's parents were encouraged by police and school staff to reinforce curfews and maintain closer supervision. However, despite these efforts, the boy's family's engagement was inconsistent, which likely contributed to the limited impact of the interventions on certain behaviors, such as school attendance and deceptive interactions. Sarker (2023) argues that family stability and active involvement are key to preventing juvenile delinquency, as a strong family structure can provide emotional stability and support for positive behavior changes.

Furthermore, the literature suggests that underlying emotional issues can drive avoidance behaviors like truancy (Putri et al., 2020). The boy's tendency to avoid school after getting into trouble reflects this pattern, suggesting that his delinquent behaviors may be partially rooted in emotional challenges. The lack of consistent counselling exacerbated this issue, as there was limited support available to help him manage these feelings constructively. This finding reinforces the need for interventions that address both the behavioral

and emotional dimensions of delinquency, which could be achieved by involving trained counsellors, family therapists, or other mental health professionals.

Limitations of IBAMA's Approach and Recommendations for Improvement

The findings reveal several areas where IBAMA's approach shows promise and others where improvements are needed. While community involvement and police engagement effectively addressed curfew violations, the lack of interagency coordination and inconsistent counselling support hindered progress in other areas. The literature suggests that juvenile justice interventions are most effective when they combine community policing, family engagement, interagency collaboration, and consistent emotional support (Loeber et al., 2003; Majeed et al., 2024).

To strengthen IBAMA's approach, it may be beneficial to establish a formal interagency council to coordinate juvenile justice services in cases like this. This would help bridge service gaps, especially when one party, such as a school counsellor, is temporarily unavailable. Additionally, engaging families more comprehensively in the intervention process, possibly through family counselling or parent workshops, could enhance the sustainability of behavior improvements. Finally, incorporating emotional and psychological support directly into IBAMA's interventions, through partnerships with mental health professionals, could address the root causes of delinquency and offer a more holistic approach to rehabilitation.

Conclusion and Limitations

This study evaluated the effectiveness of IBAMA's community-based interventions in preventing juvenile crime and supporting at-risk children within the Maldivian juvenile justice system, focusing on a 15-year-old boy in Shaviyani Atoll. The findings offer an understanding of IBAMA's impact, both in terms of reducing juvenile crime and supporting rehabilitation.

In assessing IBAMA's effectiveness in reducing juvenile crime, the interventions showed partial success, notably in curbing curfew violations through active police involvement and family engagement. This outcome emphasizes the value of community policing and parental oversight in promoting positive behavioral changes in at-risk youth. However, limited progress in areas such as school attendance and manipulative behaviors indicates that while community involvement is essential, it may require consistent support from multiple stakeholders to be fully effective. The study also highlighted strengths and limitations in IBAMA's approach. Strengths included the proactive engagement of local police and the involvement of school staff, which facilitated initial improvements. Yet, inconsistent counselling support and limited family engagement due to resource constraints were notable limitations, highlighting gaps in IBAMA's current approach. To enhance IBAMA's community-driven juvenile justice strategies, this study recommends establishing a formal interagency framework to ensure continuous support across all intervention areas, especially when personnel changes occur. Additionally, integrating family counseling and mental health support within IBAMA's programs would address the underlying factors contributing to delinquency, providing a more comprehensive support system for at-risk youth. In conclusion, while IBAMA's interventions demonstrate a promising approach to juvenile crime prevention in the Maldives, further refinement is necessary to ensure sustained impact. Strengthening interagency collaboration, enhancing family engagement, and integrating emotional and psychological support are essential steps toward more effective and holistic juvenile justice practices. These recommendations aim to help IBAMA better fulfill its mission of safeguarding vulnerable children and reducing juvenile crime across the Maldives.

While this study provides valuable insights into the effectiveness of IBAMA's interventions in preventing juvenile crime and supporting at-risk youth, several limitations should be considered. Such as, this study focused on a single case involving a 15-year-old boy. While the in-depth analysis of this case offered detailed insights into specific intervention outcomes, the findings may not be generalizable to other cases or communities across the Maldives. The unique circumstances of this individual case may not fully represent the range of experiences and outcomes seen in other IBAMA interventions. The data collected relied on available reports, observations from stakeholders, and interviews. While these sources provide substantial information, they may not capture the full complexity of the boy's environment or the broader impact of IBAMA's interventions. Additionally, the absence of direct input from the boy may have limited the depth of understanding of his personal experiences and perceptions regarding the interventions. The study was conducted during a period when the school counsellor, a key support figure, was on temporary leave. This disruption in counselling continuity may have influenced the outcomes of the intervention, particularly in addressing deceptive behaviors and truancy. The findings on intervention effectiveness might have differed if consistent counselling support had been available throughout the study. The study's observations were limited to the existing structure and implementation practices of IBAMA, where interagency collaboration was still developing. The limited coordination between agencies, such as social services, law enforcement, and educational institutions, may have constrained the effectiveness of the interventions. The study thus highlights potential areas for improvement but does not assess how more integrated interagency efforts might alter outcomes. This research captured the short-term effects of IBAMA's interventions but did not account for long-term behavioral changes or sustainability of outcomes. Longitudinal studies would provide a more comprehensive understanding of the long-term impact of community-based interventions on juvenile behavior and overall well-being. The study's findings are influenced by the unique geographical and social context of the Maldives, particularly the dispersed island communities where IBAMA operates. This context may limit the applicability of the results to other settings with different demographic or logistical characteristics.

While this study contributes valuable knowledge on the strengths and challenges of IBAMA's interventions, future research would benefit from a broader sample of cases,

continuous counselling support, longitudinal data, and enhanced interagency collaboration. Addressing these limitations could provide a more comprehensive evaluation of community-driven juvenile justice strategies in the Maldives and their potential for wider application.

References

Incarcerating young kids might not be the solution to the increasing problem in the Maldives. (2024). Male': Maldives Financial Review. Retrieved 10 20, 2024, from <https://mfr.mv/opinion/incarcerating-young-kids-might-not-be-the-solution-to-the-increasing-problem-in-the-maldives>

Loeber, R., & Farrington, D. P. (2001). The significance of child delinquency. In *Child Delinquents: Development, Intervention, and Service Needs*. SAGE Publications, Inc.,. Retrieved from <https://doi.org/10.4135/9781452229089>

Majeed, M., Parveen, A., & Ashraf, M. Z. (2024). The Role of Judiciary and Police in Juvenile Delinquency: A Comprehensive Examination. *Annals of human and Social Sciences*, 194-204. doi: [http://doi.org/10.35484/ahss.2024\(5-II-S\)19](http://doi.org/10.35484/ahss.2024(5-II-S)19)

Marpna, I. (2017). A Study on the causes of Juvenile Delinquency in Shillong. Dissertation. Sonapur, Assam: Assam Don Bosco University.

Putri, W. E., Nabilla, V., Silvia, & Rahmawati, V. (2020). Counselling teacher's effort in overcoming juvenile delinquency at Mas Ainul Yaqin Batagak. *BICC Proceedings*, 181-188. Retrieved from <http://dx.doi.org/10.30983/bicc>

Rai, P., & Dubey, D. S. (2023). Effects of Juvenile Delinquency on Society; A social work study. *Journal of Social Work*(1), 55-67. Retrieved from <https://doi.org/10.51767/jsw1506>

(Rate of juvenile offenders increasing rapidly. (2024). Male': PSM News. Retrieved October 15, 2024, from <https://psmnews.mv/en/134920>

Sarker, I. (2023). A Study on Juvenile Delinquency in Bangladesh its Causes and Consequences. *East African Scholars Multidiscip Bull*. doi:10.36349/easjmb.2023.v06i04.001

Surong, R., & Lyngdoh, A. (2020). A study on the causes of juvenile delinquency and its prevention. *The International Journal of Indian Psychology*, 8(4). doi:10.25215/0804.138

UNICEF. (2021). Situation Analysis of Children and Youth in the Maldives. Male': UNICEF Maldives. Retrieved from <https://www.unicef.org/maldives/media/2736/file/Situation%20Analysis%20of%20Children%20and%20Youth%20in%20the%20Maldives.pdf>

UNICEF. (2022). Prevention of Children at risk from coming in conflict with the law with Europe and Central Asia. Advocacy Brief on Child Justice.

Multisectoral Collaboration in Practice: A Review of a Pilot Rehabilitation Program for Children in Conflict with the Law of Maldives

This paper was prepared for presentation at the National Juvenile Justice Conference on 'Empowering Change: Advancing Juvenile Justice & Safeguarding Children's Rights', jointly organized by the Prosecutor General's Office and UNICEF Maldives in May 2025.

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Abstract

This paper examines the effectiveness of multisectoral collaboration and community-based interventions for children in conflict with the law (CICL) through a qualitative assessment of a pilot rehabilitation programme in Fuvahmulah. This programme was initiated in April 2024 to establish a comprehensive approach in addressing the complex needs of CICL through coordinated efforts of multiple stakeholders at the central and community level. This study aimed to explore two key research questions: (i) What mechanisms and processes were established to facilitate multi-sectoral collaboration in implementing the community-based rehabilitation program for CICL? and (ii) How do stakeholders perceive the effectiveness and appropriateness of the community-based rehabilitation programme for CICL in Fuvahmulah? The specific objectives were to analyse the implementation process of the pilot programme by exploring contextual factors and to examine stakeholder perspectives on implementation effectiveness in terms of appropriateness and adaptability. Using the Consolidated Framework for Implementation Research (CFIR), adapted for use in this study, semi-structured interviews were conducted with seven key informants representing participating agencies in programme implementation. The findings of this study revealed three key themes: (i) effective multisectoral collaboration through formal coordination structures and community ownership, (ii) family-focused interventions as a successful pathway to rehabilitation, and (iii) varying effectiveness of the programme across different risk levels with resource constraints limiting positive child outcomes for high-risk cases. Based on the findings of this study, recommendations aligned with the Collective Impact Framework include formalising multisectoral collaboration mechanisms; developing tiered intervention packages; strengthening monitoring and evaluation systems; building community-level capacity; enhancing community ownership; and advocating for increased access to specialised services at the community level for sustainable programme implementation and scale up.

Introduction

Background

Children in conflict with the law (CICL) are a vulnerable group often affected by multiple layers of social, economic, and psychological factors. Comprehensive multisectoral collaboration is key to effectively addressing these underlying factors, as well as the provision of community-based interventions to holistically prevent and respond to CICL and promote rehabilitation. As a new and emerging paradigm in criminal justice and child welfare, priority should be given to involve all relevant sectors - including education, social services, healthcare, law enforcement, and non-governmental organisations (NGOs) - to address the specific needs of these children and their families. This paper examines the effectiveness of multisectoral collaboration and community-based interventions through the review of a pilot programme in Fuvahmulah for CICL.

Literature Review

This literature review focuses on examining the key strategies, theoretical foundations and the outcomes associated with multisectoral collaboration and community-based interventions targeting CICL.

1. Juvenile Delinquency addressed through Multisectoral Collaboration

The following sections explore why multisectoral collaboration has emerged as a preferred strategy and how it addresses the complex nature of juvenile delinquency.

1.1. Need for a Multisectoral Collaboration

Juvenile delinquency is a multifaceted issue influenced by individual, family, school, and community factors. For children in conflict with the law, addressing these issues requires a collaborative approach where various professionals work together to identify the root causes and provide appropriate interventions. Research suggests that juvenile offenders are more

likely to come from disadvantaged backgrounds, including poverty, family dysfunction, and exposure to violence and have more tendency to get involved in serious crimes(1). Accordingly, it is crucial to integrate multiple sectors such as education, healthcare, mental health, social services, and law enforcement when implementing intervention activities to these children.

The multisectoral collaboration approach is rooted in the understanding that no single agency or sector can effectively address the multidimensional problems faced by children in conflict with the law. Where interventions rely solely on one sector such as law enforcement or the juvenile justice, they often fail to address the underlying psychosocial and economic factors that contribute to delinquency(2). Hence, intervention approaches that adopt a more collaborative approach between law enforcement, mental health professionals, educators and social workers tend to be more effective in both prevention of crimes as well as supporting rehabilitation.

1.2. The Role of Community Based Interventions

While multisectoral collaborative provides a framework for addressing juvenile delinquency, community-based interventions are an effective mechanism through which collaboration occurs at the local level. Community-based interventions are fundamental in preventing juvenile delinquency as they involve local resources, structures, and support systems. These interventions adopt the view that communities play a vital role in shaping children's behaviour and that providing a supportive, structured environment can reduce the risk of their involvement in criminal activities. Most community-based approaches include multifaceted programmes such as after school programmes, mentoring, vocational training, family support services, and recreational activities which promote and enhance positive alternatives to delinquent behaviours(3).

The main advantage of community-based interventions is that they can be tailored and adopted to local settings, providing localised solutions that can address specific needs and characteristics of children and their families.

Research has shown that such interventions reduce the chances of children re-offending, and provide these children with a more supportive and stable environment where they can build new skills and relationships(4).

2. Prevention Level Work for At-Risk Adolescents

The effectiveness of community-based interventions relies on the accurate identification of children and adolescents who may benefit from these programmes. This section details critical components to prevention work, such as identification of risk, prevention models and approaches, and positive youth development.

2.1. Identifying At-Risk Adolescents

Early identification of at-risk adolescents is central in preventing juvenile delinquency. Several factors such as poverty, lack of parental supervision, mental health problems, substance use, socioeconomic status, and exposure to violence increase the likelihood of adolescents engaging in criminal behaviours(5). Hence, effective prevention strategies should rely on early identification of these risk factors and provide appropriate interventions that target individual needs.

Several models have been developed in different countries to assess and predict risk factors in adolescents. One such model is the Risk Need Responsivity (RNR) model, which emphasises the importance of assessing the risk factors and needs of individuals and formulating interventions to match their individual needs and profiles(6). According to the RNR model, interventions are more effective when they focus on different risk factors such as family dysfunction and association with delinquent peers, while also focusing on individual needs such as mental health and education. When risk factors and individual needs are considered in formulating interventions, they are more effective at producing positive outcomes for adolescents.

2.2. Prevention Models and Approaches

Prevention programmes designed for at-risk adolescents usually fall into three categories: primary, secondary, and tertiary. In primary prevention programmes the main aim is to prevent delinquency before it occurs, by addressing risk factors and promoting positive development. Secondary prevention focuses on adolescents who are already involved in minor delinquent behaviours and intervening before their behaviour escalates. Tertiary prevention involves intensive intervention to those delinquent adolescents who are already involved in the criminal justice system, aiming to reduce recidivism and promote rehabilitation(7).

Several community-based prevention models have demonstrated success in reducing delinquency amongst at-risk adolescents. Multisystemic Therapy (MST) is a programme that targets multiple systems in a child's life such as family, school, peers, and community. This model has shown a significant reduction in criminal behaviour along with improvements in their family relationships(7). Likewise, the Positive Action Programme, which focuses on encouraging prosocial behaviours and attitudes through school-based intervention programmes, has shown to be effective in preventing youth delinquency and violence(8).

2.3. Protective Factors and Positive Youth Development

While the prevention models described above focus primarily on mitigating risk factors, it is also equally important for prevention programmes to focus on enhancing protective factors that promote resilience amongst adolescents. Research specifies that the presence of supportive relationships with family members, mentors, and peers along with activities that bring positivity can function as a barrier against the negative influences that can lead to delinquent behaviours(9). Programmes that address positive youth development, such as leadership training, academic support, and life skills, build the capacities of children and adolescents to avoid conflict with the law and support their overall well-being(10).

3. Challenges in Implementing Multisectoral and Community Based Interventions

Although multisectoral collaboration and community-based interventions are demonstrably effective, there are several challenges in implementing such interventions. These challenges to implementation include funding limitations, institutional barriers to effective coordination between sectors, and resistance from key partners to collaboration. Limited resources and infrastructure are also a barrier to the sustainability of such programmes, especially in low-income communities(11). In addition to this, there may be other challenges related to aligning the goals of different sectors as each stakeholder may have different approaches to addressing youth delinquency. For example, law enforcement may focus on punitive measures while social services may focus on rehabilitation.

In conclusion, multisectoral collaboration and community-based interventions are essential strategies for addressing juvenile delinquency, especially for children in conflict with the law. By involving multiple sectors - such as education, healthcare, and social services - and focusing on both prevention and rehabilitation, these approaches can offer comprehensive solutions to the complex issues underlying delinquency. However, successful implementation requires overcoming challenges related to funding, coordination, and capacity. As research continues to support the effectiveness of these strategies, there is a growing need for policy development and resource allocation to ensure that these interventions can reach those who need them the most.

National Framework

The enactment of the Child Rights Protection Act (Law No: 19/2019) and the Juvenile Justice Act (Law No: 18/2019) in the Maldives brought major progressive changes to the child protection and juvenile justice systems of the country. These advances include raising the minimum age of criminal responsibility (MACR) to 15 years, establishment of an independent Children's Ombudsperson and a Child Rights Council, and abolishing the death penalty for minors. However, there have been challenges in the implementation of these Acts to fully realise their vision, owing mostly to limited human, financial and technical capacities.

The Juvenile Justice Act (JJA) envisions a juvenile justice system based on diversion and rehabilitation in line with the principles of restorative justice rather than punitive measures and established the Department of Juvenile Justice (DJJ) to run programmes for children in conflict with the law. While some programmes have been established for this cohort of children, it is limited in scope and does not cover the comprehensive and complex multi-faceted issues that these children and their families face.

The increase in MACR also led to an increasing number of children under the MACR being exploited into crimes; information received from Maldives Police Service indicate that there were 120 cases involving CICL in 2023, and 213 cases in 2024. The lack of effective programmes for CICL, together with the limited prosecution of adults who exploit children means that these children often go through the juvenile justice system and continue to reoffend.

Brief Overview of the Pilot Programme

The Rehabilitation and Support pilot programme was initiated in April 2024, with the aim of establishing a comprehensive and holistic approach that addresses the complex and dynamic needs of children who come into conflict with the law in Fuvahmulah city. UNICEF played a convening role in bringing together key stakeholders including the Ministry of Education (MOE), Ministry of Social and Family Development (MSFD), Maldives Police Service (MPS), Department of Juvenile Justice (DJJ), and the National Drug Agency (NDA), to work collaboratively on this initiative. The main objectives of the programme were to:

1. Demonstrate the value of multi-sectoral collaboration and resource sharing in creating positive impacts for children and their families.
2. Emphasise the importance of community-based rehabilitation that addresses the family unit as a whole, focusing on their unmet needs, in order to improve the overall family situation, rather than solely targeting the child's behaviour.

The programme is underpinned by three main theories:

1. The Hawthorne effect(12): A behavioural phenomenon whereby individuals modify an aspect of their behaviour in response to their awareness of being observed.
2. Rational Choice Theory(13): A model suggesting that an individual's decisions are made by weighing benefits against potential costs.
3. Network effect(14): The understanding that an individual's behaviours are largely determined by their social networks and circumstances.

Eight children were chosen for the programme based on their interaction with police, and a multi-sectoral workshop was conducted in Fuvahmulah City where individual intervention plans were drafted for each child with all relevant stakeholders. A national level working group was established centrally to monitor the implementation

of these intervention plans, and the group continues to meet once every month for progress updates.

Aims

This report aimed to answer the following research questions: (i) Which mechanisms and processes were established to facilitate multi-sectoral collaboration in implementing the community-based rehabilitation programme in Fuvahmulah city? And (ii) How do stakeholders perceive the effectiveness and appropriateness of the community-based rehabilitation programme for children in conflict with the law?

The specific objectives of this report were as follows:

- To describe and analyse the process of implementation of the pilot programme, by exploring contextual factors influencing implementation.
- To explore stakeholder perspectives on the implementation effectiveness of the pilot programme, in terms of its appropriateness and adaptability.

Significance of the Study

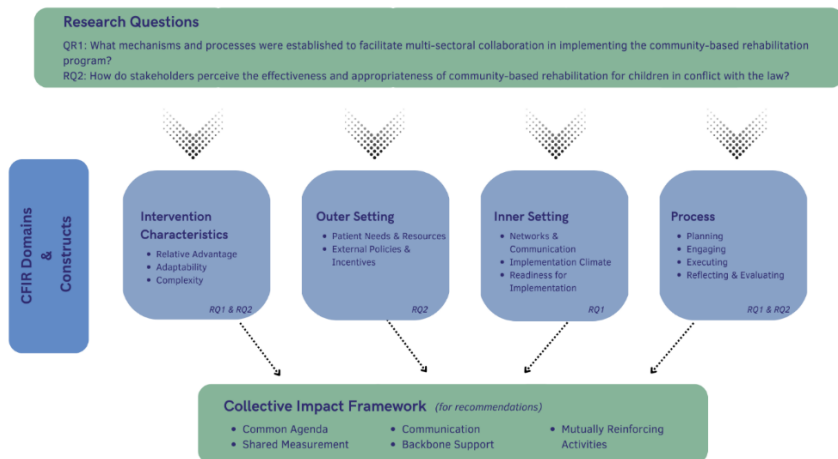
By drawing on insights from relevant stakeholders involved in programme implementation, this paper will analyse the programme's process and reported outcomes – including successes, challenges, and gaps – and provide recommendations for policymakers to improve and scale up this multisectoral programme for children in conflict with the law.

Methodology

Qualitative Research

Qualitative research was conducted in this study, to explore stakeholders' perspectives on the effectiveness and process of implementation of the pilot rehabilitation programme in Fuvahmulah city. Purposive sampling was done to identify eight key informants (KIs) who each represent one of the key agencies working on this programme; seven KIs provided in-depth information on the programme through semi-structured interviews conducted using an interview guide developed for the purpose of this study (see Annex A for sample interview guide). The Consolidated Framework for Implementation Research (CFIR)(15) was adapted for use in this study, in order to develop the interview guide and for data analysis. CFIR is a well-established framework used in implementation science and applied widely across sectors(16,17). Specific constructs were selected across four of the five domains of CFIR which were most relevant to both research questions of this study. The adapted CFIR framework for this study is shown in Figure 1.

Figure 1: Adapted CFIR framework



The duration of the key informant interviews (KIIs) were approximately one hour; all interviews were conducted online and digitally recorded through the Zoom application. As the KIs spoke in both Dhivehi and English, a mixed approach was used in transcription, with two interviews being fully transcribed verbatim, while field notes were used for the remaining five interviews. This approach is consistent with implementation research when there are time constraints and limitations in transcription software due to language barriers(18). A deductive thematic analysis approach was used for data analysis(19), as the summary notes for each KII were coded against the CFIR domains identified for this study (see Annex B for coding analysis by CFIR domains); themes were then developed based on these codes and presented as the study's findings. The subsequent recommendations of this paper are aligned with the Collective Impact Framework.

Ethical Considerations

This paper represents a small-scale review of the Fuvahmulah rehabilitation programme intended for presentation at the National Juvenile Justice Conference; as such, formal ethics approval was not required for this type of review. However, several ethical considerations were incorporated into the study, which are detailed in this section.

In order to minimise potential conflicts of interest, data collection and analysis were conducted by a representative from Society for Health Education (SHE), as this organisation is not directly involved in programme implementation. This approach minimised potential bias and provided an environment for key informants to share their perspectives more openly with a neutral interviewer. Co-authors of this paper from implementing agencies (i.e., Ministry of Education, Maldives Correctional Service, Department of Juvenile Justice, and UNICEF) were not involved in data collection or analysis to maintain objectivity.

Informed verbal consent was obtained from all key informants; participants received detailed information about the purpose of the study and how the interview would be conducted (see Annex C for standard email communication). Confidentiality measures were described, such as participant codes being used; interview transcripts and summary notes being anonymised; access to all data being restricted to the interviewer; direct quotes not being attributed to any specific individuals; and findings being presented as group data. Data security measures were also explained, such as having secured storage of all digital recordings, transcripts, and interview notes on OneDrive with restricted access. Furthermore, all key informants were informed that participation was voluntary and that they could withdraw at any point in the study.

Limitations

Although the study provides valuable insights into the implementation of the Fuvahmulah rehabilitation programme, there were several limitations of this study. The key informants interviewed in this study were directly involved in programme implementation, which may have introduced potential biases, such as positivity bias. This potential bias could have been mitigated by obtaining perspectives from direct beneficiaries of the programme (i.e., the children and families supported through this

programme). Furthermore, there is a lack of stakeholder perspectives at the community level, such as neighbours, teachers, and peers. Due to ethical considerations regarding the protection of vulnerable children and their families, direct beneficiaries of the programme and community members were not included in the study, which limited the diversity of perspectives captured in the research. There was also a limitation in the data used for the review, as there was limited programme documentation; such documentation would have been helpful to triangulate the data obtained from the qualitative interviews.

Key Findings and Analysis

The analysis of the key informant interviews revealed significant insights into the development and implementation of the rehabilitation programme for children in conflict with the law in Fuvahmulah. Three key themes emerged through the perspectives shared by diverse stakeholders working at the central level and in the community. These themes are detailed in this section, exploring both multisectoral collaboration mechanisms and perceived programme effectiveness.

Building Multisectoral Collaboration with Community Ownership

The majority of stakeholders highlighted how the Fuvahmulah rehabilitation programme established effective multisectoral collaboration through formal coordination structures and community engagement. At the central level, the programme had regular monthly coordination meetings that brought together relevant stakeholders, including Family Child Protection (FCP) in Maldives Police Service (MPS); Ministry of Education (MOE); Department of Juvenile Justice (DJJ); Ministry of Social and Family Development (MSFD); National Drug Agency (NDA); and UNICEF Maldives. These meetings were also joined by the agencies working at the island level, including the Family and Children's Service Centre (FCSC) and Police Station in Fuvahmulah. These meetings served as the primary mechanism for information sharing, progress monitoring, and joint decision-making. One stakeholder (P04) noted that decisions were made together, highlighting how the programme emphasises multisectoral collaboration instead of a siloed approach. At the community level, programme implementation was driven by Fuvahmulah police officers and FCSC caseworkers. These community stakeholders also conducted their own monthly coordination meetings to discuss progress; these meetings were attended by relevant community stakeholders including liaison officers from the four secondary schools in Fuvahmulah. Such coordination represents a strong ownership of the programme at the community level. Many stakeholders noted the critical role of community ownership in this programme, noting the exemplary work and

commitment shown by individuals working on the ground level in Fuvahmulah.

The programme's collaborative approach and community engagement was also seen in its planning phase. A two-day workshop was held in Fuvahmulah, convening stakeholders from both central and community levels to discuss learnings from past initiatives and formulate intervention plans for each identified child. In-depth profiles of each child and their family was presented by the police during the workshop; small multisectoral groups each discussed the profiles of around three children, considering both risk and protective factors through a socioecological lens to design individualised intervention plans. This collaborative process ensured the input of diverse perspectives and built a shared understanding and commitment for this programme.

There was a clear definition of roles and responsibilities amongst agencies in supporting the children in this programme, due to joint decision-making in the monthly meetings. The programme aimed to use existing resources, with the multisectoral collaboration model ensuring that each agency's expertise was leveraged with minimal duplication of efforts. The police conducted home visits and community monitoring, while the schools tracked school attendance and the FCSC provided family support and social services. Other agencies also contributed specific services as needed, such as NDA and DJJ. This programme created a "how can we help you do this" mindset (P01) where agencies supported each other's work instead of working by themselves. Most stakeholders compared this collaborative approach with traditional practices, with one stakeholder (P02) noting that typically referral letters are sent to the relevant agency, while this programme ensures agencies collaborate together and keep one another accountable. Another stakeholder (P07) noted that decision-making in this programme happens more organically through the regular monthly meetings compared to traditional approaches to case conferencing.

The use of Google Sheets also facilitated information sharing between agencies, with all agencies updating their intervention activities and progress for each child. This reduced the need for constant communication between

meetings to get updates, with a KI (P07) noting that this was timesaving. Confidentiality concerns were also addressed at the outset of the programme during the planning workshop, with a KI (P01) noting that there was an open discussion about the need for information sharing between agencies and the negative outcomes faced by children and families when agencies work in silos citing confidentiality. While all stakeholders had a favourable view on the multisectoral collaboration approach of this programme, there were some challenges noted such as delays in consistent updating of the Google Sheets, and a few gaps in attendance at central coordination meetings. However, the overall programme structure was perceived to be effective, with one stakeholder (P02) attributing the momentum sustained in this programme to the committed and concerted efforts by the people working at the community level in Fuvahmulah.

Family-Focused Interventions as a Pathway to Rehabilitation

The Fuvahmulah rehabilitation programme was defined by its emphasis on supporting the needs of both children and families, as a pathway to improving child outcomes. Most stakeholders highlighted that this approach was different from past programmes and initiatives that focused primarily on the children's behaviour. One KI (P06) mentioned how the programme recognised the importance of working with the family instead of the child alone, as children are in families with complex and multiple vulnerabilities, while another KI (P01) spoke about how the programme is different in its approach taken in addressing underlying root causes. For instance, the family-centred approach of this programme can be seen in its planning phase, as police officers developed in-depth profiles for each child that included detailed information about family members and known protective and risk factors. These profiles provided all stakeholders with a deeper understanding, leading to interventions which were not just child-specific but family-focused as well.

Many stakeholders referred to a specific case involving a parent with a mental health condition, due to which the parent was unable to fulfil their caregiving role. Through the programme, agencies worked together to arrange psychiatric treatment from the regional hospital, enlist the help of extended family, and ensure medication compliance. Stakeholders reported significant improvements within a month, in terms of the parent's functioning and wellbeing, as well as positive child outcomes such as improved school attendance. This case demonstrated how the programme's approach to addressing parental needs contributed to improved child outcomes. Stakeholders highlighted that the family-centred approach of this programme differed by the specific needs of the child and family, with some families receiving positive parenting sessions while others received support in accessing health services. In the case of some families, the programme helped parents find employment opportunities to address poverty-related determinants that affect children's wellbeing.

Some stakeholders observed that family engagement and acceptance of the programme gradually improved; initially, some families were hesitant about police involvement due to past experiences. However, the supportive approach of the interventions in this programme helped to develop trust and a more positive relationship with both the police and the FCSC. This is evidenced by parents calling the police on their own to seek help from them regarding their children in this programme. The multisectoral collaborative structure of the programme enabled coordinated interventions across agencies; this approach allowed the programme to address complex family needs that a single agency working on their own would find challenging to address adequately. The family-centred approach was seen to be particularly effective for children with low to moderate risk. However, some stakeholders identified challenges in implementation. For example, limited access to specialised services at the regional and island level constrained the programme in supporting certain family needs such as mental health needs. Furthermore, some stakeholders noted the need for capacity building to deliver family-focused interventions through the programme.

Resource Constraints and Programme Effectiveness across Risk Levels

While stakeholders identified many strengths of the Fuvahmulah rehabilitation programme, due to its multisectoral collaborative model and its family-centred approach, they also highlighted challenges related to resource constraints and varying programme effectiveness based on case complexity. Some stakeholders noted that the programme worked well for children with low to moderate risk but faced challenges in implementation for children with high risk such as gang affiliation or exploitation. Resource constraints were a significant barrier for programme effectiveness, particularly for complex cases. For instance, mental health services were identified by many stakeholders as a critical gap, with a KI (P07) observing that the programme is unable to meet the needs of children and families adequately from a mental health perspective. Another KI (P06) spoke about the limited availability of specialised mental health services at the community level. The absence of certain agencies such as the DJJ working at the island level was also highlighted by stakeholders, as this gap also creates challenges in providing comprehensive services, particularly for high-risk cases. Stakeholders also observed another challenge involving complex cases in regard to delays in decision-making on high-risk cases, and shared their concerns about such delays potentially leading to negative child outcomes.

Human resource constraints were further highlighted by stakeholders, in terms of limited professional capacity. One stakeholder (P05) noted staff burnout as a concern and the need for professional development and clinical supervision. Another stakeholder (P04) observed that the current resources are sufficient as there are only a few children being supported in this programme but cautioned that human resources would be a constraint when the programme is replicated and scaled up. In this regard, one KI (P04) noted that there would be additional resource requirements in other atolls, as travel expenditure and human resource constraints would need to be accounted for in atolls comprising of many islands, in contrast to the current programme that fits the unique one atoll-one island context of Fuvahmulah. Furthermore,

stakeholders shared their concerns regarding shifting mandates and changing policy priorities potentially impacting on programme sustainability.

Recommendations and Policy Implications

The multi-sectoral collaboration model utilised in this programme succeeded through a combination of formal structures such as regular monthly meetings and documented decisions, and through informal communication mechanisms such as the WhatsApp group. Furthermore, the use of Google Sheets was critical for information sharing across multiple agencies, although they require ongoing commitment for timely updates. The community-based, family-centred approach used in this programme was perceived as more appropriate than child-only interventions; similarly, the multi-sectoral collaboration model was perceived as more effective than the traditionally siloed approach by each organisation in supporting vulnerable children and their families. In terms of programme outcomes, the programme was able to show that interventions are effective for low and moderate risk children but requires significant adaptations for high-risk cases. In terms of programme implementation, resource constraints for specialised services like mental health support remain a barrier; there is also limited documentation and systematic evaluation for program improvement and replication. These findings align with the core components of the Collective Impact Framework, which provides a structured approach for strengthening multi-sectoral initiatives through common agenda, shared measurement, mutually reinforcing activities, continuous communication, and backbone support. Based on the key findings of this study, the following recommendations are given in line with the Collective Impact Framework:

Collective Impact Framework	Recommendations
Common Agenda	1. Formalise the multisectoral collaboration model, by establishing clear terms of reference and standards of practice for coordination mechanisms at both central and community level; this should include

	defined roles and responsibilities of each relevant agency, and decision-making protocols, particularly for complex cases involving high-risk children. 2. Develop a tiered intervention framework based on the risk level of the child. This should include differentiated service models for high-risk cases, with mandated advanced training modules for front-line workers to ensure appropriate responses to varying levels of need.
Shared Measurement	3. Develop a monitoring and evaluation framework for the programme, with established key performance indicators and standardised documentation practices for measuring progress of both interventions and outcomes. 4. Transition from Google Sheets to a secure, centralised case management information system accessible to all stakeholders.
Mutually Reinforcing Activities	5. Build capacities at the community level on identified priority areas such as mental health support, and interventions for high-risk cases. This should include strengthening supervision mechanisms, providing training programmes using a task sharing approach, and establishing multidisciplinary response teams for complex cases. 6. Enhance community ownership by recognising and integrating community-level NGOs into service delivery frameworks through clear guidelines and capacity building support.
Continuous Communication	7. Establish quarterly reflection meetings focused on programme improvement rather than case management. These meetings would help to share learnings and sustain momentum and shared commitment by all stakeholders. 8. Enhance knowledge exchange by facilitating cross-learning with similar initiatives in other countries through exchange visits and documentation of best practices from comparable contexts.
Backbone Support	9. Advocate for policy alignment, and develop a policy brief based on programme outcomes, highlighting

	the programme's effectiveness as a rehabilitative and early intervention approach for children in conflict with the law. 10. Advocate for service decentralisation, ensuring that critical services such as mental health and juvenile justice services are available at the island level.
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Conclusion

In conclusion, the Fuvahmulah rehabilitation programme for children in conflict with the law demonstrates that vulnerable children can be effectively supported through a multi-sectoral collaboration approach to coordination at both the central and community level. The family-centred approach to interventions taken in this programme was a welcome departure from traditionally child-focused interventions by single agencies. The programme achieved significant improvements in children at moderate risk, by addressing the needs of both the child and their family alike. However, attending to complex cases involving children at high risk remains a challenge due to resource constraints such as the limited availability of specialised mental health services at island and atoll level.

We call upon all stakeholders to strengthen this collaborative approach by formalising coordination mechanisms, building community-level capacity, enhancing community ownership, and advocating for increased access to specialised services. The pilot programme in Fuvahmulah demonstrates that meaningful change is possible when all agencies come together to work as one, with the shared understanding that these children are a part of our community.

References

1. Loeber R. Development and risk factors of juvenile antisocial behavior and delinquency. *Clinical Psychology Review*. 1990;10(1):1–41.
2. Majeed M, Ali B, Mustafa M. SOCIO-ECONOMIC FACTORS FUELING JUVENILE DELINQUENCY: A CRITICAL EXAMINATION. 2024;
3. Walker JS, Gowen LK. Community-based Approaches for Supporting Positive Development in Youth and Young Adults with Serious Mental Health Conditions.
4. Vidal S, Connell CM, Prince DM, Tebes JK. Multisystem-Involved Youth: A Developmental Framework and Implications for Research, Policy, and Practice. *Adolescent Res Rev*. 2019 Mar;4(1):15–29.
5. Piotrowska PJ, Stride CB, Croft SE, Rowe R. Socioeconomic status and antisocial behaviour among children and adolescents: A systematic review and meta-analysis. *Clinical Psychology Review*. 2015 Feb;35:47–55.
6. Lutz M, Zani D, Fritz M, Dudeck M, Franke I. A review and comparative analysis of the risk-needs-responsivity, good lives, and recovery models in forensic psychiatric treatment. *Front Psychiatry*. 2022 Oct 31;13:988905.
7. Young S, Greer B, Church R. Juvenile delinquency, welfare, justice and therapeutic interventions: a global perspective. *BJPsych Bull*. 2017 Feb;41(1):21–9.
8. Wilson SJ, Lipsey MW, Derzon JH. The effects of school-based intervention programs on aggressive behavior: A meta-analysis. *Journal of Consulting and Clinical Psychology*. 2003;71(1):136–49.
9. Zwecker NA, Harrison AJ, Welty LJ, Teplin LA, Abram KM. Social support networks among delinquent youth: An 8-year follow-up study. *Journal of Offender Rehabilitation*. 2018 Oct 3;57(7):459–80.
10. Catalano RF, Berglund ML, Ryan JAM, Lonczak HS, Hawkins JD. Positive youth development in the United States: Research findings on evaluations of

- positive youth development programs. *Prevention & Treatment* [Internet]. 2002 Jun [cited 2025 Apr 15];5(1). Available from: <https://doi.apa.org/doi/10.1037/1522-3736.5.1.515a>
11. Ted Wachtel. *Restorative Justice in Everyday Life: Beyond the Formal Ritual*. International Institute for Restorative Practices.; 1999.
 12. Damschroder LJ, Lowery JC. Evaluation of a large-scale weight management program using the consolidated framework for implementation research (CFIR). *Implementation Sci.* 2013 Dec;8(1):51.
 13. Kirk MA, Kelley C, Yankey N, Birken SA, Abadie B, Damschroder L. A systematic review of the use of the Consolidated Framework for Implementation Research. *Implementation Science.* 2016 May 17;11(1):72.
 14. Nilsen P. Making sense of implementation theories, models and frameworks. *Implementation Science.* 2015 Apr 21;10(1):53.
 15. Halcomb EJ, Davidson PM. Is verbatim transcription of interview data always necessary? *Applied Nursing Research.* 2006 Feb;19(1):38–42.
 16. Bryman A, Burgess B. *Analyzing Qualitative Data* [Internet]. London, UNITED KINGDOM: Taylor & Francis Group; 1994 [cited 2024 Apr 18]. Available from: <http://ebookcentral.proquest.com/lib/kcl/detail.action?docID=170016>

Annex A: Sample Interview Guide

Introduction

(Purpose of the study, confidentiality, obtain consent to record)

Program Background and Design

Q1: What can you tell me about the rehabilitation program in Fuvahmulah?

Could you provide an overview of how the program works?

Follow-up: What are the key components of the program?

Q2: Could you describe the key challenges facing these children that the program sought to address?

In what ways does this approach differ from previous efforts to support children in conflict with the law?

How well does the program align with the specific needs of these children?

Q3: How did the unique context of Fuvahmulah shape the development of this program?

How did you ensure the program would be feasible and acceptable in the local community?

How adaptable was the program design to meet diverse needs?

Multi-Sectoral Collaboration

Q4: Could you describe the process of establishing multi-agency collaboration in the rehabilitation program?

How did agencies share information and coordinate their efforts?

What formal and informal communication networks were established to support the program?

Q5: How did participating agencies coordinate and work together during implementation?

What challenges emerged in maintaining collaborative momentum during implementation?

How did agencies negotiate and resolve differences in approach?

Q6: What resources were critical for implementation, and were they sufficiently available?

What challenges did you encounter in implementing the program?

Program Effectiveness and Outcomes

Q7: How was the program's progress monitored and effectiveness assessed?

What mechanisms were used for reflecting and evaluating the program?

How did stakeholder feedback inform program adjustments?

Q8: How well do you think the program met the needs of the children and families?

What specific changes have you observed in children who went through the program?

What would you consider are the facilitating factors for successfully implementing this program?

Q9: What key outcomes have you seen emerge during this pilot program?

How do these outcomes compare to your initial expectations for the program?

Closing

Main Q10: Based on your experience, what would you recommend to improve upon this program?

Main Q11: What considerations would be important for implementing this program elsewhere?

Is there anything else about your experience you'd like to share?

Annex B: Coding Analysis of Key Informant Interviews by CFIR Domains

CFIR Domain	CFIR Construct	Summary of key findings
1. Intervention Characteristics	1.1 Relative Advantage	There was general consensus by all stakeholders that the multisectoral collaborative approach used in this program had advantages over past programs/initiatives/approaches. For instance, one stakeholder contrasted this with typical referral processes, noting that typically a referral letter would be sent to the relevant agency, but that this program's approach is different as everyone works together and keep each other accountable. Multiple stakeholders highlighted the value of this program in its approach to addressing the needs of the family instead of attending to the child alone. One KI noted that the program recognizes that children are in families with complex and multiple vulnerabilities. There is enhanced decision making in this program, with one stakeholder noting that decision making happens more easily within this program, compared to past case conferences. Several stakeholders indicated the advantages of having access to comprehensive background information due to the in-depth profiles developed by the police, noting that this information would have otherwise been unavailable in their regular work.

	1.2 Adaptability	All stakeholders noted that the program was adapted to the context in Fuvahmulah, as the program was conceptualized and developed with relevant stakeholders from within the community. Multiple stakeholders described how individualized intervention plans were developed for each child, based on the risk factors and protective factors identified in the in-depth profiles. Some stakeholders noted that the program worked well for children with low and moderate risk, but that the program would need to be developed further as different adaptations are required for high-risk cases.
	1.3 Complexity	All stakeholders acknowledged the complexity of coordinating across multiple sectors and agencies but noted that it has worked well in this program. Several stakeholders noted that there are multiple components in this program, including home visits, school monitoring, family support, and case reviews. Multiple stakeholders noted that this program focuses on addressing the underlying root causes instead of just responding to the presenting behaviors of the children. The program is complex in this way, as it takes on a holistic approach by attending to the needs of children and their families. Some stakeholders indicated that the program complexity increased based on case severity, with high-risk cases requiring more complex interventions, with additional time and more resources needed for them.

2. Outer Setting	2.1 Patient Needs & Resources	All stakeholders shared how the program targets children in conflict with the law or at risk and focuses on addressing multiple vulnerabilities of the children. Multiple stakeholders highlighted how the program addresses family circumstances, with several KIs providing one specific case example of supporting the mental health needs of a parent. One stakeholder highlighted how the program prioritizes needs by fulfilling basic needs first; another stakeholder specifically identified a sense of belonging as a key need that program seeks to address. Several stakeholders noted that high-risk children had needs that the program is struggling to address fully.
	2.2 External Policies & Incentives	Some stakeholders emphasized the need for a policy directive to sustain and scale up the program. Some stakeholders highlighted the need to consider how the program's rehabilitative and early intervention approach fits into the broader policy discussions regarding the minimum age of criminal responsibility. Several stakeholders mentioned challenges with shifting mandates between government agencies, particularly for mental health services.
3. Inner Setting	3.1 Networks & Communications	All stakeholders mentioned using Google Sheets for information sharing (i.e., to update work done by each agency); however, a few stakeholders noted challenges with consistent updating. All stakeholders identified the monthly coordination meetings as the primary communication mechanism.

		Several stakeholders described regular monthly meetings occurring at both the community level and at the central level. Some stakeholders mentioned Whatsapp groups and direct contact with identified focal points as additional communication methods. A few stakeholders noted how confidentiality concerns were addressed directly, to facilitate information sharing across agencies.
	3.2 Implementation Climate	Several stakeholders highlighted how the program aligned with existing objectives of the agencies involved, such as Ministry of Education's interest in addressing out of school children, and the police's concern with repeatedly encountering the same children out on the streets. Stakeholders also highlighted how this program was aligned with the values held by community-level stakeholders, who have the mindset that these are children of our community. Some stakeholders noted that this program built upon existing approaches such as neighborhood policing, and learnings from past initiatives such as YOU program and IBAMA. The program had enhanced the presence of agencies (FCSC and police) in the community, and also improved acceptance by the community of these agencies.
	3.3 Readiness for Implementation	All stakeholders noted that the program was being implemented with minimal additional resources, using existing staff and systems.

		Multiple stakeholders identified significant gaps in providing access to mental health services. Several stakeholders noted human resource constraints, in terms of professional capacity and limitations in staffing to sustain and scale up the program in other islands/atolls. Staff burnout concerns were specifically highlighted by one KI. Multiple stakeholders noted the absence of certain agencies working at the island level, such as DJJ.
4. Process	4.1 Planning	Multiple stakeholders described the two day workshop held in Fuvahmulah as a critical planning mechanism. Several stakeholders detailed the development of comprehensive profiles for each child and family by the police. One stakeholder described how small multi-sectoral groups within the workshop analyzed children's profiles to design appropriate interventions; each group was assigned 2-3 children's profiles for which individualized plans were developed. Multiple stakeholders mentioned incorporating lessons learnt from previous initiatives such as IBAMA and YOU program. Several stakeholders highlighted insufficient documentation of program planning and approach.
	4.2 Engaging	Multiple stakeholders identified UNICEF's role as a convenor in bringing agencies together. Several stakeholders mentioned Maldives Police Service taking initiative on this program.

		Multiple stakeholders recognized the key role played by the Ministry of Education and schools in this program. Several stakeholders highlighted the importance of involving community-level stakeholders to increase ownership. Some stakeholders recognized the importance of having committed and passionate individuals.
	4.3 Executing	Multiple stakeholders described police conducting regular home visits to monitor children and support families. Several stakeholders mentioned daily checking of school attendance. All stakeholders described interventions developed through coordinated efforts across agencies. Multiple stakeholders noted challenges with delivering needed services for more complex cases, particularly mental health services. Several stakeholders identified strong implementation at the community level and strong coordination at the central level.
	4.4 Reflecting & Evaluating	All stakeholders mentioned the regular tracking of individual child progress through monthly meetings. Multiple stakeholders described specific indicators like school attendance and police incidents. Several stakeholders noted informal observations of positive outcomes, such as improved school attendance; positive behavioral changes; positive relationships between child and family, or child and police, or family and police; spending less time outside.

		Multiple stakeholders noted that there are evaluation gaps, as overall program evaluation was lacking. Several stakeholders emphasized the need for strengthening documentation to facilitate ongoing learning and program improvement.
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Annex C: Standard Information shared with Key Informants

An overview of the purpose of the interview is shared below:

The Prosecutor General's Office (PGO) in collaboration with UNICEF, are planning on hosting a National Juvenile Justice Conference in early May 2025. The theme for this year's conference is "Empowering Change: Advancing Juvenile Justice & Safeguarding Children's Rights".

The Ministry of Education (MOE), Maldives Corrections Service (MCS), Society for Health Education (SHE) and UNICEF are partnering together to present a technical paper on multi-sectoral collaboration and communication, which is one of the key focus areas of the conference.

The paper will review the rehabilitation program for children in conflict with the law, piloted in Fuvahmulah city. It aims to answer the following two research questions: (1) What mechanisms and processes were established to facilitate multi-sectoral collaboration in implementing the pilot program? (2) How do stakeholders perceive the effectiveness and appropriateness of the community-based rehabilitation program?

On behalf of SHE, I will be conducting interviews with identified key informants who can provide valuable insights into how the project was developed and the facilitating factors and barriers in implementation. All key informants for this review have been selected from the working group for the program (i.e., minimum of one representative from each agency/organization).

Kindly note the following:

Interviews will be held online and are expected to take approximately one hour.

All interviews will be digitally recorded and transcribed through the Microsoft Teams application and stored securely on OneDrive. All digital recordings will be permanently deleted at the end of April 2025. Transcripts will be anonymized and stored securely

on OneDrive (access to these transcripts will be kept to me and will be used for data analysis for writing this paper only).

While my colleagues at MOE, MCS and UNICEF will be working with me to co-author the paper, they will not have access to any digital recordings and/or the anonymized transcripts in order to ensure your privacy and confidentiality. Similarly, my colleagues at SHE will also not have any access. Any information that you share in the interview will be analyzed and presented in the paper by me as a group finding. Similarly, direct quotes attributed to you will not be presented in the paper.

If you have any reservations about providing information for this paper, please do not hesitate to inform me as this is a voluntary process; all key informants are free to withdraw themselves from the review at any point in time.

I hope that the information I have shared above answers any questions you may have about the purpose of our meeting, and the technical paper we are writing for the conference. If you would like to clarify anything, please do not hesitate to contact me on ____ or via email (____).

Understanding the Effectiveness of the IBAMA Program in the Maldives' Juvenile Justice System

Prosecutor General's Office

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Abstract

The Maldives, as a developing island nation and a signatory to the United Nations Convention on the Rights of the Child (CRC), has made progress in reforming its juvenile justice system. Recent legislative developments such as the Juvenile Justice Act 2019²⁹ and the Child Rights Protection Act 2019³⁰ have placed the Maldives on a path toward a more rehabilitative and child-friendly approach to justice. This paper explores best practices in juvenile justice at the regional and international levels, focusing on collaborative frameworks, legal reforms, and community service as an alternative to detention, and also provides practical recommendations for enhancing juvenile justice in the Maldives and outlines expected outcomes.

29 Juvenile justice act 2019

30 Child protection act 2019

Introduction

Juvenile justice is a critical pillar in protecting the rights of children and ensuring their successful reintegration into society. In many developing countries, including the Maldivian, the transition from a punitive to a rehabilitative juvenile justice model has required significant legislative reform, capacity-building, and inter-agency collaboration. Global principles such as those outlined in the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules³¹) and the CRC emphasize the necessity for treatment that promotes the dignity and future prospects of juvenile offenders.

In the Maldives, children in conflict with the law have historically been handled through mechanisms that lack specialization and focus on long-term rehabilitation. However, recent changes signal a shift towards evidence-based and child-friendly practices. This paper also explores how community service, as a restorative and cost-effective alternative to incarceration, can further strengthen juvenile justice outcomes in the country.

³¹ <https://www.ohchr.org/sites/default/files/Documents/ProfessionalInterest/beijingrules.pdf>

Regional Collaboration: Opportunities and Best Practices

The South Asian Association for Regional Cooperation (SAARC) has long been instrumental in addressing common regional issues related to child protection and juvenile justice. The SAARC Convention on Regional Arrangements for the Promotion of Child Welfare in South Asia, adopted in 2002³², encourages collaboration among member states on key areas such as legal reform, child welfare, and rehabilitation initiatives. This regional framework has had a significant impact on the Maldives, where recent legislative changes reflect the shared priorities and commitments outlined by SAARC.

The Maldives has actively engaged in bilateral agreements and technical exchanges with countries like Sri Lanka and India to strengthen its social and legal systems. These collaborative efforts have included joint training programs for social workers and legal professionals, exchange visits to observe juvenile courts and rehabilitation centers, and knowledge-sharing on reintegration programming and aftercare services. Such partnerships play a crucial role in addressing capacity gaps in the Maldives while fostering the development of sustainable national expertise and institutional growth.

³² <https://www.jus.uio.no/english/services/library/treaties/02/2-05/child-welfare-asia.html>

Best Practices in SAARC Member States:

In **India**, the Juvenile Justice (Care and Protection of Children) Act, 2015 highlights best practices in handling children in conflict with the law by mandating community-based rehabilitation. The Act promotes the use of alternatives to detention such as probation, counseling, vocational training, and community service. Juvenile Justice Boards (JJBs) are encouraged to adopt non-institutional care approaches, including community service, to foster reintegration and reduce the reliance on custodial measures. These practices are guided by the Ministry of Women and Child Development, Government of India, under the framework of the Juvenile Justice Act, 2015³³.

In **Nepal**, the Juvenile Justice (Procedure) Rules, 2019 promote community service as an effective form of diversion for children in conflict with the law. The juvenile justice system incorporates restorative programs that emphasize community engagement and victim-offender mediation, aiming to repair harm and encourage accountability. Furthermore, local NGOs collaborate with the government to provide reintegration support, fostering a more holistic and community-based approach to juvenile rehabilitation³⁴.

³³ Ministry of Women and Child Development, Government of India – Juvenile Justice Act, 2015

³⁴ <https://nepalrestorativejustice.org/resource/youth-and-juvenile-justice-in-nepal/>

4. International Collaboration

4.1 Norway's Restorative Justice Model

Norway's juvenile justice system places a strong emphasis on rehabilitation, personal accountability, and active community participation. A central element of this approach is the use of restorative justice meetings, which bring together victims, offenders, and their families to foster understanding and resolution. Rather than relying on incarceration, Norway favors community-based supervision, allowing young offenders to remain integrated within society. Additionally, the system invests heavily in education and employment initiatives to support the long-term reintegration and development of offenders³⁵.

Application for Maldives: The Maldives could adapt this model in a culturally relevant way, incorporating family members, local councils (Island Councils), and religious leaders into restorative justice processes.

4.2 UNICEF and UNODC Support in the Maldives

UNICEF and UNODC have both played key roles in supporting the Maldivian government through technical and financial assistance. Their efforts have focused on areas such as helping draft juvenile justice legislation, providing training to police officers, prosecutors, and judges on child-sensitive approaches, and introducing pilot programs for community-based diversion. In its 2022 evaluation of child justice reform in the Maldives, UNICEF highlighted the importance of establishing well-structured, nationwide alternatives to detention, such as community service and supervised

³⁵ <https://www.msuilr.org/msuilr-legalforum-blogs/2019/1/24/rehabilitative-promise-why-norway-uses-restorative-justice-in-juvenile-law#:~:text=Instead%20of%20a%20%E2%80%9Ctough%20on,or%20her%20actions.%5B39%5D>

probation.

4.3 Community Service as an Alternative to Detention

Community service is an effective, rehabilitative, and cost-efficient response to minor, non-violent juvenile offenses. While the Maldives currently lacks a standardized framework, small NGO-led initiatives exist. A national community service program would:

- Reduce recidivism by maintaining community ties
- Encourage accountability and civic responsibility
- Be more economical than detention
- Improve public perception of youth rehabilitation

Maldivian Pilot Project (early intervention program): Juvenile Diversion and Community Engagement

Overview

In 2022, the Ministry of Social and Family Development (MSFD), with support from UNICEF, launched a pilot diversion program in the islands of Addu City and Kulhudhuffushi. This initiative provided young offenders with an opportunity to bypass prosecution by participating in a range of rehabilitative activities. These included completing 40 to 60 hours of supervised community service, attending individual counseling and mentoring sessions, and engaging in family involvement programs and reconciliation meetings. The program aimed to offer a more constructive

approach to addressing youth offenses while fostering personal growth and community reintegration.

5.1 Parties to this project

- Gn. Fuvahmulah city council
- Gn. Family and children's service center
- PG Office (Fuvahmulah Gofi)
- Women in Fuvahmulah Jamiyya
- IBAMA (Fuvahmulah)
- Gn. Fuvahmulah City Police
- Gn. fuvahmulah school
- Hafiz Ahmed school
- Gn. Fuvahmulah court
- Mohamed Jamaluddin school

5.2 Key Services and activities in this program

- Checking the child's school attendance
- Police verifying residences through home inspections and visits
- Authorities issue warnings to parents for child neglect
- Providing guidance on exploitation and conducting weekly monitoring
- Compiling monthly reports
- Issuing instructions based on the report's findings
- Conducting regular monthly sessions with all stakeholders
- Monitoring juvenile offenders and their associations with criminals, and taking action

Positive outcome

5.3 Family as a Key Partner in Rehabilitation

Emotional and social support: Families provide the foundation of emotional stability for young offenders. When families are engaged, the chances of successful rehabilitation are significantly higher.

- **Parental involvement:** Under the Juvenile Justice Act of the Maldives, parental or guardian involvement is often mandatory during police questioning and court proceedings.
- **Reintegration:** Families are vital in helping juveniles reintegrate into society after custodial or rehabilitation programs. Their support can prevent recidivism (repeating offenses).

The relationship between juvenile offenders, their families, and the police plays a crucial role in the success of early intervention and rehabilitation programs—especially in places like the Maldives, including Fuvahmulah, where community-based models are being adopted. Here's how these relationships typically function and why they're important:

5.4 Police–Family–Juvenile Dynamics

- **Counseling-based approach:** As seen in the Fuvahmulah Juvenile Custodial Center pilot, police now work more closely with families to understand the root causes of a child's behavior. Officers aim to act less as enforcers and more as facilitators of change.
- **Community policing:** Officers often engage in community outreach, building trust between law enforcement, youth, and their families. This shifts the role of police from purely punitive to preventive and supportive.
- **Diversion programs:** Police may work with families to divert children from formal prosecution to alternative interventions like counseling, education, or skills training.

5.5 What's Being Done in the Maldives

- Policy reforms: The Juvenile Justice Act promotes restorative justice, involving families in both the prevention and resolution of juvenile offenses.
- Facilities like in Fuvahmulah: These aim to create a safe, development-focused environment where families and police work together.
- Training for officers: Programs are being implemented to help police understand child psychology, trauma, and family dynamics.

5.6 Success Stories

According to a Senior Case Officer from the Ministry of Gender and Family, the pilot project initially handled 8 cases, and currently, they are managing 5 cases based in Fuvahmulah. They have also shared some stories from this project. Although the number of success stories is limited, the overall juvenile justice reforms in the Maldives have shown promising outcomes.

The Juvenile Court's Diversion program has provided second chances to minors involved in criminal activities. For instance, a participant named Ahmed had his sentence reduced after entering the program, leading to positive life changes, including stable employment and improved family relationships.

Organizations like Advocating the Rights of Children (ARC) have been acknowledged for their contributions to juvenile rehabilitation efforts, highlighting the collaborative approach of various stakeholders in supporting at-risk youth.

5.7 Assessment and Outcomes of this project

The pilot program demonstrated strong results³⁶. More than 80% of the participating juveniles successfully completed their assigned service hours. The initiative was well-received by families and community leaders, who observed noticeable improvements in the behavior of the youth involved. Most notably, there were no reports of repeat offenses among the participants within a 12-month period, indicating a promising reduction in recidivism.

There are several challenges that families face when engaging with diversion and rehabilitation programs. Stigma and trust issues often arise, as families may feel judged or worry about potential legal consequences, which can result in a lack of cooperation. Additionally, there is a lack of awareness among some families regarding their rights and the importance of their active participation in the process. In remote areas of the Maldives, resource limitations, such as a shortage of trained professionals like social workers and counselors, further hinder the effectiveness of support services.

Moreover, there is a need for formal legal backing to ensure the legitimacy of community service as a diversionary measure. Local service centers also struggle with inadequate staffing and training, and there is limited community awareness about the concepts of diversion and restorative justice, which can prevent broader acceptance and understanding of these approaches.

6. A new hope to reforming the juvenile justice

In addition to this, Maldives has implemented several initiatives aimed at early intervention and rehabilitation of juvenile offenders, reflecting a commitment to reforming the juvenile justice system. The government has finalized plans for Hope Island, a dedicated rehabilitation center located in Dhaalu Atoll's Vaani island. This facility is designed to accommodate and rehabilitate up to 400 juveniles at a time, offering formal education, vocational training, and life skills development. The initiative aims to steer young offenders away from criminal activities and reintegrate

³⁶ <https://www.unicef.org/maldives/stories/every-child-second-chance>

them into society as productive citizens³⁷.

6.1 Opening of Juvenile Halfway House in Hoarafushi

On January 30, 2025, President Dr. Mohamed Muizzu inaugurated the Juvenile Halfway House in HA. Hoarafushi. This facility serves as a transitional space for juvenile offenders, providing rehabilitation services before reintegration into society. It is the first Juvenile Justice Unit established outside the capital, Male, marking a significant step in decentralizing juvenile justice services³⁸.

6.2 Development of Juvenile Detention Facilities

The Maldives Correctional Service inaugurated the Juvenile Detention Centre at Asseyri Prison, providing a facility specifically designed for juvenile offenders. The center offers educational opportunities, psychiatric and counseling services, and life skills training, aiming to rehabilitate and reintegrate young offenders into society³⁹.

6.3 Collaborations with International Organizations

The United Nations Office on Drugs and Crime (UNODC) has supported the Maldives in its juvenile justice reforms by conducting workshops and providing technical assistance. These efforts focus on implementing diversion mechanisms, enhancing data collection, and promoting child-sensitive approaches within the juvenile justice system⁴⁰.

³⁷ [ras.mv+2PSMnews.mv+2PSMnews.mv+2](#)

³⁸ [PSMnews.mv+3SunOnline International+3presidency.gov.mv+3](#)

³⁹ [en.prisonstory.mv](#)

⁴⁰ [maldives.un.org](#)

6.4 Role of Non-Governmental Organizations

Non-governmental organizations like Journey play a pivotal role in prevention and rehabilitation efforts. Established in 2005, Journey focuses on creating awareness about drug prevention and HIV, helping drug users deviate from addiction, and preventing youth from engaging in anti-social behavior. Their programs include counseling, education, and outreach interventions aimed at promoting community well-being.

These initiatives collectively demonstrate the Maldives' commitment to early intervention, rehabilitation, and the protection of juvenile rights within the justice system.

7. Recommendations

7.1 Enhance legal integration

To enhance legal integration, it is crucial to amend the Juvenile Justice Act to formally include community service as a recognized sentencing option, with clear guidelines on eligibility, duration, and supervision mechanisms. The implementation strategy for this involves partnering with Island Councils, NGOs, and schools to create meaningful service opportunities for young offenders. Additionally, community service supervisors should be trained in child protection and trauma-informed care to ensure that the youth are supported throughout the process. The strategy also emphasizes using diversion as the entry point, diverting eligible youth directly from formal proceedings into community service, offering them a constructive alternative to traditional legal processes.

Monitoring and Accountability

7.2 Expand Regional Knowledge Sharing

A valuable step toward strengthening regional cooperation would be the creation of a SAARC Juvenile Justice Forum, providing a platform for policymakers and practitioners across member states to share insights, best practices, and common challenges in juvenile justice. In addition, establishing a digital resource library that houses regional legal frameworks, research studies, and case examples would enhance knowledge-sharing and support evidence-based policy and program development throughout South Asia.

7.3 Institutionalize Restorative Justice

- Train facilitators in mediation and family conferencing.
- Pilot restorative justice circles in selected atolls in collaboration with international partners.

7.4 Integrate Community Service into National Strategy

- Develop a National Community Service Framework in collaboration with UNICEF and local councils.
- Provide funding and policy support for community organizations involved in rehabilitation.

7.5 Build Capacity at the Local Level

- Train police, prosecutors, and social workers in child-centered practices.
- Empower Island Child and Family Service Centers to coordinate local diversion programs.

Conclusion

Maldives stands at a critical juncture in its juvenile justice reform journey. Through continued collaboration with regional partners like SAARC nations and international agencies such as UNICEF and UNODC, the country can refine its legal framework and build a robust, child-friendly justice system. Community service offers a powerful, practical alternative to traditional incarceration one that promotes dignity, accountability, and reintegration. By institutionalizing best practices, the Maldives can become a regional model in juvenile justice innovation and rights-based governance.

References

1. Juvenile justice act 2019
2. Child protection act 2019
3. United Nations Standard Minimum Rules for the Administration of Juvenile Justice ("The Beijing Rules")
<https://www.ohchr.org/sites/default/files/Documents/ProfessionalInterest/beijingrules.pdf>
4. <https://www.jus.uio.no/english/services/library/treaties/02/2-05/child-welfare-asia.html>
5. Ministry of Women and Child Development, Government of India – Juvenile Justice Act, 2015
6. Youth & Juvenile Justice in Nepal
<https://nepalrestorativejustice.org/resource/youth-and-juvenile-justice-in-nepal/>
7. Rehabilitative Promise 2019 <https://www.msuilr.org/msuilr-legalforum-blogs/2019/1/24/rehabilitative-promise-why-norway-uses-restorative-justice-in-juvenile-law#:~:text=Instead%20of%20a%20%E2%80%9Ctough%20on,or%20her%20actions.%5B39>
8. Unicef.org/Maldives/stories
9. Gov't finalises design for centre for juvenile offenders 2025
[ras.mv+2PSMnews.mv+2PSMnews.mv+2](https://www.psmnews.mv+2)
10. [PSMnews.mv+3SunOnline International+3presidency.gov.mv+3](https://www.psmnews.mv+3)
11. Aminath yusreen Juvenile Detention Centre inaugurated at Asseyri Prison 2025 [en.prisonstory.mv](https://www.en.prisonstory.mv)

12. UNODC supports the Government of Maldives in its ongoing juvenile justice reform through tailored workshops on children in conflict with the law 2025~~maldives.un.org~~

Prosecution & Diversion Measures in Juvenile Justice: Balancing an Effective Rehabilitation with Public Safety, & Victims' Rights

This paper was prepared for presentation at the National Juvenile Justice Conference 2025, jointly organised by the Prosecutor General's Office and UNICEF Maldives in May 2025.

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Abstract

Diversion measures are the recommended alternative to prosecution in cases dealing with children in conflict with the law. This research paper examines the dual objectives of prosecution and diversion measures within the juvenile justice system, focusing on the delicate balance between effective rehabilitation and the imperatives of public safety and victims' rights. The paper examines the current Maldivian context, along with a Jurisdictional Analysis of the administration of Juvenile Justice in Scotland and Australia. The findings of this paper show that the current legal framework in the Maldives provide scope for effective rehabilitation of young offenders through restorative practices that consider public safety and victim rights. A push in inter-agency coordination in policy and decision making is required to fully materialise what the current Juvenile Justice framework in the Maldives envisages.

Key words: Diversion, Early Intervention, Minimum Age of Criminal Responsibility (MACR), Juvenile Justice

INTRODUCTION

The juvenile justice system in the Maldives operates within a framework that seeks to address the legal and social complexities of dealing with children in conflict with the law. As legal and policy reforms continue to evolve, there is growing recognition of the need for a justice approach that reflects the distinct developmental needs of young offenders, while also addressing concerns around public safety and the rights of victims.

This paper explores how prosecution and diversion measures are currently applied in juvenile cases, and how these measures aim to balance three important objectives: supporting the rehabilitation of young offenders, ensuring public safety, and respecting the rights of victims. By examining current practices, international standards, challenges faced by the system, and identifying areas for improvement, the paper seeks to contribute to ongoing efforts to strengthen the juvenile justice system in a practical and balanced way.

LITERATURE REVIEW

There is an evident commonality in terms of the situations juvenile justice systems have jurisdiction over, including certain behaviours and needs of young offenders.⁴¹ These include factors such as:

1. Acts if committed by adults would be a crime;
2. Acts which are illegal only if committed by children;
3. Incurrigible (e.g.: children with a consistent history of being delinquent or truant)
4. Physically or emotionally neglected children;
5. Potentially neglected children; and
6. Deserted, deprived, or abandoned children⁴²

The current international legal framework for the rights of children is governed by the United Nations Convention on the rights of the Child (heron referred to as “UNCRC”). Adopted on 20th November 1985, this convention is in fact the most ratified convention in history, setting the standard for all countries to comply with in safeguarding child rights. Simultaneously, the United Nations adopted the “United Nations Standard Minimum Rules for the Administration of Juvenile Justice (‘The Beijing Rules’) on 29th November 1985. While the UNCRC is the core framework for the rights of children, there are three more functional juvenile justice instruments that must be read along with the Beijing Rules; namely being the UN Guidelines for the Prevention of Juvenile Delinquency (‘Riyadh Guidelines’); the UN Rules for the

41 Janeksela, G. M. (1991), ‘Descriptive analysis of five juvenile justice systems: United States, Scotland, England, India, and South Africa’, *International Review of Modern Sociology*, 21(1), 1–19.

42 Janeksela, G. M. (1991), ‘Descriptive analysis of five juvenile justice systems: United States, Scotland, England, India, and South Africa’, *International Review of Modern Sociology*, 21(1), 1–19. <http://www.jstor.org/stable/41420985> [accessed 7 April 2025]

Protection of Juveniles Deprived of their Liberty ('Havana Rules'); and the Guidelines for Action on Children in the Criminal Justice System ('Vienna Guidelines').

Although there are many variations in the actual administration of juvenile justice, influenced by the economic, social, political, cultural and legal systems of the country, this consideration is made in the scope of the Beijing Rules. One stark variation evident of such differences would be the Minimum Age of Criminal Responsibility (hereon referred to as the "MACR").

The core subtext of this paper is based on the Juvenile Justice Act 2019, and key international instruments for Juvenile Justice, mainly being the United Nations Convention on the Rights of the Child (UNCRC), the Beijing Rules, and the Riyadh Guidelines.

The Maldivian context has also been read along with Australia and Scotland to evaluate outcomes of the juvenile justice mechanisms in place in each jurisdiction. In Scotland, Kilbrandon principles and the Whole System Approach offer a compassionate model that considers aspects beyond behaviour and accounts for emotional and social struggles, and other underlying factors. Similarly, in Australia, initiatives like Victoria's Children's Court Youth Diversion (CCYD) and the ACT's Blueprint for Youth Justice show signs of progress by prioritising community-based support over punishment with fewer children ultimately being placed in detention or result in reoffending.

The imperative function of a Juvenile Justice Mechanism is to ensure that children at risk and young offenders are identified as needing special protection within the Criminal Justice System and within the community. This is a fundamental principle in the Maldivian Legal System⁴³. Rehabilitation of children should involve both the Juvenile Justice System, Child Care System, and Social Services to provide children and young offenders with the special attention they need while also balancing public interest and the victims' rights. The ideal outcome of a diversion programme is that young offenders do not reoffend, are given an alternative to being administered into

43 *The Constitution of the Republic of Maldives 2008, Article 35 (a)*

detention, and a fair chance to reintegrate into community. There is public interest in having a restorative mechanism that reduces recidivism and crime rates.

Ethical considerations in juvenile justice demand a nuanced and rights-based approach—one that carefully balances the protection of children’s rights with the need to uphold victims’ rights and safeguard public safety. In the context of the Maldives, there is both an opportunity and an obligation to reform the juvenile justice system in line with international standards such as the UNCRC, the Beijing Rules, and the Riyadh Guidelines. These frameworks underscore the significance of treating children in conflict with the law as rights-holders with evolving capacities, rather than merely as offenders deserving of punishment.

While academic dialogue points to broader socio-economic failures as reasons for juvenile delinquency, often, failure to efficiently deal with crimes committed by children is perceived as inefficiency of law enforcement authorities. Public discourse influences policy decisions within the Juvenile Justice Systems. This barrier should also be addressed systematically to fill the gaps in the broader Criminal Justice System. Public trust and community support is imperative, and the current efforts should promote multi-sectoral inclusion in decision making.

OVERVIEW OF JUVENILE JUSTICE IN THE MALDIVES

In 2019, with the adoption of the Juvenile Justice Act (Act No. 18/2019) and Child Rights Protection Act (Act No. 19/2019) The Republic of Maldives has undergone a comprehensive reform in the area of juvenile justice.

The age of criminal responsibility in The Maldives is set at 15 years.⁴⁴ Children below the minimal age of criminal responsibility who are at risk of perpetrating a crime or who encounter the criminal justice system are regarded as children at risk of committing a crime.⁴⁵ The necessary interventions required to successfully rehabilitate these children are to be administered by both the child protection system and the Department of Juvenile Justice.⁴⁶

Children above the age of criminal responsibility alleged to have perpetrated a crime or are at risk of perpetrating a crime are dealt within the juvenile justice system. The key stakeholders involved in the juvenile justice system are the Maldives Police Service (MPS), Department of Juvenile Justice (DJJ), The Prosecutor General's Office (PGO), Juvenile Court (JC) and Maldives Correctional Services (MCS).⁴⁷

A specialised juvenile justice system has been established under the juvenile justice act; however, it is important to note that there exists an exception related to the specialised jurisdiction for drug related offences. With the entry into force of the juvenile justice act the Juvenile Court has jurisdiction to adjudicate cases relating to offences alleged to have been committed by children. The Drug Court however has the jurisdiction to

⁴⁴ *Juvenile Justice Act (Law No. 18/2019), s27(a)*

⁴⁵ *Juvenile Justice Act (Law No. 18/2019), s27(d)*

⁴⁶ *Child Rights Protection Act (Law No. 19/2019), s29(c), Juvenile Justice Act (Law No. 18/2019), s27(d)*

⁴⁷ *Juvenile Justice Act (Law No. 18/2019), chapter 4*

adjudicate cases involving use of drugs by children, pursuant to the jurisdiction given to the Drug Court under the Drug Act.⁴⁸

The Maldives Police Service conducts criminal investigations and submits cases for prosecution at the Prosecutor General's Office. The law enforcements officers are in most cases the first person of contact within the justice system for any child in conflict with the law. With the entry of juvenile justice act into force, a specialised department has been established in the MPS to investigate offences committed by children. This department comprises of officers from both genders who are specially trained to investigate cases involving children. The law enforcement officers play a vital role when it comes to actions of pre-trial diversion, having the responsibility to ensure children benefit from the alternatives to formal judicial proceedings, wherever deemed appropriate and in the best interest of the child. Law enforcement officers further have the authority to opt for other pre-trial measures such as warning, caution and release without an action. The officers may also take diversionary measures where deemed appropriate and keep the case open to monitor the rehabilitation process.

With the entry into force of the Juvenile Justice Act, all measures concerning the prosecution of children are carried out by a specialised unit at the Prosecutor General's Office. This unit comprises of prosecutors from both genders, who are required to have undergone a specialised training.⁴⁹ All prosecutors currently working at the Prosecutor General's Office have received a basic training on handling and overseeing cases involving young offenders.

In addition to prosecutorial authority, PGO also has the authority to take actions of pre-trial diversion, having the responsibility to ensure that children benefit from the alternatives to formal adjudication. There are various factors that needs to be considered when deciding to exercise either of these authorities. These factors are well versed in section 11 and 12 of the Regulation on prosecution of juvenile offences.⁵⁰

⁴⁸ *Juvenile Justice Act (Law No. 18/2019), s21(b)*

⁴⁹ *Juvenile Justice Act (Law No. 18/2019), s20*

⁵⁰ *Regulation on the Prosecution of Juvenile Offences (Regulation No. 2021/R-66)*

While the Juvenile Justice Act gives no distinction on Police level diversion and PGO level diversion, the factors to be considered while taking diversionary measures corresponds with one another. For this research, the focus in this section is on diversionary measures taken as an alternative to prosecution.

Further to the prosecution procedures laid down in the Juvenile Justice Act, the Attorney General's Office (AGO) has also issued a Prosecution Directive setting general and specific fundamentals that shall apply to the Prosecutor General when carrying out his or her responsibilities. Principles 12 to 17 of the Directive sets out the principles applicable to criminal offences involving children.

The Department of Juvenile Justice (DJJ) is part of the Ministry of Homeland Security and Technology, having the primary responsibility of working with children in conflict with the law and at risk of perpetrating a criminal offence.⁵¹

The DJJ has extensive duties in relation to working with children in conflict with the law detailed in section 18 of the Juvenile Justice Act, notably including;

- To conduct rehabilitative programmes for children alleged to have perpetrated a crime and at risk of perpetrating a crime
- Appear before court to protect the interests of children summoned to court during investigation and trial proceedings if the child is criminally charged
- Conduct awareness programmes in the area of prevention of juvenile crimes
- Conduct diversion programmes and community conferencing
- Monitor conditions of children deprived of liberty
- Providing psycho-social support to children
- Train persons interacting with children within the justice system

⁵¹ *Juvenile Justice Act (Law No. 18/2019), s17(a)*

- Conduct studies to identify reasons for children to be exposed to crime
- Maintain statistics and data on children in conflict with the law.

Probation and correctional officers play a vital role in monitoring and observing children serving a non-custodial measure such as children released on probation or parole. They also have other duties in relation to the children deprived of liberty or subjected to a detention measure. Similar to MPS and PGO mandated to have a specialised unit to handle cases involving children, the Juvenile Justice Act provides for the creation of a special unit within the Maldives Correctional Service (MCS) to fulfil their obligations under the Act.

Child and Family Protection Service (CFPS), although not officially recognised in the Juvenile Justice Act as a key stakeholder in the juvenile justice system, is part of the Ministry of Social and Family Development established under the Child Rights Protection Act, and has a wide range of duties with regards to children at risk of perpetrating a crime including and not limited to rehabilitation, providing assistance to vulnerable children and families.

There are other supporting institutions which play a role in ensuring children's successful re-integration into society. The Ministry of Education (MOE) in particular plays a significant role when it comes to ensuring children's right to education including those who are deprived of liberty and admitted to a diversion programme.

PROSECUTION MEASURES FOR YOUNG OFFENDERS

In the Maldives, the prosecution of young offenders is governed by the Juvenile Justice Act (Law No. 18/2019). This Act establishes a separate system for children in conflict with the law, grounded in the principle of rehabilitation over punitive measures.⁵² The Prosecution must not merely represent the state, but also safeguard the rights of the juvenile, ensure fairness, and uphold public safety while fostering a system that is responsive to the unique needs of children in conflict with the law.⁵³

Prosecutorial Discretion in Juvenile Cases: Balancing Formal Charges and Alternative Measures

The Juvenile Justice Act requires the Prosecution to consider the individual circumstances of each juvenile when deciding how to proceed with a case. Prosecutors must examine various critical factors before making decisions on whether to pursue formal charges or explore alternative measures such as diversion programmes. The law places a strong emphasis on ensuring that young offenders are treated in a way that recognises their capacity for change. This includes considering the following elements:

- **Age and Maturity:** A fundamental consideration is the juvenile's age and maturity. Children are not seen as fully capable of understanding the full consequences of their actions in the same way adults are. Prosecutors must assess whether the juvenile's understanding of the offence aligns with their developmental stage. A younger child or one with limited cognitive maturity may require a more rehabilitative response than an older adolescent who is more capable of understanding the impact of their actions.

⁵² *Juvenile Justice Act (Law No. 18/2019)*, s.8

⁵³ *Juvenile Justice Act (Law No. 18/2019)*, s 61(b)

- **Social and Psychological Factors:** The background of the juvenile, including their home life, socio-economic status, and any history of abuse or neglect, must be considered. Prosecutors are expected to work closely with social workers and probation officers, who provide detailed reports on the juvenile's family environment, psychological state, and social history. These reports help determine whether the juvenile's actions were influenced by external factors such as domestic violence, substance abuse, or peer pressure.⁵⁴
- **History of Offending:** A key factor that prosecutors must consider is the juvenile's history of offending. For first-time offenders, diversionary measures such as counselling or community service may be appropriate, as these options focus on rehabilitation rather than punishment. However, for repeat offenders or those who have committed serious offences, formal prosecution may be necessary to protect the public and uphold the seriousness of the offence committed.
- **Potential for Rehabilitation:** One of the most important aspects of prosecuting young offenders is assessing their potential for rehabilitation. The Juvenile Justice Act stresses that the primary goal should be rehabilitation, which means that prosecutors must analyse whether the juvenile has the potential to be rehabilitated through alternative sentencing options, such as placement in a juvenile rehabilitation centre, probation, or participation in educational programmes. This assessment is influenced by psychological evaluations, the juvenile's willingness to participate in rehabilitation, and the availability of rehabilitation resources.⁵⁵
- **Victim Impact:** While the focus in juvenile cases is on the rehabilitation of the offender, victim rights must also be considered. Prosecutors must evaluate the harm caused to the victim and ensure that the victim's rights are respected throughout the judicial process. The Juvenile Justice Act

⁵⁴ Juvenile Justice Act (Law No. 18/2019), s 37(d)(a)

⁵⁵ Juvenile Justice Act (Law No. 18/2019), s 31.

allows for restorative justice mechanisms, such as victim-offender dialogues, which can provide the victim with an opportunity to express how they were affected by the crime and can offer the juvenile a chance to take responsibility and make amends. These restorative practices can be an essential element of the prosecutor's decision-making process, as they aim to address the harm caused while focusing on the juvenile's rehabilitation.⁵⁶

Once the factors mentioned above have been analysed, prosecutors must decide whether to pursue formal prosecution or divert the case. In less severe cases, such as those involving minor offences or first-time offenders, diversion programmes may be the more appropriate course of action. These programmes may include counselling, community service, or educational initiatives, all aimed at addressing the root causes of offending and preventing future recidivism.

However, in serious cases, such as those involving violence or repeated criminal behaviour, the prosecution may find it necessary to initiate formal charges. Prosecutors must carefully balance the juvenile's right to rehabilitation with the need to protect the community from harm. In such cases, prosecutors may seek custodial sentences only when absolutely necessary, in accordance with the Juvenile Justice Act, which stipulates that juvenile should be detained for no longer than necessary and that non-custodial sentences should be prioritised. Rehabilitation-focused penalties are often preferred to custodial sentences.⁵⁷

⁵⁶ *Juvenile Justice Act (Law No. 18/2019), s 34 (f).*

⁵⁷ *Juvenile Justice Act (Law No. 18/2019) s 46*

The Role of Restorative Justice

In juvenile cases, where the focus is often centred on rehabilitation, it is essential not to overlook the rights and experiences of victims. The Juvenile Justice Act recognises this need and includes provisions that aim to ensure victims are treated with respect, fairness, and dignity throughout the legal process. For prosecutors, this means supporting the rehabilitation of the child while making sure the voices of those harmed are not side-lined.⁵⁸

Victims of juvenile offences often face emotional, psychological, and in some cases, physical harm. The prosecution has a responsibility to keep victims informed of developments in the case, to ensure they have an opportunity to be heard, and to consult them where appropriate—particularly when decisions are being made about diversion or restorative outcomes.

The Juvenile Justice Act allows for restorative justice practices as a way to bridge the gap between the offender and the victim. Restorative processes—such as victim-offender dialogues, community conferencing, and mediated apologies—can give victims an opportunity to express how the offence impacted them, ask questions, and receive an apology or explanation.⁵⁹ For the juvenile, it's an opportunity to take responsibility and begin to understand the real consequences of their actions.⁶⁰

⁵⁸ *Juvenile Justice Act (Law No. 18/2019), s 61(h)*

⁵⁹ *Juvenile Justice Act (Law No. 18/2019), s 61(h)*

⁶⁰ *United Nations Office on Drugs and Crime (UNODC), Handbook on Restorative Justice Programmes (2nd edn, 2020) 17–18.*

DIVERSION MEASURES FOR YOUNG OFFENDERS

Diversion measures in juvenile justice aim to redirect young offenders away from formal court proceedings toward rehabilitation-focused interventions, prioritising restorative outcomes over punitive measures⁶¹.

With the implementation of Juvenile Justice Act in the Maldives,⁶² the country focused on a restorative justice system. The Juvenile Justice Act outlines the rights of children and adolescents coming in conflict with the law, or immersed in cycles of violence, juvenile delinquency and means to prevent juvenile delinquencies. The Act also prescribes a swift resolution to allow reforming juvenile delinquents into productive members of society through rehabilitative facilities⁶³.

The purpose of diversion is twofold: to avoid the long-term consequences of criminal records and to address root causes of delinquency through interventions like counselling, education and restorative justice. By keeping youth in their communities, diversion programmes aim to reduce recidivism while fostering accountability and empathy⁶⁴.

The Juvenile Justice Act allows for the use of diversionary measures at all stages of the legal proceedings. Section 36 of the Juvenile Justice Act sets out the different

61 *The Sentencing Project, 'Protect and Redirect: Best Practices for Juvenile Diversion'* <<https://www.sentencingproject.org/policy-brief/protect-and-redirect-best-practices-for-juvenile-diversion/>> [accessed 6 April 2025]

62 *Juvenile Justice Act (Law No. 18/2019)*

63 *'First drug diversion program completed with the release of three drug users' (Raajje.mv, 18 April 2022)* <<https://raajje.mv/90863>> [accessed 6 April 2025]

64 *Department of Justice and Community Safety, 'Youth Diversion Statement' (Justice and Community Safety, Victoria State Government)* <<https://www.justice.vic.gov.au/youth-diversion-statement>> [accessed 6 April 2025]

diversionary measures that can be applied and states that a diversion plan shall be drafted by the party authorised to impose diversionary measures. The MPS, PGO and any other investigative body created by law to investigate cases involving children have the authority in this regard. Some diversionary measures authorised include, issuing an apology to the victim, reporting regularly to a probation officer, provide a consented service to the victim, mandatory attendance of an educational programme, vocational training or rehabilitation programme, participate in a community conference or a programme or participation in counselling.

A juvenile judge also has the discretion to decide on diversionary measures during trial and enforcement. This means that even if a child is convicted, the judge can opt for a diversionary measure rather than imposing any other measures set by the law.

Determination of Appropriate Measures

When determining appropriate diversion measures for a child, authorities must carefully consider several factors, including the child's age, maturity, and psychological well-being, as well as any psychological or physical disabilities. The child's family and social circumstances, along with the nature and seriousness of the offence, also play a crucial role in this assessment. Additionally, the interests of the community and the suitability of the proposed measures must be taken into consideration. It is possible for multiple diversion measures to be applied simultaneously if doing so better addresses the child's specific needs and circumstances.⁶⁵

Conditions of Diversion Measures

Any diversion measures imposed should be practical and achievable for the child, clearly communicated and understood, and minimally restrictive of the child's freedom. The primary focus of these measures must be on preventing reoffending and supporting the child's positive reintegration into society, while also respecting the perspective and feelings of the victim. The authority responsible for overseeing the diversion programme retains discretion to modify the measures as the child progresses toward rehabilitation, provided that any changes comply with relevant legislation and are promptly communicated to the child, their guardian, and all institutions involved in the process.⁶⁶

⁶⁵ *Juvenile Justice Act (Law No. 18/2019), s38*

⁶⁶ *Juvenile Justice Act (Law No. 18/2019), s39*

Eligibility for Diversion

Eligibility for diversion requires that there is sufficient evidence indicating the child's involvement in the alleged offence. The child must voluntarily accept responsibility for their actions without any coercion or undue influence. Furthermore, both the child and their guardian must provide informed, written consent to participate in the diversion programme. Prior to obtaining consent, authorities are obligated to clearly explain the nature, type, and expected duration of the proposed measures. They must also inform the child and guardian that refusal or failure to complete the programme may result in formal charges, while successful completion will conclude the case. The child must be given the opportunity to seek legal advice before consenting. Importantly, any statements or admissions made during the diversion process cannot be used against the child in any subsequent legal proceedings, and acceptance of responsibility within diversion cannot be grounds for criminal charges.⁶⁷

These provisions ensure that the diversion system maintains a careful balance between accountability and rehabilitation, prioritising the best interests of both the child and the wider community.

Effectiveness of Diversion

Since diversion programmes in the Maldives started with the Juvenile Justice Act, there is not much statistical data available. Due to the lack of quantitative data specific to the Maldives, it is necessary to examine diversion programmes in other developed democratic nations to evaluate how effective these initiatives might be.

From the data that is available it could be observed that over the past five years, the statistics of young offenders being reported to the Department of Juvenile Justice has been decreasing. In 2021, the number of young offenders reported decreased by 28.6%

⁶⁷ *Juvenile Justice Act (Law No. 18/2019)*, s38

from 2020. This decrease may be because of the criminal responsibility age for children being established with the Juvenile Justice Act⁶⁸.

⁶⁸ Office of the Children's Ombudsperson. (2019). *Child Rights Symposium*.
<https://oco.mv/storage/media/421/CRS_v5.pdf> [accessed 21 April 2025]

Balancing Diversion with Public Safety

The juvenile diversion system described in the Juvenile Justice Act demonstrates a thoughtful approach to balancing public safety concerns with rehabilitation objectives. Several aspects of the diversion system directly address public safety concerns. Diversion is only permitted to be used in cases where there is sufficient evidence that an offence has been committed. This acts as a precautionary measure on the account of the young offender and a safety measure on the account of the public by ensuring that young offenders are dealt in a manner where they are encouraged to take accountability for their actions and repair the harm inflicted. Juvenile Justice Act also envisions proper monitoring mechanisms to be set in place for authorities to follow the progress of the juvenile during diversion.

Jurisdictional Analysis of Juvenile Justice in Scotland and Australia, and the influence of populist rhetoric on Juvenile Justice Administration

Rules provide a framework for countries in effectively administering juvenile justice in a manner that safeguards the rights of children in conflict with the law, impartial to any distinction from race, religion, nationality or even the nature of the crime committed. This section will look at how the International Juvenile Justice Instruments reflect in the actual administration of Juvenile Justice across select jurisdictions of Scotland and Australia, considering best practices and the context in each jurisdiction. Additionally, consideration will be given as to how each jurisdiction balances the rights of the offenders against victim rights and public interest, and how states account for contributing factors for juvenile delinquency. And third, this section will discuss the competing interests between populist rhetoric versus evidence-based research in policymaking.

There is an evident commonality in terms of the situations juvenile justice systems have jurisdiction over, including certain behaviours and needs of young offenders.⁶⁹ These include factors such as:

1. Acts if committed by adults would be a crime;
2. Acts which are illegal only if committed by children;
3. Incurrigible;
4. Physically or emotionally neglected children;
5. Potentially neglected children; and
6. Deserted, deprived, or abandoned children⁷⁰

⁶⁹ Janeksela, G. M. (1991). *Descriptive analysis of five juvenile justice systems; United States, Scotland, England, India and South Africa. International Review of Modern Sociology*, 21(1), 1–19.

⁷⁰ Janeksela, G. M. (1991). *Descriptive analysis of five juvenile justice systems; United States, Scotland, England, India and South Africa. International Review of Modern Sociology*, 21(1), 1–19. <http://www.jstor.org/stable/41420985>

Minimum Age of Criminal Responsibility and the minimum standards for diversion

Article 40 of the UNCRC guarantees fundamental rights for children alleged as, accused of, or recognised as having infringed the penal law, and mandates “the establishment of a minimum age below which children shall be presumed not to have the capacity to infringe the penal law.”⁷¹ The considerations that states must account for are stated in article 4 of the Beijing Rules, which states that “In those legal systems recognising the concept of the age of criminal responsibility for juveniles, the beginning of that age shall not be fixed at too low an age level, bearing in mind the facts of emotional, mental and intellectual maturity.” General Comment 24 of the Committee on the Rights of the Child defines MACR as “the minimum age below which the law determines that children do not have the capacity to infringe the criminal law.”⁷²

The worldwide average for MACR is 11.3 and the median age is 12.⁷³ However, when looking at the actual recommendation of the Committee on the Rights of the Child, the recommended age for MACR is 14 years.⁷⁴ The committee notes that documented

71 Article 40 CRC

72 General comment No. 24 (2019) on children’s rights in the child justice system

<https://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2FPPRiCAqhKb7yhsqIkirKQZLK2M58RF%2F5F0vEnG3QGKUxFivhToQffGxYjV05tUAIgpOwHQJsFPdJXCiixFSrDRwow8HeKLLh8cgOw1SN6vj%2Bf0RPR9UMtGkA4> [accessed 21 April 2025]

73 Systematic Responses to Children under the Minimum Age of Criminal Responsibility who have been (Allegedly) Involved in Offending Behaviour in Europe and Central Asia

74 General comment No. 24 (2019) on children’s rights in the child justice system

<https://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2FPPRiCAqhKb7yhsqIkirKQZLK2M58RF%2F5F0vEnG3QGKUxFivhToQffGxYjV05tUAIgpOwHQJsFPdJXCiixFSrDRwow8HeKLLh8cgOw1SN6vj%2Bf0RPR9UMtGkA4> [accessed 21 April 2025]

evidence in the fields of child development and neuroscience indicates that maturity and the capacity for abstract reasoning is still evolving in children aged 12 to 13 years since their frontal cortex is still developing. Therefore, they are unlikely to understand the impact of their actions or to comprehend criminal proceedings. They are also affected by their entry into adolescence.” Additionally, the Committee commended States with a higher MACR such as 15 or 16, encouraging and urging other states to follow suit.

There is a clear rationale in the recommendation of the Committee. Given that MACR is the determining factor as to whether a child can be administered to the Juvenile Justice System or not, states are faced with the question of where to set this border, how it balances the rights of children in conflict with the law against that of the public good.

In the United Kingdom, where the MACR is 10 years of age, a 2017 bill pushed for changing the MACR to 12 years.⁷⁵ In her paper “Reviewing the age of criminal responsibility” Dr. Penelope Brown identified that contact with the Criminal Justice System is not associated with reduction in re-offending and can lead to increased levels of criminality in children.⁷⁶ She states that “Children who are dealt with most severely by the CJS are less likely to desist from offending and the re-offending rate for children who have been in custody is high.” According to UNICEF, based on available data, 261,200 children were estimated to be in detention on any given day in 2020 globally.⁷⁷

Rule 5 of the Beijing Rules gives two limbs for determining how to achieve the objectives of any juvenile justice system. First, to emphasise the well-being of the juvenile and the second is a measure of proportionality, which states that any reaction to young offenders shall always be in proportion to the circumstances of both the offender and the offence.⁷⁸ Part two of the Beijing Rules outline the standards for

⁷⁵ as cited in *Reviewing the age of criminal responsibility*, *Crim. L.R.* 2018, 11, 904-909

⁷⁶ *Reviewing the age of criminal responsibility*, *Crim. L.R.* 2018, 11, 904-909

⁷⁷ *Estimating the number of children deprived of liberty in the administration of justice*

⁷⁸ *Beijing rules*, rule 5

investigation and prosecution. Rule 11 of the Beijing Rules provides minimum standards for diversion, where an alternative mechanism is to be considered in lieu of formal trials in dealing with young offenders. The opportunity for diversion is to be available at all stages. Diversion should be a discretionary matter whether the case is at investigation, prosecution, or any other agency dealing with the juvenile. In exploring avenues for diversion, the Child Rights Committee notes that various community-based programmes have been developed, such as community service, supervision and guidance by designated officials, family conferencing and other restorative justice options, including reparation to⁷⁹

However, the committee also emphasised certain pre-requisites to diversion, that;

- Diversion should only be used upon compelling evidence that the child has committed an offence, or upon a voluntary (inadmissible) admission to the act without any duress.
- The child gives unequivocal consent to diversion, fully grasping the content, duration, and consequence to complete the diversion programme.
- Diversion programmes should not include a deprivation of liberty
- Completion of a diversion programme results in an indefinite closure of the case.⁸⁰

⁷⁹ *G. Comment 24*

⁸⁰ *18. General Comment 24*

Scotland: Kilbrandon Philosophy and the Whole System Approach.

Prior to raising the MACR to 12 in 2019, Scotland had one of the lowest MACR’s being set at 7. The Scottish Juvenile Justice System draws from principles of welfarism, grounded by the “Kilbrandon” Philosophy. This is owed to 1964 efforts by the Scottish Government towards wide reform of the Scottish Social Work framework through the Kilbrandon Committee, resulting as the Social Work (Scotland) Act 1968.⁸¹ This philosophy outlines the importance of prioritising an informed, preventative approach towards children in conflict with the law in the place of punitive measures, identifying that deeper social and psychological problems and/or shortcomings in the typical upbringing process are the causes of juvenile offending.⁸²

Scotland currently operates on a basis of a “Whole System Approach”, through a new approach adopted in 2004 called Getting it Right for Every Child (GIRFEC).⁸³ This approach puts children and their families as the core of consideration in policy making, implementation, response, and decision making. Practitioners use eight wellbeing indicators; Safe, Healthy, Achieving, Nurtured, Active, Respected, Responsible, included; (SHANNARRI) to identify stress points and positive influences present in the child’s development.

Indicator	Assessment
Safe	The child listened to and is growing up in a secure environment which is free from abuse or neglect, enabling their full potential
Healthy	High attainable standards and access to suitable physical and mental healthcare Safe and healthy decision-making

⁸¹ *Social Work (Scotland) Act 1968*

⁸² *Kilbrandon Report*

⁸³ <<https://www.gov.scot/policies/girfec/>> [accessed 21 April 2025]

Achieving	Being supported in learning and development of their skills and confidence both at home and within the community
Nurtured	The child is growing up in an environment that provides emotional and physical security, and the warmth and understanding necessary to develop a positive identity
Active	The child has opportunities to engage in play, recreation and sports as part of their health and development
Respected	The child is adequately involved in the decisions affecting their life and that their voice is heard
Responsible	The Child is encouraged to play active and responsible roles within their family, school, and community through necessary guidance
Included	They are supported to overcome inequalities, and feel accepted and in place within their family, school and community

This approach is central to Early and Effective Intervention (EEI) and Diversion models opted for children at risk or in conflict with the law. As a Whole System Approach, EEI programmes consider the whole situation of the child, with the aim to improve the outcomes of their life rather than just isolating the programme to address the offending behaviour. EEI also considers the victims and must ensure that they are also considered in the interventions.

The EEI models in Scotland are either a multi-agency group decision making forum or a lead contact who screens referrals, making some individual decisions and referring other children to an EEI or multi-agency group/Team Around the Child meeting (TAC). At the onset, the police should consider referring children to EEI unless reporting the offence to the prosecution or the Children's Reporter is necessary. At this stage, under EEI police may opt to either take no further action or take direct measures. In addition to this, children can be provided single agency support that is tailored for their experiences and needs or be referred to a targeted intervention through a restorative justice mechanism such as a fire service programme, training and

employment or substance use service.⁸⁴ The Children's Hearings (Scotland) Act 2011 provides the operational mechanism for the WSA in dealing with children at risk or have committed an offence.⁸⁵ In attending cases, the Scottish Children Reporter Administration (SCRA), Crown Office and Procurator Fiscal Service (COFPS), Children's Hearing Scotland all operate within this system. Section 67 of the Act outlines seventeen instances as grounds for referral being situations where a child is at risk from another or a risk to themselves or others through their behaviour.

Where the case is referred to COFPS with sufficient evidence that an offence has been committed, the COFPS may opt for prosecution in court, a direct financial measure, diversion, or no action where there is no public interest in further pursuing the case. Police and other agencies may highlight cases to the prosecution that they feel are suitable for diversion.

Populist Rhetoric as Public Interest; Barriers to Systematic Reform

Rule 30 of the Beijing Rules state that research should be the basis for planning, policy formulation and evaluation.⁸⁶ States should endeavour to foster a practice of continuous research to identify causes of juvenile delinquency, trends, challenges, for the improvement of their Juvenile Justice Systems, and the overall development of the Juvenile Justice System should be integrated as part of national development. The Child rights committee also urges to prescribe this practice of research and evaluation, and to include

⁸⁴ <https://content.iriss.org.uk/youthjustice/c-offence.html>, [accessed 21 April 2025]

⁸⁵ *Children's Hearings (Scotland) Act 2011*

⁸⁶ *Beijing Rules, Rule 30*

children in the process.⁸⁷ The committee recommends states to consult the United Nations Model Strategies and Practical Measures on the Elimination of Violence against Children in the Field of Crime Prevention and Criminal Justice and comparative national and international research on root causes of children's involvement in the child justice system and undertake their own research to inform the development of a prevention strategy.⁸⁸

As mentioned before in this paper, the Beijing Rules does consider the differences in practice, culture, and legislation across States. However, in both Scotland and Australia, it was seen that populism influences the trajectory of Juvenile Justice Approaches.

Lesley McAra and Susan McVie made this observation in Scotland from the broader historical point of view. Scotland's journey with Juvenile Justice can be characterised on various fronts, one prior to the triumph of the welfarist approach by virtue of the Kilbrandon philosophy, followed by an era where public interest discourse penetrated the juvenile justice system, and a recourse to Compassionate Justice in the era of the WSA.⁸⁹ New policy developments from the mid-1990s enabled the gradual penetration of public interest discourse into the Children's Hearing System. It was not that the system departed from welfare values, but that the policy drive was being fuelled by an emphasis on a community and victim-centred ethos along with the existing child centred ethos. This policy drive was also accompanied by expansion restorative principles through actions such as victim offender mediation schemes, conferencing, and police restorative cautioning initiatives. These changes, however, also allowed to a massive degree, the intrusion of the lives of children, their families, and the communities in which they were

⁸⁷ VII. *Data collection, evaluation and research, General Comment 24*

⁸⁸ IV. *Core elements of a comprehensive child justice policy A. Prevention of child offending, including early intervention directed at children below the minimum age of criminal responsibility, General Comment 24*

⁸⁹ *The Scottish Juvenile Justice System: Policy and Practice, Lesley McAra and Susan McVie*

living by measures of high levels of scrutiny and surveillance. One factor which was suggested as contributing to these changes was the loss of faith in the authorities dealing with persistent young offenders. In Australia, the dominant “tough on crime” narratives were seen to be one that inhibits systematic reform.⁹⁰ This is accompanied by a lack of will amongst policy makers who are resistant to act to acting on evidence to push for broader reform and the convenience of subscribing to populist rhetoric.

“Tough on Crime” narratives dehumanise and demonise children and young people, erasing any identity of the underlying factors that contributed to their circumstances. The media plays a huge role in bolstering this narrative through their reporting of juvenile justice. Often, children’s offending is sensationalised through media by techniques such as repeatedly showing old footage around discussions of youth crime. While public support is imperative in framing an effective juvenile justice system, populist rhetoric that promote short term reactions instead of evidence-based policy misinform a public that has a limited understanding of the contributing factors of juvenile Justice. Ultimately, youth justice and child welfare are given a backseat in policy considerations amongst the general electorate.

The current international instruments for child rights and juvenile justice give clear direction, with empirical rationale behind the standards, recommendations and best practices.

⁹⁰ *Save the Children, as cited in ‘Help way earlier!’: How Australia can transform child justice to improve safety and wellbeing*

Ethical Considerations in Prosecution and Diversion

Children's Rights

The ethical obligation to protect the rights of young offenders is paramount in the prosecution and diversion process. International human rights frameworks, including the UNCRC, the Beijing Rules, and the Riyadh Guidelines, emphasise the need to ensure fair treatment, access to legal representation, and protection from abuse.

These frameworks collectively establish that children, by virtue of their developmental stage, require additional safeguards that differentiate them from adults in all stages of the criminal process. Prosecution authorities therefore carry a heightened ethical responsibility to approach juvenile cases through a child-rights lens.

Fair Treatment and Due Process

The UNCRC Articles 37 and 40 mandates that children accused of offences must be treated with dignity and respect, ensuring that they have access to fair trials and legal representation. It states that the deprivation of liberty should be a last resort and for the shortest appropriate period.

The Beijing Rules number 1.1 and 5.1 emphasise that juvenile justice should be administered in a manner that promotes the well-being of the child and ensures proportionality in sentencing.

The UNCRC Article 3 reinforces that the best interests of the child must guide all actions concerning children, including decisions about prosecution and diversion. This requires legal systems to prioritise non-custodial measures where possible, tailoring interventions to suit the child's developmental needs and personal circumstances rather than treating them as miniature adults. Failing to apply this principle could lead to unethical practices such as unnecessary detention or harsh legal procedures that do not

account for a child's vulnerability.⁹¹ Proportionality, as referenced in the Beijing Rule number 5.1, not only refers to the severity of the sanction in relation to the offence but also to the child's capacity to understand the consequences of their actions. The ethical application of proportionality ensures children are not excessively penalised for developmental immaturity.

The UNCRC Article 12 ensures children's right to express their views freely in all matters affecting them, which includes judicial and diversionary processes. This means children should be involved in their own justice process, allowed to speak during proceedings, and consulted during decisions around diversion, plea deals, or sentencing. Ignoring this right can result in unjust outcomes based on adult-centric assumptions.⁹²

Maldives must ensure that prosecution measures respect these principles by avoiding excessive legal proceedings against young offenders and promoting rehabilitation over punishment. This means that even when a child is accused of serious offences, prosecutors and judges must seek alternatives to incarceration such as community-based sentences, counselling, or supervision orders. It also places an ethical responsibility on the prosecution to avoid overly punitive charges or procedures that could overwhelm or traumatise a young person.⁹³ State prosecutors must consider the child's background, including any history of abuse, neglect, or socio-economic disadvantage, before deciding to prosecute. This contextual approach is aligned with international standards and ensures justice decisions reflect not just the offence, but the child's broader life circumstances.

Access to Legal Representation

⁹¹ Liefjaard, T. and Sloth-Nielsen, J. (2016) 'Children's Rights and the Juvenile Justice System', *International Journal of Children's Rights*. 24(2), pp. 373-389.

⁹² Kil Kelly, U. (2011) *Using the Convention on the Rights of the Child in Law and Policy: Two Ways to Improve Compliance*. In: R. Sloth-Nielsen (ed.) *Children's Rights in Africa: A Legal Perspective*. Farnham: Ashgate Publishing, pp. 179-198.

⁹³ Goldson, B. (2005) *Child imprisonment: A case for abolition*. *Youth Justice*. 5(2), pp.77-90.

The UNCRC Article 40 explicitly guarantees the right of children to legal assistance. This is reinforced by the Beijing Rule number 7.1, which states that young offenders should have the right to be represented by legal counsel throughout the justice process.

The UNCRC Article 4 obliges States to take all appropriate legislative and administrative measures to implement the rights in the Convention, including access to justice for children. This article obliges governments to build the infrastructure required to support juvenile justice systems, including training lawyers in child-sensitive procedures, establishing child-friendly courts, and ensuring funding for free legal aid. Without this, children may be left to navigate the system without the tools necessary to defend themselves.⁹⁴ This also includes an ethical obligation to ensure that children are informed of their right to counsel in a language they understand, and that legal assistance is not merely formal but effective, with attorneys advocating competently and compassionately on behalf of their young clients.

Therefore, there is a need to ensure that young offenders are provided with free legal aid, especially in cases where their families cannot afford legal representation. Children without proper legal advice are vulnerable to making uninformed decisions, including wrongful admissions of guilt, which could lead to long-term consequences. It is an ethical obligation of the state and legal professionals to ensure that children understand their rights and the implications of their choices during any legal process.⁹⁵

94 UNICEF (2016) *The State of the World's Children 2016: A fair chance for every child*. <<https://www.unicef.org/reports/state-worlds-children-2016>> [accessed 7 April 2025]

95 Liefwaard, T. and Sloth-Nielsen, J. (2016) 'Children's Rights and the Juvenile Justice System', *International Journal of Children's Rights*. 24(2), pp. 373-389.

Protection from Abuse and Harm

The UNCRC Article 37 strictly prohibits torture or other cruel, inhumane, or degrading treatment or punishment. The Beijing Rule number 17.3 reinforces this by stating that young offenders should not be subjected to physical or psychological harm (corporal punishment).

The UNCRC Article 19 further strengthens protection by requiring states to protect children from all forms of physical or mental violence while in the care of any institution. This implies a duty of care from the justice system and state institutions to monitor and prevent abuse within detention and diversionary environments. Young offenders in state custody are highly vulnerable, and any failure to prevent harm is a direct ethical breach of this obligation.⁹⁶ Institutional safeguards must include strict rules on the use of force, regular psychological evaluations of staff, and confidential reporting mechanisms for children. These protections must be monitored by independent child rights bodies.

Despite these protections, many young offenders experience maltreatment while in custody. To align with international best practices, the Maldives' juvenile justice system must establish specialised juvenile detention centres with trained personnel to ensure that detained children are treated with dignity. Training for law enforcement officers and custodial staff should include child protection, trauma-informed care, and communication with vulnerable populations. Proper complaint mechanisms and independent monitoring bodies must be in place to prevent and respond to abuse. Without this, detention centres risk becoming breeding grounds for harm rather than rehabilitation.⁹⁷ A transparent oversight framework is crucial, involving civil society

⁹⁶ Detrick, S. (1999) *A Commentary on the United Nations Convention on the Rights of the Child*. The Hague: Martinus Nijhoff Publishers

⁹⁷ Goldson, B. (2005) *Child imprisonment: A case for abolition*. *Youth Justice*. 5(2), pp.77–90.
Muncie, J. (2009) *Youth and Crime*. 3rd ed. London: SAGE Publications

organisations and children's rights commissions with the mandate to inspect facilities, interview detainees, and publish findings to ensure accountability.

Victims' Rights

Restorative Justice and Victims' Participation

The Beijing Rule number 11.1 encourages the use of diversionary measures such as restorative justice, where victims and offenders engage in reconciliation processes. The Riyadh Guidelines (Paragraph 15) promote victim-sensitive approaches that enable victims to have a voice while ensuring that young offenders are rehabilitated rather than overly punished.

The UNCRC Article 12 supports the participation of all children in judicial processes, which can include victimised children, ensuring they are heard in a safe and supportive way. This affirms the right of child victims to be included meaningfully without being re-traumatised. It challenges the justice system to ensure that both victim and offender children are supported without compromising each other's dignity or rights.⁹⁸

The Maldives can enhance victims' rights by implementing victim-offender mediation programmes, allowing victims to receive apologies, restitution, or other reparations in a controlled and rehabilitative environment. Restorative justice programmes not only allow victims to voice the harm caused but also help offenders understand the impact of their actions. This process can reduce reoffending and promote empathy and accountability in young offenders. These mechanisms respect both the victim's need for justice and the offender's right to personal growth and reintegration.⁹⁹

⁹⁸ KilKelly, U. (2011) *Using the Convention on the Rights of the Child in Law and Policy: Two Ways to Improve Compliance*. In: R. Sloth-Nielsen (ed.) *Children's Rights in Africa: A Legal Perspective*. Farnham: Ashgate Publishing, pp. 179–198

⁹⁹ Braithwaite, J. (2002) *Restorative Justice and Responsive Regulation*. Oxford: Oxford University Press

Compensation and Emotional Support for Victims

The UNCRC Article 39 states that victims of offences, including children affected by juvenile crime, have the right to rehabilitation services. The Riyadh Guidelines (Paragraph 16) reinforce those victims of crimes should receive psychological support and assistance.

The UNCRC Article 6 upholds every child's right to life, survival, and development — interpreted broadly, this supports psychosocial healing for victims of crime. From an ethical standpoint, this means that victimised children must not be side-lined in juvenile justice reform. Equal resources and attention must be given to ensure their developmental recovery and psychological well-being. This includes structured support post-incident, regardless of the offender's age.¹⁰⁰

The Maldivian law enforcement agencies and courts must ensure that victims receive compensation, trauma counselling, and are included in restorative justice programmes where appropriate. Access to trauma-informed services must be readily available and funded. For young victims, especially, emotional recovery is essential for development. Ethical obligations extend to ensuring that victims receive culturally sensitive, age-appropriate care without discrimination or bureaucratic delay.¹⁰¹

Balancing Punishment and Rehabilitation

The UNCRC Article 3 states that the best interests of the child must be a primary consideration in legal decisions. However, this must be balanced with the rights of victims.

100 UNICEF (2016) *The State of the World's Children 2016: A fair chance for every child*. <<https://www.unicef.org/reports/state-worlds-children-2016>> [accessed 7 April 2025]

101 Lamb, S. and Edgar-Smith, S. (1994) 'Aspects of Abuse: Effects on the Child and Implications for Treatment', *Journal of Interpersonal Violence*. 9(3), pp. 309–335.

The UNCRC Article 40 mandates that children must be treated in a manner consistent with their dignity and worth, promoting reintegration rather than punishment. This highlights the ethical responsibility of legal actors to avoid retributive justice approaches that prioritise punishment over recovery. Justice must focus on guiding the child away from future harm while acknowledging the victims' need for closure and security.¹⁰²

The Maldives can address this balance by ensuring that juvenile sentencing practices include community service, probation, or therapeutic interventions rather than excessive incarceration. This balance means recognising the child offender's potential for change without minimising the impact on the victim. Legal practitioners must avoid disproportionately punishing young offenders while also validating the harm done. Rehabilitation should never come at the expense of victim rights, nor should victim justice compromise a child's right to grow beyond their offence.¹⁰³

¹⁰² Goldson, B. (2005) *Child imprisonment: A case for abolition*. *Youth Justice*. 5(2), pp.77–90.
 Muncie, J. (2009) *Youth and Crime*. 3rd ed. London: SAGE Publications

¹⁰³ Liefwaard, T. and Sloth-Nielsen, J. (2016) 'Children's Rights and the Juvenile Justice System', *International Journal of Children's Rights*. 24(2), pp. 373-389

Stigmatisation and Reintegration

Protection from Public Exposure

The UNCRC Article 40 states that children's privacy (identities) must be protected in criminal proceedings. The Beijing Rule number 8.1 prohibits the publication of information that could lead to the identification of young offenders.

The UNCRC Article 16 protects children against unlawful interference with their privacy, honour, and reputation, reinforcing the need to protect identities. Protecting the child from public exposure avoids compounding the harm they've experienced and facilitates reintegration by preventing social exclusion, bullying, or employment discrimination after justice involvement.¹⁰⁴

Juvenile justice reforms in the Maldives should ensure that media outlets are restricted from disclosing the identities of young offenders, preventing unnecessary public scrutiny. Public exposure can lead to long-term stigma, isolation, and repeated offending due to societal rejection. From an ethical standpoint, the authorities must educate media houses and implement strict penalties for violations of privacy in juvenile cases. This preserves a child's dignity and chance to start anew.¹⁰⁵

Educational and Vocational Training

The Riyadh Guidelines (Paragraph 21) emphasises the need for education and vocational training to facilitate reintegration. The UNCRC Article 28 recognises the right of all children to education, which extends to young offenders.

The UNCRC Article 29 further outlines the goals of education, including preparing children for a responsible life in society, which is crucial for reintegration efforts. This

¹⁰⁴ Kilkelly, U. (2011) *Using the Convention on the Rights of the Child in Law and Policy: Two Ways to Improve Compliance*. In: R. Sloth-Nielsen (ed.) *Children's Rights in Africa: A Legal Perspective*. Farnham: Ashgate Publishing, pp. 179–198.

¹⁰⁵ Goldson, B. (2005) *Child imprisonment: A case for abolition*. *Youth Justice*. 5(2), pp.77–90.

elevates education from a basic right to a rehabilitative tool. States have a duty to provide offenders with the tools for social reintegration—literacy, trades, emotional regulation—rather than setting them up to fail post-release.¹⁰⁶

To support reintegration, the Maldivian authorities should expand education and skill-based training programmes within juvenile facilities and diversion programmes. Without access to meaningful education and training, young offenders are likely to re-offend due to limited opportunities. Justice systems must provide the tools necessary for self-sufficiency, reducing the social inequalities that often underpin youth offending from the outset.¹⁰⁷

Community Reintegration Programmes

The Beijing Rule number 26.2 emphasises that reintegration should be a key priority in juvenile justice systems. Similarly, the Riyadh Guidelines (Paragraph 23) stress that social reintegration policies should avoid labelling or marginalising young offenders.

The UNCRC Article 2 mandates non-discrimination, ensuring children who have come into conflict with the law are not unfairly treated or stigmatised in their reintegration efforts. This demands proactive ethical efforts to counter social biases and institutional barriers that could prevent a child's re-entry. Special protections must be given to ensure former young offenders receive equal access to education, jobs, and social services.¹⁰⁸

The UNCRC Article 39 also promotes recovery and reintegration for all children who have suffered trauma, including young offenders. This reinforces the ethical view that

106 UNICEF (2016) *The State of the World's Children 2016: A fair chance for every child*. <<https://www.unicef.org/reports/state-worlds-children-2016>> [accessed 7 April 2025]

107 Goldson, B. (2005) *Child imprisonment: A case for abolition*. *Youth Justice*. 5(2), pp.77–90. Muncie, J. (2009) *Youth and Crime*. 3rd ed. London: SAGE Publications

108 Kilkelly, U. (2011) *Using the Convention on the Rights of the Child in Law and Policy: Two Ways to Improve Compliance*. In: R. Sloth-Nielsen (ed.) *Children's Rights in Africa: A Legal Perspective*. Farnham: Ashgate Publishing, pp. 179–198.

children who offend are often also victims—of poverty, abuse, neglect—and need therapeutic pathways, not penal ones, for long-term healing. The justice system must address their trauma with compassion, not condemnation.¹⁰⁹

To prevent recidivism, the Maldives should establish mentorship programmes, halfway homes, and employer partnerships that support young offenders' re-entry into society. Community-based models involving families, schools, and employers are essential for ensuring that children are not pushed back into criminal activity. Ethically, reintegration must be a collaborative process that reduces stigma and empowers youth to make better life choices.¹¹⁰

To move towards a more just and effective system, the Maldives must strengthen restorative justice practices that facilitate accountability, healing, and reconciliation—without resorting to punitive measures that often lead to long-term harm and social exclusion. Equally important is ensuring that all children have access to competent legal representation, age-appropriate judicial processes, and support systems that prioritise their rehabilitation and reintegration into society.

Investment in rehabilitation programmes, education, psychological support, and community-based alternatives to detention is essential for reducing recidivism and enabling children to become constructive members of society. Moreover, such an approach must be grounded in child-friendly procedures that promote participation, protect dignity, and guard against secondary victimisation or re-traumatisation.

Ultimately, a juvenile justice system rooted in restorative, rehabilitative, and rights-based principles is not only more ethical, but also more effective in achieving long-term public safety and social cohesion. Through sustained legal reform, inter-agency collaboration, and a strong commitment to child rights, the Maldives can become a

109 Liefwaard, T. and Sloth-Nielsen, J. (2016) 'Children's Rights and the Juvenile Justice System', *International Journal of Children's Rights*. 24(2), pp. 373-389

110 UNICEF (2016) *The State of the World's Children 2016: A fair chance for every child*. <<https://www.unicef.org/reports/state-worlds-children-2016>> [accessed 7 April 2025]

model for how small jurisdictions can implement international best practices while responding to local cultural and institutional realities.

Gaps and Barriers to Effective Prosecution and Diversion

Diversion and restorative justice are pivotal components of a child-centred juvenile justice system. Diversion refers to redirecting children away from formal judicial proceedings towards alternative measures, while restorative justice emphasises repairing harm through inclusive processes involving victims, offenders, and the community. However, in Maldives, several legal and institutional barriers impede the effective implementation of these practices.

Restorative justice represents a paradigm shift in the administration of juvenile justice, shifting from retributive approaches toward more rehabilitative and child-centred responses. In the context of the Maldives, recent legal reforms and institutional developments have created the foundational framework for a restorative juvenile justice system. The Juvenile Justice Act¹¹¹ provides the legal basis for these reforms, aligning national practices with international instruments.

Legal Foundations and International Commitments

Maldives has committed to aligning its domestic legislation and policies with the principles set forth in the UNCRC, particularly Articles 37 and 40, which emphasise the use of non-custodial, rehabilitative measures for children. The Juvenile Justice Act

¹¹¹ Law No. 18/2019

(2019) was enacted to ensure that children in conflict with the law are treated in a manner that promotes their sense of dignity and worth and facilitates their reintegration into society. The Act reflects key provisions of the Beijing Rules, which advocate for diversion at all stages of the juvenile justice process (Rule 11), and the Riyadh Guidelines, which emphasise community-based interventions and the importance of family and social support systems in preventing delinquency (Guideline 6).

Despite these legal foundations, significant gaps remain in implementation, coordination, and practice, as discussed extensively at the 2022 Child Rights Symposium and 2024 Juvenile Justice Symposium.

Institutional Framework and Coordination

The Department of Juvenile Justice (DJJ), established under the Juvenile Justice Act, is mandated to oversee the implementation of the Act and to ensure child-sensitive justice mechanisms are institutionalised. The DJJ plays a central role in case management, supervision of children's rehabilitation, and facilitating diversion mechanisms in collaboration with police, prosecutors, and courts.

However, the existence of this central authority, the roles and responsibilities of the DJJ are not fully understood or accepted by other agencies in practice. The lack of consistent inter-agency coordination and communication severely undermines the delivery of restorative justice outcomes. This highlights the urgent need for standardised procedures and clear guidelines on multi-agency roles within the juvenile justice system.

Case Management and Restorative Process Implementation

The DJJ currently operates with limited resources and is only able to provide its services to children residing in state care institutions. This leaves children in conflict with the law but residing with families or in the community without access to rehabilitative or restorative services. The lack of outreach mechanisms and a nationwide case management structure significantly impedes the full realisation of restorative justice principles.

Additionally, while diversion is provided for under the Act, there is currently no formal restorative justice process, such as victim-offender mediation, family conferencing, or community panels, which are supported by international standards like rule number 18 of the Beijing Rules and Guideline 30 of the Riyadh Guidelines. Without these processes, the system remains overly reliant on traditional prosecution and sentencing, which may not serve the best interests of the child.

Existing Mechanisms

1. Case Conferencing

Case conferencing is an essential practice at all stages of the juvenile justice system, including investigation, prosecution, and trial. As outlined in the Juvenile Justice Act, it currently involves the coordination of all relevant stakeholders during investigation—law enforcement, social services, prosecutors, and rehabilitation officers—to determine the most appropriate interventions for a child in conflict with the law. These conferences ensure that decisions such as whether to proceed with prosecution or diversion are based on a holistic understanding of the child's needs, background, and circumstances. This multi-disciplinary approach promotes child-

centred outcomes and prevents unnecessary criminalisation of minors.¹¹²

2. Community Conferencing

Community conferencing is a restorative process through which the child responsible for harm meets the affected parties, including victims and community members, to acknowledge the harm caused and work toward resolution.¹¹³ Facilitated by trained personnel, these sessions focus on accountability, reconciliation, and reintegration. Studies has shown that such community conferences have a reduced rate of reoffending when the offenders are remorseful and have the opportunity to meet and apologise to victims. The outcomes are decided by genuine consensus when the offenders have a memorable conference without being stigmatically shamed.¹¹⁴ While this practice has demonstrated positive outcomes such as reduced recidivism and greater victim satisfaction,¹¹⁵ its application remains limited in the Maldives due to capacity constraints, particularly the lack of adequately trained facilitators, and the community conferences held are limited.

3. Diversionsary Measures and Risk Assessment

The Juvenile Justice Act provides a strong legal basis for diversion, allowing children to avoid formal judicial proceedings where appropriate. Risk assessments are conducted at early stages—typically by law enforcement officers or juvenile justice officers—to evaluate the likelihood of reoffending and determine the suitability of diversion. These assessments, complemented by social inquiry reports, guide decisions about whether to

¹¹² Pavlovic, A., Kellum, K., & Schulenberg, J. (2021), *The Increasing Application of Restorative Practices: Contexts and Evidence*. *Journal of Restorative Justice*, 9(1), pp. 11–30.

¹¹³ *Juvenile Justice Act (Law no. 18/2019) s36(a) (14)*

¹¹⁴ *United Nations Office on Drugs and Crime (UNODC) (2006), Handbook on Restorative Justice Programmes*. Vienna: UNODC

¹¹⁵ Latimer, J., Dowden, C., & Muise, D. (2005), *The Effectiveness of Restorative Justice Practices: A Meta-Analysis*. *The Prison Journal*, 85(2), pp. 127–144

proceed with prosecution or adopt alternative, rehabilitative measures.¹¹⁶ These reports are compiled through multi-agency collaboration, including the Ministry of Education, the Ministry of Social and Family Development, and the Department of Juvenile Justice (DJJ).

A range of diversionary sanctions are available to be imposed on a child in conflict with the law, the 2022 Symposium lists seventeen of them in their presentation by DJJ. A child in conflict with the law can be directed to the diversion programme during the stages of investigation and prosecution. MPS, PGO and an institution established as pursuant to a law and empowered to investigate criminal acts committed by children has the discretion to direct the child in conflict with the law to diversion. If the child in conflict with the law meets a certain criterion and conditions, then a diversion plan and an agreement is formulated by the institution that decides to direct the child in conflict with law to diversion programme. However, as the diversion programme is a relatively new to the juvenile justice system in the Maldives, only few children in conflict with the law are in the diversion programme currently.

4. Multi-Agency Coordination

Effective restorative justice depends on close coordination among various agencies. In the Maldives, multi-agency collaboration is institutionalised through several practices, such as the development of risk assessments and social inquiry reports, community conferencing, and rehabilitation programming. This coordination ensures continuity of care, reduces secondary victimisation by avoiding repetitive interviews, and leads to proportionate and evidence-based responses to offending behaviour.¹¹⁷ The Juvenile Justice Oversight Committee, formed under the JJ Act, further strengthens this coordination by monitoring system-wide performance and facilitating joint training

¹¹⁶ *Juvenile Justice Act (Law no. 18/2019) s37(d)*

¹¹⁷ *United Nations Office of Drugs and Crime (2021), Training of Trainers Manual on Juvenile Justice System in the Republic of Maldives. Vienna: United Nations Office*

and development for justice professionals. This committee is comprised of all the five institutions in the juvenile justice system. This makes the coordination and cooperation to be easier in carrying out trainings and other developments needed for the institutions. However, there is a gap in the coordination amongst the agencies as diversionary measures and restorative practices are relatively new under DJJ, leaving several agencies less or uninformed of the practices.

Role of Law Enforcement

One of the key institutional barriers identified at both the Symposiums was the limited awareness and inconsistent application of restorative practices by law enforcement officers and prosecutors. Article 40 of the UNCRC stresses the need for children to be treated in a manner that promotes reintegration and encourages them to assume a constructive role in society. This includes providing alternatives to judicial proceedings at the earliest stages.

Although the Juvenile Justice Act mandates prosecutors to consider diversion before prosecution, this is often not realised due to a lack of structured training, guidelines, and oversight. Police often fail to refer cases to DJJ at the earliest opportunity, which delays the diversion process and risks retraumatising the child. There is an urgent need for capacity-building initiatives to train frontline officers in child-sensitive, restorative approaches to ensure the law is effectively implemented.

The 2022 Child Rights Symposium and 2024 Juvenile Justice Symposium stressed the importance of capacity building for justice sector professionals. It was revealed that many community conferences are limited in frequency due to a shortage of trained personnel. This lack of training extends to police and prosecutors who are primary decision-makers at critical early stages of intervention. The UNCRC Article 3 requires that the best interests of the child be a primary consideration in all actions concerning children. Without adequate training, stakeholders may fail to appreciate or implement restorative alternatives in line with this principle.

Challenges in Community Engagement and Reintegration

Reintegration is a key goal of restorative justice, as articulated in rule number 26 of the Beijing Rules and Article 39 of the UNCRC. However, community attitudes in the Maldives often hinder the reintegration of children who have come into conflict with

the law. It was revealed that many children who are released from custody or state care struggle to return to their communities due to stigma, discrimination, and lack of support systems. This leads to repeated engagement with the justice system.

Family involvement is also limited in current rehabilitation efforts, with many families unwilling or unprepared to take responsibility for their child's reintegration. This highlights the necessity of community education programmes and the development of reintegration support services, including psychosocial counselling, vocational training, and transitional housing for children leaving care.

There are also societal pressures to impose harsher penalties on young offenders, often driven by concerns for public safety. Many people believe that stricter consequences can deter youth crime and protect communities. This perspective is often fuelled by high-profile cases of juvenile offences that capture media attention, leading to public outcry for tougher laws and penalties.

However, it is important to consider the complexities of juvenile justice. Harsh penalties may not address the underlying issues that lead to juvenile crime, commonly identified as poverty, lack of education, or mental health problems. Instead of punitive measures, rehabilitation and support programmes are deemed to help young offenders reintegrate into society and reduce recidivism. The system needs to address the root causes of child offending behaviour, favouring re-integration approaches rather than punitive approaches, thereby preventing risks of reoffending behaviour.

There is a negative perception amongst society that a specialised juvenile justice system is “soft” and “lenient” towards the accused with no regard to the repairing the harm caused due to their actions, when in reality the main aim of a specialised system is quite the opposite. A specialised system aims to encourage young people to take accountability for their actions and allows to take measures which gives them the chance to repair the harm inflicted.

Resource Constraints and Institutional Capacity

The capacity of the DJJ and other child protection institutions remains a critical barrier to restorative justice. At present, there are only a limited number of trained juvenile justice officers, most of whom are based in the capital, leaving the outer atolls significantly underserved. Although DJJ have commenced taking steps to decentralise their services, it will take a considerable period of time before they are able to extend a uniform level of services to the atolls as the capital. Furthermore, DJJ officers are often unable to conduct timely assessments or develop rehabilitation plans, which undermines the diversion process and leaves children without necessary support.

These limitations are exacerbated by the absence of standardised assessment tools, data management systems, and follow-up mechanisms to monitor a child's progress post-diversion or post-release. A national plan of action with adequate funding, human resources, and performance indicators is essential for overcoming these institutional weaknesses.

Recommendations

To strengthen restorative justice in the Maldives, several future plans and policy recommendations were outlined at the 2022 Child Rights Symposium and 2024 Juvenile Justice Symposium. These recommendations align with the findings of this study as well.

- **Legislative Reform and Guidelines:** Future plans include the development of comprehensive guidelines on restorative justice procedures, tailored to the Maldivian context. These guidelines will ensure consistency in implementation and provide clarity to practitioners across different sectors. Additionally, there are discussions to further amend the existing regulations under the JJ Act to create more specific provisions on when and how restorative mechanisms can be used effectively.
- **Formalisation of Restorative Practices:** Introducing victim-offender mediation, family conferencing, and community panels as part of the diversion process. Although restorative practices are used within the Maldivian juvenile justice system, they remain relatively informal and inconsistently applied. There is a recognised need to formalise these practices through national standards, protocols, and operating procedures that clearly define the role of restorative justice at each stage of the juvenile justice process. This includes integrating restorative options into prosecutorial decision-making and ensuring that diversion and conferencing processes follow a uniform structure.¹¹⁸ By institutionalising these practices, the Maldives can enhance legitimacy, transparency, and fairness in how children are treated under the law.¹¹⁹

¹¹⁸ United Nations Office on Drugs and Crime (UNODC) (2006), *Handbook on Restorative Justice Programmes*. Vienna: UNODC

¹¹⁹ Pavlovic, A., Kellum, K., & Schulenberg, J. (2021), *The Increasing Application of Restorative Practices: Contexts and Evidence*. *Journal of Restorative Justice*, 9(1), pp. 11–30

- **Capacity Building:** One of the key challenges currently facing the juvenile justice system in Maldives is the limited number of trained facilitators capable of conducting effective community conferences. The government, through the DJJ and the Juvenile Justice Oversight Committee, aims to address this by increasing training opportunities for law enforcement officers, social workers, and justice professionals. These trainings will be grounded in international standards, and will focus on trauma-informed approaches and child-sensitive practices.¹²⁰
- **Inter-agency Coordination:** Establishment of multi-agency working groups and case conferencing systems with standard operating procedures. Effective restorative justice requires seamless coordination between various sectors—including law enforcement, prosecutors, child protection services, the judiciary, and education and health services. Although multi-agency coordination exists in current practice (e.g., through case conferencing), it is not always efficient or consistent across all atolls. The future goal is to formalise and strengthen inter-agency communication protocols, assign designated focal points in each institution, and establish shared information systems to improve collaboration and service delivery.¹²¹ These improvements will help ensure continuity of care, eliminate duplication, and deliver child-focused outcomes in line with international standards.
- **Community Engagement:** Development of reintegration support services, including family counselling, community mentoring, and public awareness campaigns to reduce stigma. Plans are also in place to improve community awareness and participation in the justice process. Awareness campaigns, community outreach, and school-based

¹²⁰ Pavlovic, A., Kellum, K., & Schulenberg, J. (2021), *The Increasing Application of Restorative Practices: Contexts and Evidence*. *Journal of Restorative Justice*, 9(1), pp. 11–30

¹²¹ United Nations Office of Drugs and Crime (2021), *Training of Trainers Manual on Juvenile Justice System in the Republic of Maldives*. Vienna: United Nations Office

restorative education will be developed to foster a culture that supports child rehabilitation and community reintegration.

- **Monitoring and Evaluation:** Implementation of robust case tracking and data collection mechanisms to monitor outcomes and assess impact. To ensure accountability and effectiveness, the government plans to introduce robust monitoring and evaluation tools to track the outcomes of restorative justice interventions. These tools will collect data on recidivism, victim satisfaction, and community engagement, enabling evidence-based improvements in the system.¹²²

¹²² Latimer, J., Dowden, C., & Muise, D. (2005), *The Effectiveness of Restorative Justice Practices: A Meta-Analysis*. *The Prison Journal*, 85(2), pp. 127–144

Conclusion

This analysis of the Maldivian Juvenile Justice System shows that existing legal frameworks allow for the effective restorative practices to be put into place. The effective implementation of these frameworks would ultimately balance the rights of the child in conflict with the law with the rights of the victim and the public. These measures can be set forth both in accordance with international best practices and in alignment with the Maldivian Context. The current legislature promotes alternatives to trial mechanisms, early intervention and restorative practices.

The gaps in the current system are resultant of a lack of available resources and technical personnel, which ultimately leads to ineffective implementation and roll out as envisaged by the new child rights framework brought in by the Child Rights Protection Act, and the Juvenile Justice Act. While the Juvenile Justice System itself lacks resources and technical personnel, simply focusing on pooling resources into the juvenile justice system would not be a complete measure to ensure public safety. Policy makers should simultaneously ensure that the childcare system which deals with children below the MACR is also effective enough to mitigate any potential inflow of those children into the Juvenile Justice System. When the acts are read together, it is evident that a concerted effort must be made to address both children at risk and children in conflict with the law, regardless of their age.

This ineffective implementation adds on to the general negative perceptions and grievances of the public regarding the Criminal Justice System. Policy makers and individuals in decision making positions should be aware that there is a statutory duty to consider all the contributing factors that lead to juvenile offending in place of isolating cases that gain public attention to bring about reactionary changes. In addressing this, one key recommendation of this paper would be to shape policy decisions based on research, as set out in the Beijing Rules.

Although public perception impacts policy decisions, the public itself needs to be informed more on the socio-economic factors contributing to juvenile delinquency. This can be achieved through public awareness campaigns that divert attention away from vilifying young offenders towards a more humane approach. Ultimately, agencies should consider emboldening public trust in institutions both in the Juvenile Justice

System and the Criminal Justice System, as fruitful outcomes of any policy initiative regarding child rights can only be achieved with community support. It is also of utmost importance to strengthen victim support and social welfare services in the Criminal Justice System in order to help the public navigate towards an empathetic approach to juvenile delinquency.

While Inter-Agency coordination is already mandated by the law, practitioners can benefit from using various indicators during the decision-making processes within the system, such as considering the overall situation of the child and indicators which show how effective a new policy roll-out has been, with periodic reviews to address gaps and failures. In the end, the success of our Juvenile Justice System will not only be measured by how well it punishes wrongdoing, but by how effectively it helps the children who are in conflict with the law to turn their lives around without compromising the safety and trust of the public. A system that values both accountability and opportunity is not only possible, but necessary for a fairer and safer community.

References

Janeksela, G. M. (1991), 'Descriptive analysis of five juvenile justice systems: United States, Scotland, England, India, and South Africa', *International Review of Modern Sociology*, 21(1), 1–19.

^[2] Janeksela, G. M. (1991), 'Descriptive analysis of five juvenile justice systems: United States, Scotland, England, India, and South Africa', *International Review of Modern Sociology*, 21(1), 1–19. <http://www.jstor.org/stable/41420985> [accessed 7 April 2025]

^[3] The Constitution of the Republic of Maldives 2008, Article 35 (a)

^[4] Juvenile Justice Act (Law No. 18/2019), s27(a)

^[5] Juvenile Justice Act (Law No. 18/2019), s27(d)

^[6] Child Rights Protection Act (Law No. 19/2019), s29(c), Juvenile Justice Act (Law No. 18/2019), s27(d)

^[7] Juvenile Justice Act (Law No. 18/2019), chapter 4

^[8] Juvenile Justice Act (Law No. 18/2019), s21(b)

^[9] Juvenile Justice Act (Law No. 18/2019), s20

^[10] Regulation on the Prosecution of Juvenile Offences (Regulation No. 2021/R-66)

^[11] Juvenile Justice Act (Law No. 18/2019), s17(a)

^[12] Juvenile Justice Act (Law No. 18/2019), s.8

^[13] Juvenile Justice Act (Law No. 18/2019), s 61(b)

^[14] Juvenile Justice Act (Law No. 18/2019), s 37(d)(a)

^[15] Juvenile Justice Act (Law No. 18/2019), s 31.

^[16] Juvenile Justice Act (Law No. 18/2019), s 34 (f).

^[17] Juvenile Justice Act (Law No. 18/2019) s 46

^[18] Juvenile Justice Act (Law No. 18/2019), s 61(h)

^[19] Juvenile Justice Act (Law No. 18/2019), s 61(h)

^[20] United Nations Office on Drugs and Crime (UNODC), Handbook on Restorative Justice Programmes (2nd edn, 2020) 17–18.

^[21] The Sentencing Project, 'Protect and Redirect: Best Practices for Juvenile Diversion' <<https://www.sentencingproject.org/policy-brief/protect-and-redirect-best-practices-for-juvenile-diversion/>> [accessed 6 April 2025]

^[22] Juvenile Justice Act (Law No. 18/2019)

^[23] 'First drug diversion program completed with the release of three drug users' (Raajje.mv, 18 April 2022) <<https://raajje.mv/90863>> [accessed 6 April 2025]

^[24] Department of Justice and Community Safety, 'Youth Diversion Statement' (Justice and Community Safety, Victoria State Government) <<https://www.justice.vic.gov.au/youth-diversion-statement>> [accessed 6 April 2025]

^[25] Juvenile Justice Act (Law No. 18/2019), s38

^[26] Juvenile Justice Act (Law No. 18/2019), s39

^[27] Juvenile Justice Act (Law No. 18/2019), s38

^[28] Office of the Children's Ombudsperson. (2019). Child Rights Symposium. <https://oco.mv/storage/media/421/CRS_v5.pdf> [accessed 21 April 2025]

^[29] JANEKSELA, G. M. (1991). DESCRIPTIVE ANALYSIS OF FIVE JUVENILE JUSTICE SYSTEMS: UNITED STATES, SCOTLAND, ENGLAND, INDIA, AND SOUTH AFRICA. International Review of Modern Sociology, 21(1), 1–19.

^[30] JANEKSELA, G. M. (1991). DESCRIPTIVE ANALYSIS OF FIVE JUVENILE JUSTICE SYSTEMS: UNITED STATES, SCOTLAND, ENGLAND, INDIA, AND SOUTH AFRICA. International Review of Modern Sociology, 21(1), 1–19. <http://www.jstor.org/stable/41420985>

^[31] Article 40 CRC

^[32] General comment No. 24 (2019) on children's rights in the child justice system

<https://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2FPpRiCAqhKb7yhsqlkirKQZLK2M58RF%2F5F0vEnG3QGKUxFivhToQfjGxYjV05rUAIgpOwHQJsFPdJXCjixFSrDRwow8HeKLLh8cgOw1SN6vj%2Bf0RPR9UMtGkA4> [accessed 21 April 2025]

^[33] Systematic Responses to Children under the Minimum Age of Criminal Responsibility who have been (Allegedly) Involved in Offending Behaviour in Europe and Central Asia

^[34] General comment No. 24 (2019) on children's rights in the child justice system

<https://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2FPPrICaqhKb7yhsqlIkirKQZLK2M58RF%2F5F0vEnG3QGKUxFivhToQfjGxYjV05tUAIgpOwHQJsFPdJXCjixFSrDRwow8HeKLLh8cgOw1SN6vJ%2Bf0RPR9UMrGkA4> [accessed 21 April 2025]

^[35] as cited in Reviewing the age of criminal responsibility, *Crim. L.R.* 2018, 11, 904-909

^[36] Reviewing the age of criminal responsibility, *Crim. L.R.* 2018, 11, 904-909

^[37] Estimating the number of children deprived of liberty in the administration of justice

^[38] Beijing rules, rule 5

^[39] G. Comment 24

^[40] 18. General Comment 24

^[41] Social Work (Scotland) Act 1968

^[42] Kilbrandon Report

^[43] <<https://www.gov.scot/policies/girfec/>> [accessed 21 April 2025]

^[44] <https://content.iriss.org.uk/youthjustice/c-offence.html>, [accessed 21 April 2025]

^[45] Children's Hearings (Scotland) Act 2011

^[46] Youth Justice and Youth Crime in Australia, MICHAEL O'CONNELL AND ELIZABETH O'CONNELL

^[47] Final Report on the Blueprint for Youth Justice in the ACT 2012-2022, Community Services Directorate, Australian Central Government

^[48] *ibid*

^[49] *ibid*

^[50] <https://www.justice.vic.gov.au/youth-diversion-statement>, [accessed 21 April 2025]

^[51] <https://www.justice.vic.gov.au/youth-diversion-statement>, [accessed 21 April 2025]

^[52] ‘Help way earlier!’: How Australia can transform child justice to improve safety and wellbeing <
https://humanrights.gov.au/sites/default/files/document/publication/1807_help_way_earlier_-_accessible_0.pdf> [accessed 21 April 2025]

^[53] ‘Help way earlier!’: How Australia can transform child justice to improve safety and wellbeing <
<https://humanrights.gov.au/our-work/childrens-rights/publications/help-way-earlier>> [accessed 21 April 2025]

^[54] Victorian Government, Youth Diversion Statement (Department of Justice and Community Safety, 2022) [accessed 6 April 2025].

^[55] Jacqueline Stewart et al, Indigenous Youth Justice Programs Evaluation (Australian Institute of Criminology 2014).

^[56] Beijing Rules, Rule 30

^[57] VII. Data collection, evaluation and research, General Comment 24

^[58] IV. Core elements of a comprehensive child justice policy A. Prevention of child offending, including early intervention directed at children below the minimum age of criminal responsibility, General Comment 24

^[59] The Scottish Juvenile Justice System: Policy and Practice, LESLEY McARA AND SUSAN McVIE

^[60] Save the Children, as cited in ‘Help way earlier!’: How Australia can transform child justice to improve safety and wellbeing

^[61] Liefgaard, T. and Sloth-Nielsen, J. (2016) ‘Children’s Rights and the Juvenile Justice System’, International Journal of Children’s Rights. 24(2), pp. 373-389.

^[62] Kilkelly, U. (2011) Using the Convention on the Rights of the Child in Law and Policy: Two Ways to Improve Compliance. In: R. Sloth-Nielsen (ed.) Children’s Rights in Africa: A Legal Perspective. Farnham: Ashgate Publishing, pp. 179–198.

^[63] Goldson, B. (2005) Child imprisonment: A case for abolition. Youth Justice. 5(2), pp.77–90.

^[64] UNICEF (2016) The State of the World’s Children 2016: A fair chance for every child. <<https://www.unicef.org/reports/state-worlds-children-2016>> [accessed 7 April 2025]

- [65] Liefwaard, T. and Sloth-Nielsen, J. (2016) 'Children's Rights and the Juvenile Justice System', *International Journal of Children's Rights*. 24(2), pp. 373-389.
- [66] Detrick, S. (1999) *A Commentary on the United Nations Convention on the Rights of the Child*. The Hague: Martinus Nijhoff Publishers
- [67] Goldson, B. (2005) Child imprisonment: A case for abolition. *Youth Justice*. 5(2), pp.77–90. Muncie, J. (2009) *Youth and Crime*. 3rd ed. London: SAGE Publications
- [68] Kilkelly, U. (2011) Using the Convention on the Rights of the Child in Law and Policy: Two Ways to Improve Compliance. In: R. Sloth-Nielsen (ed.) *Children's Rights in Africa: A Legal Perspective*. Farnham: Ashgate Publishing, pp. 179–198
- [69] Braithwaite, J. (2002) *Restorative Justice and Responsive Regulation*. Oxford: Oxford University Press
- [70] UNICEF (2016) *The State of the World's Children 2016: A fair chance for every child*. <<https://www.unicef.org/reports/state-worlds-children-2016>> [accessed 7 April 2025]
- [71] Lamb, S. and Edgar-Smith, S. (1994) 'Aspects of Abuse: Effects on the Child and Implications for Treatment', *Journal of Interpersonal Violence*. 9(3), pp. 309–335.
- [72] Goldson, B. (2005) Child imprisonment: A case for abolition. *Youth Justice*. 5(2), pp.77–90. Muncie, J. (2009) *Youth and Crime*. 3rd ed. London: SAGE Publications
- [73] Liefwaard, T. and Sloth-Nielsen, J. (2016) 'Children's Rights and the Juvenile Justice System', *International Journal of Children's Rights*. 24(2), pp. 373-389
- [74] Kilkelly, U. (2011) Using the Convention on the Rights of the Child in Law and Policy: Two Ways to Improve Compliance. In: R. Sloth-Nielsen (ed.) *Children's Rights in Africa: A Legal Perspective*. Farnham: Ashgate Publishing, pp. 179–198.
- [75] Goldson, B. (2005) Child imprisonment: A case for abolition. *Youth Justice*. 5(2), pp.77–90.
- [76] UNICEF (2016) *The State of the World's Children 2016: A fair chance for every child*. <<https://www.unicef.org/reports/state-worlds-children-2016>> [accessed 7 April 2025]
- [77] Goldson, B. (2005) Child imprisonment: A case for abolition. *Youth Justice*. 5(2), pp.77–90. Muncie, J. (2009) *Youth and Crime*. 3rd ed. London: SAGE Publications

[78] Kilkelly, U. (2011) Using the Convention on the Rights of the Child in Law and Policy: Two Ways to Improve Compliance. In: R. Sloth-Nielsen (ed.) *Children's Rights in Africa: A Legal Perspective*. Farnham: Ashgate Publishing, pp. 179–198.

[79] Liefwaard, T. and Sloth-Nielsen, J. (2016) 'Children's Rights and the Juvenile Justice System', *International Journal of Children's Rights*. 24(2), pp. 373–389

[80] UNICEF (2016) *The State of the World's Children 2016: A fair chance for every child*. <<https://www.unicef.org/reports/state-worlds-children-2016>> [accessed 7 April 2025]

[81] Law No. 18/2019

[82] Pavlovic, A., Kellum, K., & Schulenberg, J. (2021), The Increasing Application of Restorative Practices: Contexts and Evidence. *Journal of Restorative Justice*, 9(1), pp. 11–30.

[83] Juvenile Justice Act (Law no. 18/2019) s36(a) (14)

[84] United Nations Office on Drugs and Crime (UNODC) (2006), *Handbook on Restorative Justice Programmes*. Vienna: UNODC

[85] Latimer, J., Dowden, C., & Muise, D. (2005), The Effectiveness of Restorative Justice Practices: A Meta-Analysis. *The Prison Journal*, 85(2), pp. 127–144

[86] Juvenile Justice Act (Law no. 18/2019) s37(d)

[87] United Nations Office of Drugs and Crime (2021), *Training of Trainers Manual on Juvenile Justice System in the Republic of Maldives*. Vienna: United Nations Office

[88] United Nations Office on Drugs and Crime (UNODC) (2006), *Handbook on Restorative Justice Programmes*. Vienna: UNODC

[89] Pavlovic, A., Kellum, K., & Schulenberg, J. (2021), The Increasing Application of Restorative Practices: Contexts and Evidence. *Journal of Restorative Justice*, 9(1), pp. 11–30

[90] Pavlovic, A., Kellum, K., & Schulenberg, J. (2021), The Increasing Application of Restorative Practices: Contexts and Evidence. *Journal of Restorative Justice*, 9(1), pp. 11–30

[91] United Nations Office of Drugs and Crime (2021), *Training of Trainers Manual on Juvenile Justice System in the Republic of Maldives*. Vienna: United Nations Office

[92] Latimer, J., Dowden, C., & Muise, D. (2005), The Effectiveness of Restorative Justice Practices: A Meta-Analysis. *The Prison Journal*, 85(2), pp. 127–144

Conflicting Mandates of Drugs Act & Juvenile Justice Act of Maldives in light of Rehabilitation

Drug Court and Juvenile Court

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Abbreviations

The following abbreviations have been used in the paper.

CRPC Criminal Procedure Code (Law number: 12/2016)

DA Drugs Act (Law number 17/2011)

JJA Juvenile Justice Act 2019 (Law number 18/2019)

DC Drug Court

JC Juvenile Court

DJJ Department of Juvenile Justice

PGO Prosecutor General's Office

MPS Maldives Police Service

NDA National Drug Agency

IO Investigation Officer

Abstract

The Criminal Procedure Code 2016 (CrPC) establishes procedural standards for the investigation, prosecution, and adjudication of all criminal cases. Several provisions within the CrPC are relevant to the analysis of social reintegration measures. However, a distinct piece of legislation, the Drug Act 2011 was enacted to specifically govern the rehabilitation and reintegration of drug-dependent individuals, including juveniles. The Act facilitates such rehabilitation primarily through the Drug Court, which has jurisdiction over cases involving drug dependency. In parallel, the Juvenile Justice Act (JJA), ratified in 2019, established a specialised juvenile justice system distinct from the general criminal justice system. The JJA introduced and prioritised diversion mechanisms as early interventions, thereby reducing reliance on formal prosecution. As a result, there has been a significant decline in the number of juvenile cases filed in both the Drug Court and the Juvenile Court.

This paper examines the current framework of drug rehabilitation treatment as outlined in the Drug Act and the diversion mechanisms available under the JJA. It also provides a comparative analysis of the mandates under both Acts in relation to the rehabilitation of juveniles.

Introduction

The issue of drug abuse constitutes a significant and complex social challenge globally. In response, numerous jurisdictions have progressively reoriented their legal and policy frameworks, prioritising treatment and rehabilitation over punitive responses. Reflecting this international jurisprudential and policy evolution, Maldives enacted the *Drug Act* (Law No. 17/2011), repealing the earlier *Drug Act* of 1977. The 2011 Act represents a significant departure from the earlier punitive framework, placing greater emphasis on therapeutic interventions and the reintegration of drug users into society through treatment-oriented mechanisms.

Likewise, the philosophy of restorative and rehabilitative justice has been prominently integrated into the juvenile criminal justice system through the enactment of the Juvenile Justice Act in 2019. The Act emphasises the importance of addressing the underlying causes of juvenile offending and prioritises the reintegration of children in conflict with the law through non-punitive, developmentally appropriate interventions.

Rehabilitation within the criminal justice system is essential, as it seeks to address the underlying causes of criminal behaviour while facilitating the reintegration of offenders into society. Its primary objective is to reduce recidivism by prioritising rehabilitative measures over punitive sanctions, thereby responding to the specific needs of offenders and equipping them with the tools necessary for positive change. By placing rehabilitation at the core of criminal justice policy, the system adopts a more humane and equitable approach—one that acknowledges the capacity for individual reform and supports the restoration of offenders as constructive members of their communities.

In the Maldives, there has been a rapid and concerning rise in the number of children involved in drug-related offences¹²³. Authorities have reported a significant increase in the exploitation of minors by organised criminal groups, particularly in activities such as drug trafficking and related illicit conduct. Many of these children are also alleged

123 Nizar, Asima (2025, April 13). ރަජިރުގެ ދަށުން ދަރިވަރުން ދަތުރުކުރާ ދަރިވަރުން ގެ އަދަދު ވަރަށް ބޮޑުވި. *Mihaaru*.
<https://mihaaru.com/news/144318>

to be engaged in substance abuse. However, there has been a significant decline in the number of drug cases prosecuted.

Therefore, the question arises: what procedures are followed when children are accused of drug abuse? What measures are imposed on juveniles in such cases? Are these children receiving adequate rehabilitation and treatment? It is essential to identify the factors contributing to recidivism among this population. Furthermore, it is necessary to examine whether these issues are insufficiently addressed due to conflicts or gaps between the relevant legislations.

OBJECTIVES

1. To examine and elucidate any conflicting mandates between the *Drug Act* and the *Juvenile Justice Act* of the Maldives, particularly in the context of juvenile drug rehabilitation; and
2. To identify the key challenges in implementing drug treatment programmes for juveniles, whether court mandated or at pre-trial stages, in relation to the provisions and interplay of the two aforementioned legislations.

METHODOLOGY

This paper employs a doctrinal legal research methodology, supported by qualitative empirical components, to examine the interplay between the *Drug Act* and the *Juvenile Justice Act* of the Maldives in the context of juvenile drug rehabilitation. The methodology aims to identify legal inconsistencies, practical gaps, and implementation challenges within the existing legislative framework.

The primary method involves doctrinal research, which entails a detailed examination of statutory provisions. To complement the legal analysis, qualitative interviews were conducted with professionals directly involved in the juvenile justice and drug treatment system. A semi-structured interview guide was used to ensure consistency across interviews while allowing for in-depth exploration of specific issues emerging from practice. Quantitative data was obtained from key institutions, including case statistics, rehabilitation outcomes, and treatment referrals. The data were analysed and visualised using pivot charts and graphs to illustrate trends and support legal arguments with empirical insights. The study also incorporates an extensive review of primary and secondary sources, including academic research papers, journal articles, government publications, NGO reports, newspaper articles, and credible electronic sources.

Overview of Legal Frameworks

The Drug Act 2011¹²⁴ provides a comprehensive legal framework for addressing the problem of drug use and trafficking in the Maldives. In addition to outlining measures for prevention and control, the Act introduced rehabilitative mechanisms specifically designed for drug-dependent individuals. These mechanisms aim to ensure access to appropriate treatment services and support their reintegration into society.

To operationalise these objectives, the Act established two key institutions: the National Drug Agency (NDA)¹²⁵ and the Drug Court¹²⁶. Under the reformed measures introduced by the Act, the NDA is mandated to deliver treatment and rehabilitation programmes for drug-dependent persons, with the overarching goal of facilitating their reintegration as responsible citizens.

The Drug Court provides legal and judicial recognition to the treatment-based model by formally integrating it into the criminal justice system. It functions as a specialised court responsible for adjudicating criminal cases involving individuals with drug dependency. Instead of imposing punitive sanctions, the Drug Court is empowered to subject such individuals to mandatory treatment and rehabilitation programmes. This approach aims to reduce or eliminate drug dependency, thereby increasing the likelihood of successful reintegration into the community.

To be eligible for admission to the Drug Court, certain basic requirements¹²⁷ must be met. The offender must plead guilty to the offence, must be assessed as drug-dependent, and must not be convicted or charged with an offence falling under Section 36 of the Drug Act 2011, which lists disqualifying serious offences. Provided this eligibility

¹²⁴ *Drug Act, (Law no: 17/2011).*

¹²⁵ *Section 26, Drug Act 2011.*

¹²⁶ *Section 30, Drug Act 2011.*

¹²⁷ *Section 35, Drug Act 2011.*

criteria are met, cases involving juvenile drug users are also heard and adjudicated by the Drug Court¹²⁸.

General Procedure of Rehabilitation via Drug Court

When a case is filed to Drug Court by the PGO, the offender is brought before the court for a preliminary meeting to determine if they agree to undergo rehabilitation treatment in line with Drug Court procedures. If the offender agrees to complete the treatment, an indicative assessment order is issued to the NDA, and the NDA conducts an assessment in accordance with that order. Once the indicative assessment report confirms that the offender is dependent on drugs, the offender is summoned to a court hearing for the next proceeding. At the hearing, if the offender pleads guilty to the charges, the Judge declares him convicted and imposes a jail sentence as the initial sentence. A rehabilitation order is then issued, requiring the offender to complete the treatment recommended by the NDA in the indicative assessment report, while the execution of the jail sentence is withheld.

A rehabilitation order contains obligatory conditions that every offender must abide by ¹²⁹. If the offender successfully completes the treatment according to these conditions, the court will issue a final sentence that nullifies the initial sentence, either with or without additional conditions. If the offender fails to comply with the terms of the rehabilitation order, the Court may terminate his participation in the treatment programme and order that the initial jail sentence be executed by sending him to the correctional facility.

After a Rehabilitation Order is issued, the Drug Court monitors the treatment by reviewing status reports submitted by the treatment centres, which detail the offender's

¹²⁸ Section 33, *Drug Act 2011*, & Section 21 (b) *Juvenile Justice Act 2019*.

¹²⁹ Section 71, *Drug Act 2011*.

participation in the programme. Additionally, the Judge has the discretion to summon responsible parties to review the progress of the rehabilitation programme.

NDA's Role in Rehabilitation.

The National Drug Agency (NDA) is responsible¹³⁰ for conducting indicative assessments¹³¹ of offenders, which serve as the basis for the Drug Court to determine the most appropriate treatment programmes for each individual. The rehabilitation programmes mandated under the Drug Court's rehabilitation orders are formulated in accordance with the findings of these assessments. The NDA is also tasked with implementing the ordered treatment¹³² through its network of treatment centres.

Currently, the NDA operates ten treatment centres¹³³ across the Maldives, including two residential treatment centres, nine community service centres, and one halfway house. Despite the obligation under the Drug Act 2011 to establish a specialised treatment centre for children, no such facility has been established to date. At present, treatment programmes for juveniles are facilitated through three NDA treatment centres, two located in Malé and one in Fuvahmulah City, under supervised arrangements.

According to Aminath Asra¹³⁴, six juveniles are currently undergoing rehabilitation treatment at NDA-operated treatment centres. In cases where a drug-dependent child requires treatment, the National Drug Agency also allows for direct access to rehabilitation services through a parental application, without the necessity of a court order or referral from any other authority. This provision facilitates early intervention

¹³⁰ Section 63 (c), Drug Act 2011.

¹³¹ Section 6, Drug Act 2011

¹³² Section 27 (e), Drug Act 2011.

¹³³ National Drug Agency (2025 June), <https://nda.gov.mv/dv#>.

¹³⁴ Head of the Department, NDA, Treatment section.

by enabling voluntary access to treatment and reduces reliance on formal judicial proceedings.

Asra noted that, while many parents are eager for their children to overcome drug dependency, some are reluctant to voluntarily seek treatment on their behalf. One of the primary concerns identified is the fear of further exposure to drugs during treatment. In a small and closely connected community like the Maldives, the lack of adequate separation between adults and children in treatment facilities reinforces this apprehension. Additionally, there is a prevailing fear of social labelling—that once a child enters a drug rehabilitation facility, they may be permanently identified as a drug user by the community. Even after completing a successful rehabilitation programme, parents remain concerned that their child may continue to face social rejection and marginalisation. The stigma associated with drug use thus poses a significant barrier to voluntary treatment and long-term reintegration.

Analysis: Is there any Special Rule for Juveniles?

While the Drug Act 2011 permits both adults and juveniles to access rehabilitation through the Drug Court, it does not require any procedural differentiation in the treatment of juveniles during the rehabilitation process. The Act fails to incorporate child-specific safeguards or tailored provisions that recognise the distinct developmental and legal status of juveniles. Notably, the Drug Court Judges are required to impose a jail term as an initial sentence, with no alternative options. Consequently, if an offender is terminated from the treatment programme, the execution of the jail sentence becomes mandatory.

Furthermore, Rehabilitation orders issued to juveniles include the same obligatory conditions as those issued to adults. If a juvenile fails to comply with these conditions, the same corrective measures apply, which may include monetary penalties or imprisonment for up to 15 days.

The same approach applies in situations where a rehabilitation order must be suspended¹³⁵. If an offender is convicted of an offence falling under Section 36 of the Drug Act 2011 while a rehabilitation order is in effect, the court is required to enforce the custodial sentence for that offence. Consequently, the existing rehabilitation order is suspended for the entire duration of the sentence. In most such cases, this results in a prolonged suspension, typically exceeding ten years, effectively disrupting the rehabilitative process. This statutory requirement further illustrates the rigid and punitive dimensions embedded within the Drug Court framework, which may undermine the long-term objectives of rehabilitation and reintegration, especially in the case of juveniles.

AbdulSattar AbdulHameed¹³⁶ noted that the Juvenile Justice Act (JJA) strongly encourages alternatives to incarceration for juvenile offenders and provides judges with a range of sentencing options. However, in contrast, the Drug Court is limited to imposing imprisonment as the initial sentence in drug-related cases. This inconsistency highlights the need to harmonise the sentencing provisions of both laws. At the same time, it remains crucial that any sentence imposed serves as a deterrent, ensuring the child understands the consequences and is discouraged from repeating drug use.

He further observed that, to date, the National Drug Agency (NDA) has primarily advocated for community-based rehabilitation programmes for juveniles. Nonetheless, he emphasised the necessity of establishing a specialised treatment facility for children, noting that certain cases may require structured, centre-based interventions to ensure effective rehabilitation. In the absence of such a facility, children in need of more intensive treatment may be deprived of appropriate care. He stressed that such a centre would serve a critical function not only within diversion programmes but also in accommodating juveniles who voluntarily seek treatment independent of Drug Court proceedings.

¹³⁵ Section 76, Drug Act 2011.

¹³⁶ Chief Judge, Drug Court

Detailed examination of the Juvenile Justice Act in light of rehabilitation

One of the main objectives of the Juvenile Justice Act is to ensure that juvenile offenders receive the necessary rehabilitative treatment, while enabling them to reintegrate and to play a constructive role in society.¹³⁷ One of the fundamental rules of the juvenile justice system is to encourage other actions instead of prosecution. Therefore, any action taken against a child in conflict with the law should prioritise diversion, emphasising rehabilitation through the involvement of the child's family and community.¹³⁸

Diversion system

One of the most prominent systems in the Juvenile Justice Act to keep children away from crime and prevent them from reoffending is the diversion system. Under this system, instead of criminal prosecution of children in conflict with the law, action is taken under the philosophy of 'restorative justice'.¹³⁹

As diversionary measures, the child may be required to attend a regular educational institution for a specific period and comply with an agreement between the child and the parent to meet specified standards. Additionally, the child may require participation in counselling and therapeutic activities and participate in a vicarious training or rehabilitation programme. These measures depend on the findings of psychological assessments, social inquiry reports, and risk assessments, ensuring that the chosen measures are tailored to the child's unique needs. In addition, any other

¹³⁷ Section 3, *Juvenile Justice Act 2019*.

¹³⁸ Section 8, *Juvenile Justice Act 2019*.

¹³⁹ Section 34, *Juvenile Justice Act 2019*.

measure based on the principle of restorative justice appropriate to the child may be taken as a diversion measure.¹⁴⁰

During the investigation and prosecution of a child accused of a crime, the MPS and the PGO have the authority to send the child to a diversion programme. However, if a child is placed on diversion, the advice and guidance of the DJJ must be sought as well as the findings of the child's risk assessments, child status report and other assessments made.¹⁴¹

A diversion action against a child in conflict with the law requires certain conditions. Consent from both the child and their guardian is required for the diversion action. The specific action and its duration must be clarified before obtaining consent from the child and their parent. It should also be made clear to the child and parent that if the child refuses or fails to complete those diversion measures, the child will be subject to prosecution. If the child successfully completes the diversion measure, the case related to the alleged offence will be considered closed.¹⁴²

Accused children who remain within the diversion system must receive treatments of appropriate amounts for the various steps of diversion they are completing, and of different types of treatment for their individual needs. The most appropriate treatment and supervision for the accused child through diversion measures will be determined separately for each case, and in a manner that will best assist the child to avoid re-offending. The state should support accused children with psychological, social, and material support to help them reintegrate into society positively.¹⁴³

¹⁴⁰ Section 36, *Juvenile Justice Act 2019*.

¹⁴¹ Section 37, *Juvenile Justice Act 2019*.

¹⁴² Section 40, *Juvenile Justice Act 2019*.

¹⁴³ Section 43, *Juvenile Justice Act 2019*.

The role of the police in diversion

In Maldives, the age of criminal responsibility is currently 15 years.¹⁴⁴ According to Halimath Hussain¹⁴⁵ the focus of investigation in juvenile and adult investigation of a child's case is not the same, the child's best interest is at utmost importance in juveniles' cases. Especially in drug cases, the investigation focuses on understanding why the child turns to substance use. The child's rehabilitation is a priority, while the child's exploitation is also being explored. For example, analysing the child's phone; the main purpose of phone analysis is to assess the child's role in the offence and the factors contributing to their criminal behaviour. For example, if he sells drugs, it is important to know who is helping or exploiting him.

During the investigation phase for placing a child in a diversion programme, institutions consult and determine a set of treatment programmes for the child. For example, if he has substance use disorder, NDA is required to participate to propose a treatment. DJJ facilitates psychotherapies if he has any mental issue. The role of the police is to monitor compliance. So, the placement for diversion is done by the Ministry of Education, DJJ, Police, Prosecutor and NDA in case of a drug related case.

These institutions hold a conference and agree upon certain measures to take. To determine these measures, a psychological assessment report, a social inquiry report and a risk assessment report are considered when making decisions about the child.

Post-Trial Reintegration

In the Juvenile Court, a judge has the authority to take specific actions if a child is found guilty, considering the seriousness and nature of the case. These include postponement of sentencing to allow the accused child to comply with certain conditions within a specified period to be determined by the judge, and, if the child

¹⁴⁴ Section 27, *Juvenile Justice Act 2019*.

¹⁴⁵ *Investigation Officer, Juvenile Offenses, F.C.P*

has not complied with those conditions within that period, ordering the child to be sentenced.¹⁴⁶

It also includes postponing the execution of the sentence for a certain period to allow the accused child to comply with certain conditions within a period to be determined by the judge, and if the child has complied with those conditions within that period. The judge may also order the child to be released on probation under the supervision of a probation officer, subject to maintaining good character.

Furthermore, the judge possesses the authority to implement any of the measures outlined in the Diversion System chapter of the JJA. In choosing a diversion measure, the judge should focus on facilitating the accused child's swift and successful reintegration into the community and avoid incarcerating the child in a centre as far as possible. The judge must also consider the needs of the accused child for rehabilitation and the safety of society.

Rehabilitation Programmes

The JJA stipulates that rehabilitative and reintegrative programmes should be implemented to provide necessary treatment and assistance to juveniles between the ages of 15 and 18 who are behaving contrary to social norms, at risk of delinquency, and delinquent for various reasons. If a treatment programme is deemed necessary for the families of these children, such programmes should be made available to them as well.

This includes early-intervention programmes for children at risk of delinquency, drug rehabilitation or treatment programmes, programmes for correction of moral problems, and others for the correction and rehabilitation of children at risk of delinquency and special programmes for those involved in delinquency for various reasons.¹⁴⁷

¹⁴⁶ Section 73, *Juvenile Justice Act 2019*.

¹⁴⁷ Section 75, *Juvenile Justice Act 2019*.

How Juvenile Court Manages Cases of Juveniles with a History of Drug Abuse

Saeed Ibrahim¹⁴⁸ stated that among the drug-related cases, the most common cases filed in the juvenile court are drug trafficking and drug peddling cases. Among those cases are cases where the child already tests positive for drugs in a urine test, or the report may indicate drug use, or the child has admitted to using drugs. In such circumstances, the court rehabilitation programme will commence following a guilty ruling by the court. In these situations, treatment programmes for the child may have already been carried out by the relevant institutions.

However, prior to the prosecution process, the child presented before the court for a decision on pre-trial detention may have undergone treatment programmes provided by the Department of Juvenile Justice. The Department of Juvenile Justice is the institution responsible for advocating for the welfare of children who have been apprehended on charges. The Department of Juvenile Justice works with the National Drug Agency to provide treatment if the child is allegedly using drugs. Therefore, the court does not commence at that stage.

Even a child facing a criminal charge in court may have already undergone NDA treatment from National Drug Agency, the court establishes the court-determined programmes by holding a sentencing conference or case conference, in accordance with the intervention plan proposed by the Department of Juvenile Justice. If the child is a drug user, all treatments required under the intervention plan developed by the Department of Juvenile Justice are included in the programme prescribed by the court. Perhaps there is no need of a treatment programme from National Drug Agency. The National Drug Agency is offering detoxification treatment if the child is a drug user.

¹⁴⁸ *Chief Judge, Juvenile Court*

Consequently, the child may have completed the detoxification treatment by the time the court case is conducted, and the charges are proven.

While the NDA provided detoxification treatment, the DJJ administered additional treatments for drug withdrawal concurrently. As a result, both drug rehabilitation and other relevant treatments were covered during that period. Furthermore, the court implements necessary treatment and rehabilitation measures if the child exhibits mental health issues or requires changes in behaviour, thinking, and perception.

Analysis of mandates related to rehabilitation in DA & JJA

1. Both Acts promote Restorative justice

The aim of the Drug Act as well as Juvenile Justice Act is nevertheless the same. That is to provide the offenders/juveniles with an alternative route to find themselves back in society as responsible citizens. To accomplish this aim, the Drug Act does not stipulate to differentiate much between the adults and the juveniles in the procedure. The Drug Court **rehabilitation** system is designed to be similar to the **diversion** system introduced by the JJA, although with a slight difference.

2. JJA's Diversion System vs. Drug court's Rehabilitation System

JJA encourages action to be taken against the child through the diversion system instead of criminal prosecution; it states that no criminal charges shall be brought against a child except as a last resort. In the JJA, special procedures are described in the investigation and **prosecution** of juvenile offences. If the need is identified diversion is prescribed at any stage of the case. One of the conditions is a confession of guilt. If a child pleads guilty and has the intention to reintegrate, the law encourages the child to be given the opportunity for diversion without criminal prosecution.

This is the case where the Drug Court has jurisdiction too. So, the question at this point is, whether the child should be treated under the diversion system or whether the case should be referred to the drug court to give the child an opportunity to reform through the drug court treatment system? If action is taken within the diversion system, instead of filing a case in Drug Court, a diversion agreement can be made with the child subject to completion of the drug rehabilitation programme. However, if this is done, children's cases will not be referred to drug court. If this is the purpose of the Juvenile Justice Act, there is no need to exclude cases submitted to the Drug Court when Section 21 of the Act defines jurisdiction. The purpose of the provision may be to refer cases for breach of the diversion agreement to the Drug Court.

3. Jurisdiction of Juvenile Drug Substance Use Cases

Although Section 21 of the JJA provided that the juvenile court had exclusive jurisdiction to hear cases of offences committed by juveniles, the section gives an exception to the Drug Court to hear cases with substance abuse involving juveniles, as it has since the Drug Act's enactment.

Section 22 of JJA also stipulates that courts which can hear juvenile cases shall have judges who have been specially trained to hear juvenile cases, and Section 23 stipulates that courts which can hear juvenile cases shall have child friendly environment for the hearings. What could be a child-friendly environment is not defined in the Act, however, the Drug Act does not require Judges to have specialised training on juvenile offenders, nor is the Drug Court designed to conduct hearings differently based on the offender's age.

Can a case be filed in the **Juvenile Court** instead of the **Drug Court**? The exception made in Section 21 of JJA leaves no legal basis for filing a case in the juvenile court while the Drug Court has jurisdiction over the case under the Drug Act.

Saeed Ibrahim¹⁴⁹, stated that a separate law has been enacted, and a dedicated court established to address juvenile criminal cases. Accordingly, he believes that cases involving alleged substance abuse by juveniles should fall under the jurisdiction of the

¹⁴⁹ *Chief Judge, Juvenile Court*

Juvenile Court, in line with the JJA. Referring such cases to the Drug Court could expose children to adult offenders, which may not be appropriate.

The JJA places significant emphasis on the separation of children from adults within the justice system. This principle is also strongly endorsed by international treaties,¹⁵⁰¹⁵¹¹⁵² which advocate for the separate treatment of children. Mixing children with adults can result in their identification and potential embarrassment within the society, as well as exposure to negative influences and exploitation by adults. Consequently, referring to such cases to juvenile court ensures that children are shielded from interactions with adults.

Moreover, Saeed Ibrahim¹⁵³ added “In fact, neither law prohibits filing a case in any court. The JJA specifies that all offences committed by children under the Act should initially be heard by the Juvenile Court, except for drug-substance use cases. The law does not prevent the drug court from handling such cases. However, the Juvenile Court holds original jurisdiction, avoiding any legal conflict. If a case is pursued in the drug court, it might lead to adult-to-child encounters during procedural proceedings.”

4. Judge’s Discretion in both Acts

Even when a case goes for rehabilitation, in the Drug Court, **Judges** do not have the **discretion** under the Drug Act to order other than to order enforcement of the first sentence if the child has to be terminated from the treatment. In a case filed in the juvenile court for violation of a diversion agreement, a juvenile court judge has the discretion to take many additional actions against the child in several ways instead of detention, even in the event of a conviction. While the JJA described the ways in which

¹⁵⁰ *United Nations Convention on the Rights of the Child (CRC)*, 1989, Article 37©.

¹⁵¹ *United Nations Standard Minimum Rules for the Administration of Juvenile Justice ("The Beijing Rules")*, 1985, Rule 13.4.

¹⁵² *International Covenant on Civil and Political Rights (ICCPR)*, 1966, Article 10(2_(b) & 10(3).

¹⁵³ *Chief Judge, Juvenile Court*

a child could be tried and punished, the Act was not designed to give the Drug Court Judges that discretion. JJA defines¹⁵⁴ the term 'Judges' to include only juvenile court judges and judges of the courts of appeal. JJA does not consider the Drug Court Judges as part of Juvenile Justice system although it allows cases of juveniles to be heard by the Drug Court.

¹⁵⁴ Section 118 (f), *Juvenile Justice Act 2019*.

Statistical analysis

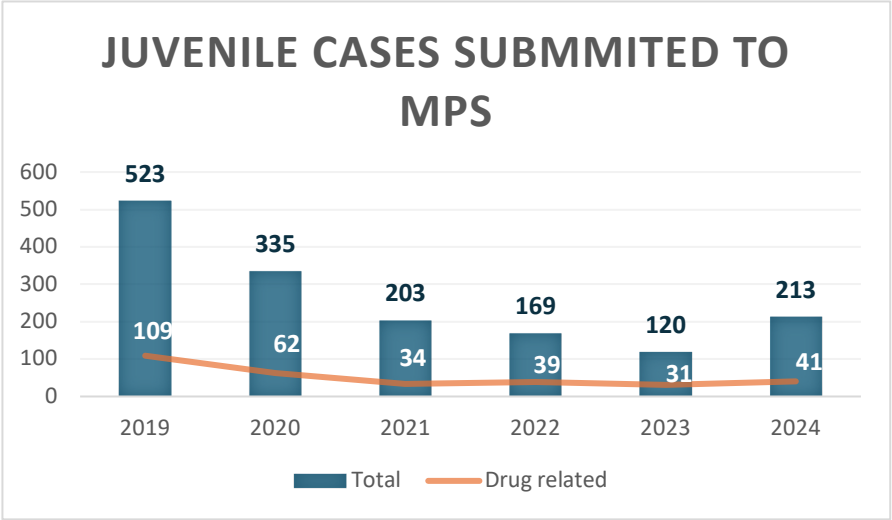
It is important to know the number of child-related drug abuse cases reported to the relevant institutions after the enactment of the Drug Act and the Child Justice Act. Therefore, the statistics of these institutions will be collected from 2012, the year of the enactment of the Drug Act, until 2024.

Therefore, the total number of juvenile offence cases reported to each institution and the number of drug use cases reported were obtained. Hence the statistics of the MPS, who are the first to respond children's cases, as well as the DJJ, who work in the interest of children in conflict with the law, will be considered. Moreover, cases of child drug use submitted to the PGO have also been collected. This chapter also includes statistics on children's cases filed in drug court and drug use cases filed in juvenile court as well.

Maldives Police Service

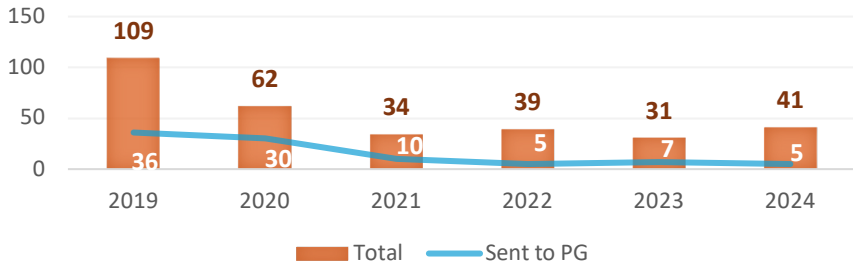
From 2019 to 2024, the MPS reported a total of 1,563 cases of juvenile offences. Among those cases, 20% (316) were related to drugs. According to data received from the police, the number of drug usage cases within the drug-related cases is unknown. From 2021 to 2023, the total number of submissions decreased, but there was an increase in cases in 2024. Additionally, there were 10 more drug-related cases than in the previous year.

Figures below show the total number of juvenile cases and the number of drug-related cases reported to MPS from the year 2019 to 2024.



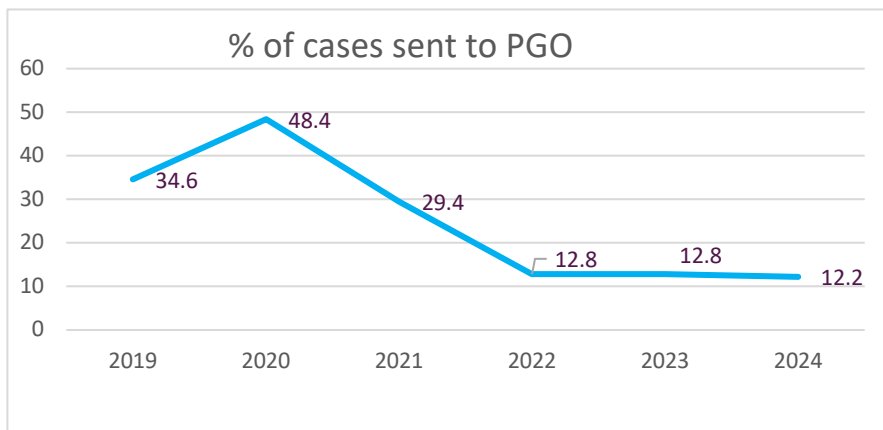
A total of 316 drug-related cases were reported to the police in the past six years, 29% (93) were reported to the PGO for prosecution. In 2023, 31 cases were filed, and 7 cases were sent to prosecution. In 2024, 41 cases were filed, and 5 cases were sent for prosecution.

JUVENILE DRUG RELATED CASES (MPS)

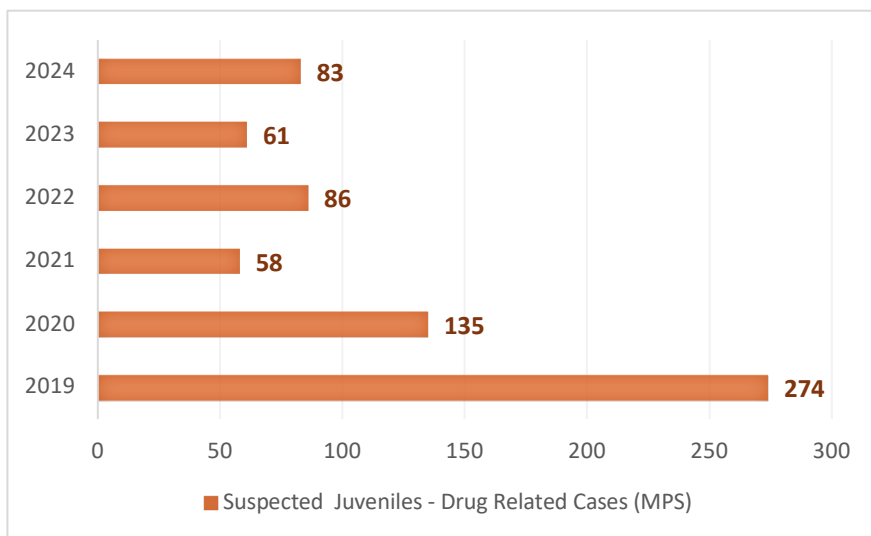


In the year In the year 2019 the percentage of cases investigated to number reported to the PGO for prosecution is seen at 34.6 percent. However, this percentage of cases sent to the PGO has declined to 12.2 percent in the year 2024.

From the year 2012 to 2019, before the enactment of the JJA, average number of cases filed in the Drug Court per year remained at 27.8, whereas from 2021 to 2024 the average number of cases filed in Court declined to 3.75. From the year 2012 to 2019, before the enactment of the JJA, average number of cases filed in the Drug Court per year remained at 27.8, whereas from 2021 to 2024 the average number of cases filed in Court declined to 3.75.



According to police data, the number of children accused of drug-related cases in 2019 is 274. In 2020, 135 children were accused, while in 2021, 58 children were accused of drug related crimes. Looking at the past three years, 86 children were suspected in 2022 and 61 in 2023. This number has increased to 83 children by 2024.

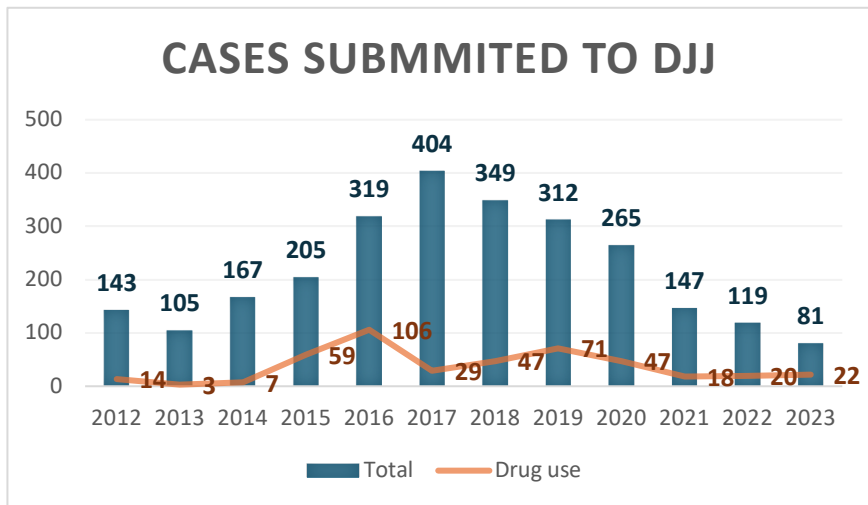


Department of Juvenile Justice

The Department of Juvenile Justice, which functioned as the Juvenile Justice Unit prior to the enactment of the Juvenile Justice Act, plays a leading role in the positive reintegration of juvenile offenders into the community. The statistical data available at the institution from 2012 to 2023 have been collected. Therefore, the total number of drug cases reported each year, and the number of drug abuse cases reported separately are shown below.

According to these data, the sharp decline from 2021 is due to the reduction of the minimum age of criminal responsibility from 18 to 15 years following the Juvenile Justice Act's implementation in November 2020. Before that, the minimum age of criminal responsibility was 13 years, and 10 years for crimes that carry a 'Hadd' penalty in Islamic Shariah.

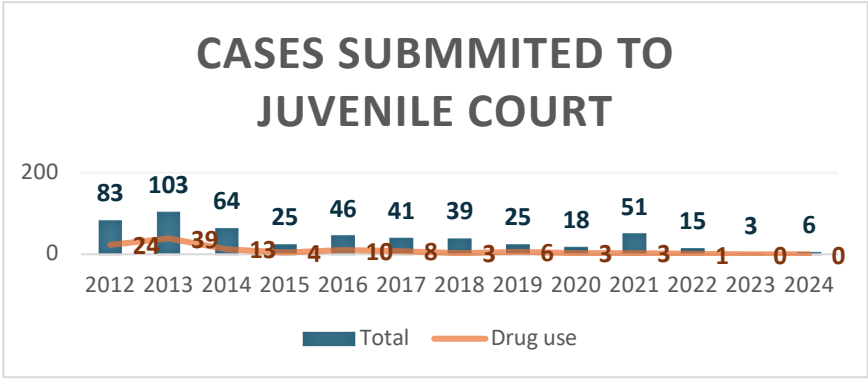
The total number of drug cases would include allegations of drug use as well as possession of drugs with drug use and cases involving alcohol consumption. However, other cases such as drug possession and trafficking are not included in these figures.



Juvenile Court

This section provides the total number of cases filed in the Juvenile Court from 2012 until the end of last year. Additionally, it presents drug use cases separately by year. The total number of drug cases includes allegations of drug use, possession of drugs with drug use, and cases involving alcohol consumption. Other cases, such as drug possession and trafficking, are excluded from these figures.

The sudden decrease in cases since 2021 is due to the Juvenile Justice Act, which raised the minimum age of criminal responsibility from 13 to 15 years and promotes diversion measures instead of prosecution.



Most cases filed in the juvenile court involve drug related offences. Cases of drug trafficking and substance use are common. Instances where juveniles possess or transport drugs under adult direction without using substances themselves are rare.

Drug Court

This section provides the statistics of juvenile cases filed in Drug court from 2012 to 2024, including statistics of rehabilitation orders issued in relation to the cases submitted and the number of rehabilitation orders completed as well as number of offenders terminated from the rehabilitation programme.

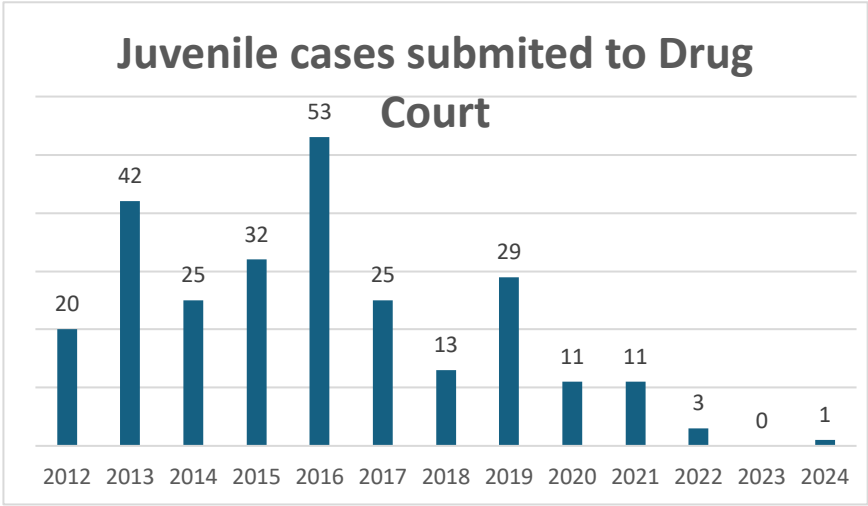


Figure shows number of cases submitted to Drug Court from 2012 to 2024.

A total of 265 juvenile drug cases were filed in Drug Court from the year 2012 to 2024. Till the end of 2024, 192 rehabilitation orders have been issued in juvenile cases in which 125 participants completed the treatment programmes successfully. Whereas in 60 cases the participants had to be terminated from the rehabilitation programme, 7 participants are still in treatments.

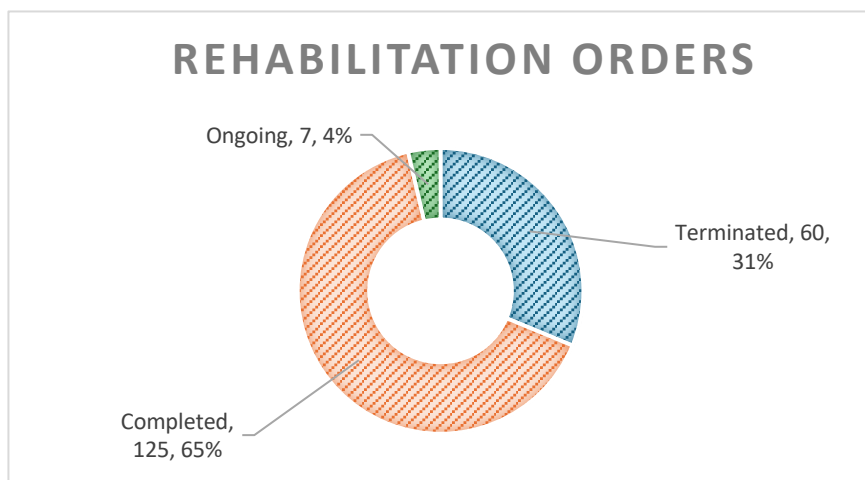


Figure shows the percentage of rehabilitation orders completed by the Drug Court participants; the percentage of participants terminated for noncompliance and the percentage of participants in the process of treatment.

General Analysis and Findings

Policy Impact: The Juvenile Justice Act of 2020 is a pivotal factor across all datasets, reducing case numbers by raising the minimum age of criminal responsibility and promoting diversion. This aligns with international child rights standards, such as the UN Convention on the Rights of the Child, which the Maldives ratified in 1991.

Rehabilitation Emphasis: The decline in prosecutions (12.2% in 2024) and high rate of rehabilitation orders (192 out of 265 Drug Court cases) reflect a restorative justice approach, prioritising reintegration over incarceration. However, the 31% termination rate in the Drug Court programmes suggests gaps in programme effectiveness or support systems.

Data Gaps: The MPS data lacks specifics on drug usage cases within the 316 drug-related cases, limiting analysis of the prevalence of use versus other drug offences. Additionally, the exclusion of possession and trafficking from the Juvenile Court and the Department of Juvenile Justice data narrows the scope of drug-related crime analysis.

Social Context: The rise in cases in 2024 (83 accused juveniles, 41 cases filed) may reflect broader societal issues, such as economic challenges, gang activity, or increased drug availability, as noted in reports on organised crime in the Maldives.

Challenges in Implementing Rehabilitation Programs for Drug-Related Cases

The Maldivian Juvenile Justice System, guided by the JJA of 2020, emphasises rehabilitation and diversion over punitive measures for juveniles involved in drug-related offences. However, several challenges hinder effective implementation, particularly in addressing drug abuse among juveniles. These challenges include

resource constraints, ineffective rehabilitation programmes, delays in case processing, and societal perceptions, as detailed below.

Lack of Resources

Issue: The NDA lacks juvenile-specific treatment facilities, forcing juveniles to be treated alongside adults, which risks negative influences and fails to address their developmental needs. Chief Judge Saeed Ibrahim noted the absence of a tailored system, while the Drug Court Chief Judge Abdul Sattar Abdul Hameed as well as NDA HOD emphasised the need for specialised centres.

Impact: Limited staffing and funding at NDA and the DJJ lead to overburdened personnel, delays, and inadequate programme delivery, reducing rehabilitation success.

Ineffectiveness of Rehabilitation Programs:

Incomplete System: Chief Judge Saeed Ibrahim highlighted the lack of a comprehensive rehabilitation system, with underdeveloped components like aftercare undermining outcomes.

Inconsistent Delivery: Programmes vary in delivery (e.g., in-person, home visits, online) and session frequency, lacking standardisation and rigorous testing for effectiveness. The Chief Judge questioned their alignment with best practices.

Lack of Evaluation: No clear mechanisms exist to assess programme impact, hindering identification of deficiencies and improvements needed to deter recidivism.

Delays in Case Processing and Non-Filing:

Prolonged Assessments: Complex juvenile case requirements, such as psychological and NDA assessments, cause delays, as noted by Haleemath Hussain¹⁵⁵. Workload and time-consuming processes exacerbate these issues.

Non-Prosecuted Cases: Many drug-related cases, particularly those in pre-trial detention, are not prosecuted, with unclear post-diversion outcomes. Chief Judge Saeed Ibrahim expressed concern about the lack of follow-up, increasing risks of inadequate support and recidivism.

Legal and Policy Conflicts:

Sentencing Discrepancies: The JJA discourages juvenile imprisonment, but the Drug Court mandates an initial jail sentence, conflicting with rehabilitative goals. The Drug Court Chief Judge called for harmonisation of the two laws.

Impact: These inconsistencies expose juveniles to punitive measures, undermining the JJA's focus on diversion and rehabilitation.

Societal Perceptions and Stigma:

Parental Reluctance: NDA representative Aminath Asra¹⁵⁶ noted that parents avoid treatment due to fears of further drug exposure in mixed adult-juvenile settings and societal labelling.

Social Stigma: Fear of children being labelled as “drug-using criminals” deters families from engaging with rehabilitation, perpetuating untreated drug abuse and justice system involvement.

¹⁵⁵ *Investigation Officer, FCP, Maldives Police service*

¹⁵⁶ *Head of the Department, NDA, Treatment section.*

Recommendations

- **Harmonise Legal Frameworks:** Align Drug Court sentencing options with the JJA's rehabilitative focus, allowing non-custodial measures like treatment or diversion as first responses for juvenile drug cases.
- **Streamline Assessment Processes:** Increase staffing and resources for psychological, social, and NDA assessments to reduce delays in case processing. Implement clear timelines and workload management strategies.
- **Develop Juvenile-Specific Treatment Centres:** Establish dedicated NDA facilities for juvenile drug treatment to address the lack of age-appropriate interventions and reduce exposure to adult influences.
- **Enhance Programme Effectiveness:** Standardise programme delivery methods, session frequency, and evaluation mechanisms to ensure alignment with international best practices. Pilot studies comparing in-person, home-based, and online sessions could identify the most effective approach.
- **Address Societal Stigma:** Launch public awareness campaigns to reduce stigma around juvenile drug treatment and emphasise rehabilitation as a pathway to reintegration. Engage communities to foster acceptance of treated juveniles.
- **Improve Data Collection:** Track outcomes of diverted cases and rehabilitation programme participants to ensure accountability and identify gaps in follow-up support.

Conclusion

Studies show that alternative non-punitive approaches are more effective than traditional adjudication in addressing drug-related offences. In recognition of this, Maldives has adopted a restorative justice model through the Drug Act for 14 years and through the Juvenile Justice Act for the past 5 years. Both statutes place significant emphasis on rehabilitation, diversion and reintegration as constructive individuals.

Despite this legislative progress, the practical implementation of reintegration pathways for drug-dependent juveniles continues to face substantial challenges. Institutional barriers persist throughout the juvenile justice system, including insufficient coordination between agencies, lack of trained personnel, inadequate infrastructure, and limited specialised facilities for children. These systemic shortcomings hinder the realisation of the rehabilitative objectives envisioned by the law.

Moreover, when two separate legal frameworks - namely, the Drug Act and the Juvenile Justice Act, address overlapping issues, it becomes imperative to ensure harmonisation between their provisions. Failure to address inconsistencies and jurisdictional ambiguities between these laws may undermine the efficacy of the juvenile rehabilitation process and compromise the rights of children in conflict with the law.

References

Drug Act, Law No. 17/2011 (Maldives).

Institute for Economics & Peace. (2024). Global Peace Index 2024. <https://www.economicsandpeace.org/wp-content/uploads/2024/06/GPI-2024-web.pdf>

Juvenile Justice Act, Law No. 18/2019 (Maldives).

Department of Juvenile Justice. (2021). Juvenile Justice Report 2021. Ministry of Home Affairs.

Department of Juvenile Justice. (2022). Juvenile Justice Report 2022. Ministry of Home Affairs.

Department of Juvenile Justice. (2023). Juvenile Justice Report 2023. Ministry of Homeland Security & Technology.

National Drug Agency. (2025 June.). National Drug Agency of Maldives. <https://nda.gov.mv/en>

Nizar, A. (2025, April 13). <https://mihaaru.com/news/144318> [Children in the streets involved in troubling behaviour]. Mihaaru.

Department of Juvenile Justice. (2020). Report on cases submitted to the DJJ 2020. Ministry of Home Affairs.

Juvenile Justice Unit. (2016). Report on children in conflict with the law 2016. Ministry of Home Affairs.

Juvenile Justice Unit. (2017). Report on children in conflict with the law 2017. Ministry of Home Affairs.

Juvenile Justice Unit. (2018). Report on children in conflict with the law 2018. Ministry of Home Affairs.

Juvenile Justice Unit. (2019). Report on children in conflict with the law 2019. Ministry of Home Affairs.

Transparency Maldives. (2022). Situational analysis of the pathways to social reintegration for offenders and drug-dependent persons in the Maldives. <https://transparency.mv/wp-content/uploads/2022/08/Social-Reintergration.pdf>

United Nations Office on Drugs and Crime (UNODC). (2013). Drug use survey: 2011–2012.

https://www.unodc.org/documents/southasia/reports/National_Drug_Use_Survey_-_Report.pdf

World Health Organization & National Drug Agency. (2021). Situational analysis of drugs in the Maldives. <https://health.gov.mv/storage/uploads/jo6xxlYr/mg4nsbtq.pdf>

United Nations. (1989). Convention on the Rights of the Child (Article 37(c)).

United Nations. (1985). United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules) (Rule 13.4).

United Nations. (1966). International Covenant on Civil and Political Rights (Articles 10(2)(b) & 10(3))

Juvenile Diversion in the Maldives: A Process Review

Maldives Police Service

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Abstract

The purpose of this review is to study the challenges and identify the procedural processes which can improve police referral to diversion programmes as an effective means of tackling reoffending. The review offers an insight into juvenile diversion process in the Maldives, measuring the implications of diversion cases and studies various inconsistencies in the application and understanding of the process.

The impact and outcomes of interventions offered, a key component of the diversion process, was studied to gain an understanding of its implications in supporting juveniles' transition away from crime. The evaluation method involved the use of semi structured interviews, questionnaires, data analysis, case review and participant observation.

The research identified several institutional challenges involving lack of interagency coordination and trained staff, budget constraints and lack of decentralised services as a hindrance to the proper implementation of diversion programmes and highlighting the importance of creating a more supportive and rehabilitative environment for young people in conflict with the law.

Diversion programmes in the Maldives, aimed at redirecting individuals from offending, have shown mixed effectiveness. While there have been significant policy advancements and international support, challenges persist in its implementation.

Introduction

Juvenile diversion is an alternative approach within the criminal justice system that seeks to redirect young offenders away from formal judicial proceedings and incarceration and instead engage them in rehabilitative and restorative interventions. One of the most important principals of the Juvenile Justice Act (Act No. 18/2019), enacted in November 2019, was the establishment of the diversion for juvenile offenders, allowing offenders to be redirected from formal judicial proceedings to rehabilitative measures (*“President Signs Bills on Child Rights Protection and Juvenile Justice into Law,”* 2019). This approach aligns with international child rights standards, such as the United Nations Convention on the Rights of the Child (UNCRC).

While the Maldives has made significant strides in establishing this mechanism, the actual impact on reducing re-offending and promoting rehabilitation is still evolving. Ongoing efforts to address implementation challenges and enhance programme effectiveness are crucial for achieving the intended outcomes of juvenile diversion initiatives.

Literature Review/Context Analysis

Chapter 8, Sections 34 to 43 of the Juvenile Justice Act (JJA) ratified in November 2019 sets out the provisions for juvenile diversion in the Maldives.

A 2022 study by Transparency Maldives highlighted high recidivism rates, indicating that individuals often re-offend after reintegration into society (Transparency Maldives, 2022). In 2025, Drug Court Judge Adam Arif expressed concerns over the rehabilitation system's effectiveness, noting that offenders frequently re-enter the system due to inadequate treatment and shortened sentences, which may contribute to relapse and re-offending (“Drug Court: Rehabilitation System Has Failed; Enforced Duration of Sentences Also Reduced,” 2025).

Malesa and Mashamba (2024) stated that diversion has been considered the best intervention remedy for dealing with children’s criminality. However, according to Mears et al. (2016), poor implementation plagues many juvenile justice programmes, and its success depends on the use of effective diversion programmes.

Abram et al. (2004) suggested that juveniles involved in the system have higher levels of trauma and violence exposure compared to youth in general. Kretschmar et al (2018), argued that interventions employed by diversion programmes for those that address behavioural health issues should strive to produce effects that last well beyond the actual time in treatment. Successful intervention on mental health disorders in the diversion process has been shown to improve symptoms and quality of life while also diverting youth away from continued offending (Heilbrun et al., 2017).

Tshivhase (2025) argued that diversion programme success depends on the level of education of the child. He stated that low levels of education can contribute to the outcome of diversion explaining that those children will have problems understanding the purpose and conditions of the programme and engaging in the programme.

Methodology

Qualitative experiences of diversion programme participants, case workers, and investigation officers were studied through semi structured interviews to determine the quality, depth, and dimensions of diversions, understand the practical tensions in the work, and to document best practices, pitfalls, and lessons learned in administering these programmes.

The Juvenile Information System (JIS) of MPS systematically keeps track and manage records of Children in conflict with law. The data available on JIS relating to diversions process involving referrals, documentation and progress was analysed to monitor the number of juveniles referred to diversion, criminal history, progress and the types of offences involved. Purposive sampling was used for this purpose.

Key Findings

This review findings provides a general understanding of the common issues and limitations in the practical adaptability of juvenile diversions in Maldives. This study included eleven subjects who were diverted by MPS as an alternative to criminalisation from the year 2022 to 2025 April. Their individual records, offences, risk assessments, social enquiries and psychological assessments were analysed.

From the year 2022 onwards, three diversion cases have been concluded successfully. Follow up of these cases identified that the subjects have not gone back to re-offending.

Two cases are currently in progress, while one case is under review for possible termination due to violation of conditions. The case in question is a case involving multiple crimes ranging from blackmail, violence and substance abuse.

A case involving a substance trafficking case was terminated due to violation of diversion conditions. Another case was halted and diversion referral cancelled in its initial stage due to the subject being detained on a more serious offence.

Five cases are at the initial stage of diversion referral, pending case conferences and diversion agreements. Further analysis of these cases revealed that there was uncertainty amongst practicing investigators and their supervisors regarding the process, extent and role in the diversion process.

A case of substance abuse and drug trafficking referred to diversion was not initiated as the child refused to give consent to diversion. To gain an understanding of this case, the reasons for the refusal were studied. The subject preferred to be offered treatment programmes but refused to give consent for the diversion programme.

Subjects referred to diversion till date were all males with the youngest being of 16 years.

The above-mentioned cases are police-initiated diversion cases. Information gathered from the Prosecutor General's Office (PGO) shows that diversionary measures have been taken for 4 cases, with two cases currently continuing. One case was reported to

be terminated due to additional allegation of a criminal offence. One diversion cases was stated to be completed.

One common feature of all the existing diversion cases(completed, terminated and ongoing) was the lack of consistency in follow-up activities such as review meetings, progress reports and information sharing. This was a common concern raised by DJJ as well.

Further analysis of these cases indicated that the subjects involved in this process typically have a high prevalence of mental health disorders such as anger issues, depression, moderate to severe PTSD, social anxiety, school avoidance and psychoticism being a common diagnosis. This is a crucial indication highlighting the importance of early intervention for children in conflict with the law.

The case reviews also highlighted one common factor amongst these cases: family vulnerability. When measuring the progress and outcome of diversion cases in question, it was concluded that the positive outcomes and progress were dependent on the parent's criminal background, family support and social conditions. The review of cases suggested that cases with stable parents and social conditions progressed successfully with high adherence to programme conditions. Hence, a means to ensure the stability of the juvenile's welfare system and microenvironment is an important component that needs to be considered for diversion mechanism to work effectively. Furthermore, there seems to be role conflicts and hesitancy by partner agencies on this matter.

Dialogue with parents revealed that there have been significant improvements in the behaviour and attitudes of participants who have undergone this programme. While some parents pointed out that authorities failed to inform them about the progress and conclusion of the programme, it was observed that the handful of parents involved in the system were unaware of the extent of their child's involvement in the programme. Hence, there were limitations in gaining input from the parents.

The extracts from the young offenders provided an insight into the inconvenience relating to the timings of the sessions offered as interventions. When questioned about the poor attendance at the sessions conducted by the Department of Juvenile Justice, one subject currently in diversion stated that it was due to inconvenience in session

timings. The participant specified that the sessions were clashing with his work hours and stated that he had already requested for the timings to be changed.

For this review, programme effectiveness was compared regarding programme completion rate, recidivism rate and education & employment outcomes. As such, the follow-up of the participants who completed the programmes indicated that they were adjusting positively in school and at jobs. Although based on a significantly small sample, these results demonstrated that participating in the diversion programme was successful.

The JIS system of MPS revealed that in 2024, 203 children were flagged in the system as high risk, 112 as middle-risk and 93 as low-risk children. The number of juveniles being administered into the police system is notably high, and these delinquency rates indicate that opportunities to divert juveniles from offending are of high scope, but, due to some reasons, it is not a path often pursued by MPS when dealing with young offenders.

Police interactions with juveniles active at crime hot spots identifies 192 children in February and 219 children in April 2025 alone. The age group of these range from 12 to 17 years, with 17 years being the average age group. These records by the Gang Crime Enforcement Department of MPS portrays a high-risk factor and the magnitude of the issue of juveniles exposed to crimes in Male' alone. This data provides evidence that there are gaps in the practical application of restorative justice practices laid out under Chapter 8 of the JJA (18/2019). All international standards clearly state that diversion should be applied as much as possible and not limited to minor offences or first-time offenders (UNICEF Regional Office for Europe and Central Asia, 2022).

Records of diversion cases collected from DJJ for the purpose of this review revealed some disparities amongst data and case progress with those of MPS. A recorded terminated case by MPS was reported as ongoing, and an ongoing case was not yet recorded at DJJ. This depicts that there is a gap in information sharing and case management amongst collaborating authorities.

Consultations with investigation officers and supervisors suggest, despite various training, there is still a knowledge gap amongst officers and their supervisors regarding the provisions stated in the Juvenile Justice Act, particularly, juvenile diversions.

Authorities' involvement in cases of poor adherence to the programmes was an area of concern emphasised by stakeholder agencies. A collaborating stakeholder also highlighted that there needs to be better understating and stringent practice of terminating diversions if the client fails to abide by the condition of diversion.

The Maldives lacks dedicated, long-term rehabilitation centres for juvenile offenders. Due to such limitations, some of the diversion programmes offered interventions limited to phone sessions. In June 2024, President Dr. Mohamed Muizzu approved the establishment of a reform and rehabilitation centre for at-risk children, aiming to provide specialised treatment and support.

Interviews with those working in the system indicate there is a shortage of professionals like counsellors, psychologists, and social workers who are specially trained to handle juvenile cases. Similarly, participants of this review suggested that police officers lack training in child psychology or trauma-informed approaches, and that this was a factor hindering effective intervention. Specialised staff training is crucial for the successful implementation of diversion.

One of the limitations pertaining to the practice of diversion is the limitations associated with measuring its impact and effectiveness. This analysis identified that once a juvenile completes the diversion programme, there were no defined or standardised follow-up procedures to track their progress established within the Police. Without consistent support, these youths are at risk of relapsing into criminal behaviour or substance abuse.

Recommendations

- The sample size considered for this review is relatively small and diversion programmes differed widely in terms of length, types of intervention and intensity. Comparing the effectiveness of programmes remains unrealistic without a common metric. Hence, a standardised mechanism for measuring its impact needs to be formulated.
- The effectiveness of any diversion scheme in reducing drug use and/or offending is reliant on the effectiveness of the treatment package a person is diverted into. Hence, provision of comprehensive, technically designed programmes for individuals is crucial rather than generic approaches for the outcome to be fruitful.
- Although police are frequently the first point of contact for young offenders, there is still a gap in meeting the demands of the current situation. Additional training is required to understand and address their mental health challenges.
- It was identified that apart from the initial communications prior to gaining consent, the involvement of parents in the implementation of diversion is comparatively low. This policy gap negatively influences the proper implementation of diversion programmes (Malesa, Kgashane, 2024). Hence, there needs to be procedures to address the lack of a policy framework or prescripts that guide the way that parents should be involved.
- Whilst ten out of eleven cases consisted of juveniles diagnosed with severe mental health conditions, the sessions and programmes provided under diversion need to be further strengthened to ensure that they will have a significant impact on the child. For this purpose, role identification and coordination within the Health Sector is crucial.
- Regular check-ins and continued support are essential to ensure juveniles stay on track, therefore mechanisms and inter-agency coordination to consistently follow up on diversion cases need to be reviewed. Only one

out of the three completed diversion cases had sufficient records of the progress and the outcome of the sessions. While the JJA (18/2019) lays out the fundamentals for the monitoring of diversion programmes, it is important to rethink the current practices and change the approach.

- Many juveniles involved in the Juvenile Justice System are from disadvantaged backgrounds of poverty, lack of education, or family dysfunction may play a major role. Without addressing these underlying social issues, diversion programmes may only have limited success. If the root causes are not addressed, juveniles may be at risk of reoffending.
- Police interaction records by the Gang Enforcement Department pinpoint a high-risk factor that needs to be addressed. Early interventions for these children within the Juvenile Justice System need to be ensured by mandated agencies in the Juvenile Justice System.
- Efforts and accessibility to diversion for at-risk juveniles is an area for improvement considering the high number of juvenile offenders involved in the system.

Conclusion

At a time where juvenile delinquency is on the rise, this paper offers a foundation for evidence-based policy decisions and programme improvements aimed at better involvement of individuals in diversion programmes. For diversion programmes to be successful, all stakeholder agencies need to revisit their involvement and practice, and the existing legal framework and collaborate on a way forward to ensure a diversion mechanism envisioned in JJA (18/2019).

Police records and the statistics determines that there is crucial work to be done in the Juvenile Justice System by Maldives Police Service. Moreover, lessons learned from one agency in the Juvenile Justice System can help others to learn and develop their practices.

References

- Abram, K. M., Teplin, L. A., Charles, D. R., Longworth, S. L., McClelland, G. M., & Dulcan, M. K. (2004). Posttraumatic stress disorder and trauma in youth in juvenile detention. *Archives of General Psychiatry*, 61(4), 403. <https://doi.org/10.1001/archpsyc.61.4.403>
- Barrett, J. G., Flores, M., Lee, E., Mullin, B., Greenbaum, C., Pruett, E. A., & Cook, B. L. (2021). Diversion as a pathway to improving service utilization among at-risk youth. *Psychology Public Policy and Law*, 28(2), 179–187. <https://doi.org/10.1037/law0000325>
- Drug Court: Rehabilitation system has failed; enforced duration of sentences also reduced. (2025, February 24). Sun. Retrieved April 21, 2025, from <https://en.sun.mv>
- Heilbrun, K., Fairfax-Columbo, J., Wagage, S., & Brogan, L. (2017). Risk Assessment for Future Offending: The Value and Limits of Expert Evidence at Sentencing. *Court Review: Journal of the American Judges Association*. Retrieved from <https://digitalcommons.unl.edu/ajacourtreview/608>
- Kretschmar, J. M., Tossone, K., Butcher, F., & Marsh, B. (2018). Examining the impact of a juvenile justice diversion program for youth with behavioral health concerns on early adulthood recidivism. *Children and Youth Services Review*, 91, 168–176. <https://doi.org/10.1016/j.childyouth.2018.06.010>
- Malesa, K. J., & Mashamba, M. E. (2024). PARENTS' EXPERIENCES OF PARTICIPATING IN DIVERSION PROGRAMMES FOR CHILDREN IN CONFLICT WITH THE LAW. *Social Work/Maatskaplike Werk*, 60(1). <https://doi.org/10.15270/60-1-1257>
- Mears, D. P., Kuch, J. J., Lindsey, A. M., Siennick, S. E., Pesta, G. B., Greenwald, M. A., & Blomberg, T. G. (2016). Juvenile court and contemporary diversion. *Criminology & Public Policy*, 15(3), 953–981. <https://doi.org/10.1111/1745-9133.12223>

President signs bills on Child Rights Protection and Juvenile Justice into law. (2019, November 20). [Press release]. Retrieved from <https://presidency.gov.mv/Press/Article/22631>

Transparency Maldives. (2022). Situational analysis of the pathways to social reintegration for offenders and drug-dependent persons in the Maldives 2022. Retrieved from <https://transparency.mv/wp-content/uploads/2022/08/Social-Reintegration.pdf>

Tshivhase, J. (2025). The challenges experienced by probation officer in the facilitation of diversion programmes: Social work perspective. *Technium Social Sciences Journal*, 67, 354–369. <https://doi.org/10.47577/tssj.v67i1.12318>

UNICEF Regional Office for Europe and Central Asia. (2022, November). Diversion of children in conflict with the law from formal judicial proceedings in Europe and Central Asia. Retrieved from <https://www.unicef.org/eca/media/27691/file/Five%20Advocacy%20Briefs%20on%20Child%20Justice%20&%20Child%20Friendly%20Justice:%20Diversion%20measures.pdf>

Rehabilitation: legal framework in the maldives – comparative analysis of the drug act & juvenile justice act

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Introduction

In recent years, a shift from punitive to rehabilitative justice has been embraced in the Maldives, particularly concerning drug offenders and juveniles. This aligns with global movements promoting restorative justice and treatment-based approaches. Two key statutes, the Drug Act and the Juvenile Justice Act, contain explicit mandates for rehabilitation. The Drug Act mandates compulsory treatment for drug offenders, whilst the Juvenile Justice Act focuses on diversion, restorative justice, and community-based rehabilitation¹⁵⁷.

This paper examines the conflicts, their impact on juvenile rehabilitation, and provides policy recommendations for a more integrated and effective legal framework. A critical analysis, case studies, and comparative policy review are also provided to highlight inconsistencies and propose solutions that align with both Acts and international best practices by studying the rehabilitation provisions within the Maldives Drug Act (Law No. 17/2011) and the Juvenile Justice Act (Law No. 18/2019). The operationalization of rehabilitation by these laws is studied, conflicts and implementation gaps are identified, and recommendations for harmonization are provided. Although both statutes promote treatment and reintegration over punishment, overlapping mandates and limited institutional capacity are understood to undermine their effectiveness. Aligning these frameworks with international best practices is considered essential for a more coherent and rights-based justice system in the Maldives.

¹⁵⁷ *Drug Act 2011, Law No 17/2011*

Rehabilitation Under the Drug Act (Law No. 17/2011)

Legal Foundation

The Drug Act (Law No. 17/2011) allows for the treatment of drug-dependent individuals through rehabilitation orders instead of incarceration.¹⁵⁸ It recognizes three main categories of drug offences: the use of drugs, peddling, and trafficking of drugs. The reintegration of those addicted to drugs through rehabilitation is promoted as a key goal.

Juvenile drug offences pose a significant challenge in the Maldives, requiring a balanced approach between legal accountability and rehabilitation. The Drug Act 2011 treats drug dependency as a health issue, emphasizing compulsory treatment through the Drug Court. Conversely, the Juvenile Justice Act promotes diversion, restorative justice, and social reintegration over punitive measures. These differing approaches are understood to create conflicting mandates that affect the rehabilitation of juvenile drug offenders.

The Drug Act provides compulsory and voluntary rehabilitation through structured mechanisms by outlining rehabilitation procedures and eligibility.¹⁵⁹ It allows diversion to treatment centres based on assessments by the National Drug Agency (NDA) under Section 29. Moreover, it consists of detailed procedures for assessment, judicial referral, and suspension of criminal proceedings under Sections 30 to 33.

¹⁵⁸ *ibid* s 29

¹⁵⁹ *ibid* ss 30–33

Institutional Role

The National Drug Agency (NDA) manages assessments and oversees treatment programmes.¹⁶⁰ Courts are understood to play a critical role in granting diversions and monitoring compliance.

Rehabilitation Under the Juvenile Justice Act (Law No. 18/2019)

Principles and Objectives

It is understood that a vulnerable child growing up in sub-standard conditions without a safety net can succumb and come into conflict with the law. With this realisation, the Juvenile Justice Act (Law No. 18/2019) was passed in Maldives.¹⁶¹ Like its international predecessors (Convention on the Rights of the Child, Beijing Rules, Riyadh Guidelines), the Juvenile Justice Act stresses the importance of rehabilitation of juveniles in conflict with the law in a manner so as to promote their dignity and self-worth. The Juvenile Justice Act reflects the Maldives' commitment to the UN Convention on the Rights of the Child,¹ emphasising rehabilitation and reintegration over punishment.¹⁶² Section 29 promotes diversionary measures such as counselling and community service whilst Section 49(b) requires courts to consider whether a juvenile may benefit from rehabilitation before sentencing. Sections 47 to 53 establish juvenile sentencing principles grounded in proportionality in the best interest of the child.

¹⁶⁰ *National Drug Agency (NDA), operational arm under the Drug Act 2011*

¹⁶¹ *Juvenile Justice Act 2019, Law No 18/2019*

¹⁶² *United Nations Convention on the Rights of the Child (adopted 20 November 1989, entered into force 2 September 1990) 1577 UNTS 3 (CRC)*

Key Provisions Related to Rehabilitation Under the Juvenile Justice Act (18/2019):

- **Restorative Justice:** The Juvenile Justice Act strongly encourages restorative justice, which focuses on reconciliation between the juvenile offender, the victim, and the community. This model aims to repair harm through dialogue and understanding, promoting rehabilitation by fostering a sense of responsibility in the offender.¹⁶³
- **Diversion Programmes:** The Act promotes diversion from the formal justice system for minor offences. Juveniles who commit less severe crimes may be referred to diversion programmes that focus on rehabilitation, education, and counselling.¹⁶⁴ These programmes aim to keep juveniles out of detention and help them avoid the negative consequences of incarceration.¹⁶⁵
- **Non-Custodial Measures:** The Act encourages non-custodial measures for juveniles, such as probation, community service, or participation in rehabilitation programmes.¹⁶⁶ When detention is necessary, the Act mandates that juveniles be placed in separate juvenile facilities, ensuring they are not housed with adult offenders.
- **Juvenile Rehabilitation Centres:** The law calls for the establishment of rehabilitation centres specifically for juveniles. These centres focus on

¹⁶³ United Nations, 'United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules)' (1985).

¹⁶⁴ United Nations, 'Guidelines for the Prevention of Juvenile Delinquency (The Riyadh Guidelines)' (1990).

¹⁶⁵ United Nations Office on Drugs and Crime (UNODC), 'Manual for the Measurement of Juvenile Justice Indicators' (2006).

¹⁶⁶ Central Narcotics Bureau (Singapore), 'Preventive Drug Education' (2023)

education, skills development, and therapy to help reintegrate young offenders into society.¹⁶⁷

- **Family Involvement:** The Juvenile Justice Act stresses the importance of involving families in the rehabilitation process, recognising that family support is essential for a juvenile's successful reintegration into society.

3.3 Role of the Department of Juvenile Justice

The **Department of Juvenile Justice** is responsible for developing individualized rehabilitation plans and coordinating with courts and service providers.

Comparative Analysis of Rehabilitation Approaches

Target Group:

- **Drug Act:** Primarily applies to individuals involved in drug-related offences, including both adults and minors. However, the focus is on adult offenders who are addicted to drugs.
- **Juvenile Justice Act (18/2019):** Exclusively applies to minors (under the age of 18) who conflict with the law, addressing a wide range of offences, not limited to drug-related crimes.

¹⁶⁷ *Juvenile Justice Act 2019, Law No 18/2019, s 52.*

Approach to Punishment vs. Rehabilitation:

- **Drug Act:** The focus is on providing drug users with rehabilitation options instead of punishment, with an emphasis on medical and psychological treatment to address addiction. Whilst the law recognizes the severity of drug trafficking offences and prescribes punitive measures for traffickers, it offers rehabilitation programmes for those suffering from addiction.
- **Juvenile Justice Act (18/2019):** The approach is centered around restorative justice, non-custodial sentences, and rehabilitation through education, family support, and skills training. The law aims to protect minors from harsh punitive measures and instead fosters their reintegration into society through rehabilitation.

Sentencing and Alternatives:

- **Drug Act:** The law provides options for rehabilitation as an alternative to incarceration for drug users.¹⁶⁸ This reflects a shift towards viewing addiction as a medical condition that requires treatment, rather than solely a criminal act deserving of punishment.
- **Juvenile Justice Act (18/2019):** The Act prioritises alternatives to detention, such as diversion programmes, probation, and restorative justice practices.¹⁶⁹ For more serious offences, juvenile detention is used, but juveniles are housed separately from adults, ensuring they are not exposed to adult offenders.

Rehabilitation Programmes:

¹⁶⁸ *Drug Act 2011, Law No 17/2011, s 30.*

¹⁶⁹ *Juvenile Justice Act 2019, Law No 18/2019, s 29.*

- **Drug Act:** Rehabilitation is provided through specialised drug treatment centers, where medical care, counselling, and rehabilitation programmes are offered. These centers aim to address both the physical dependency on drugs and the psychological factors contributing to addiction.
- **Juvenile Justice Act (18/2019):** The focus is on educational and therapeutic rehabilitation, with juvenile offenders attending specialized centers that provide education, vocational training, and therapy. The emphasis is on addressing the underlying causes of criminal behavior, which may include trauma, lack of education, or negative peer influence.

Role of Family and Community:

- **Drug Act:** The Act encourages family and community involvement in rehabilitation programmes to ensure support during recovery. Community-based programmes help create a support network for recovering drug offenders.
- **Juvenile Justice Act (18/2019):** The law emphasises the importance of family involvement in the rehabilitation process, recognising that family support is essential for a juvenile's successful reintegration into society.

Conflicting Mandates and Implementation Gaps

Despite progressive laws, challenges remain in aligning the Drug Act and Juvenile Justice Act in practice. Whilst the JJA has the jurisdiction and is the primary law for juveniles, it is understood to have legal tension with Drug Act 17/2011.

Breakdown of Conflict Points and How They Intersect:

Whilst the Juvenile Justice Act establishes a separate legal framework for dealing with juvenile offenders, emphasizing rehabilitation, reintegration, and restorative justice, the Act states any conflicts between this Act and other laws must be resolved in favor of the Juvenile Justice Act.

On the other hand, Drug Act 17/2011 aims to address drug abuse and trafficking, including mandatory rehabilitation for drug users.¹⁷⁰ It contains provisions that apply generally to all offenders, including minors, with less focus on specialised juvenile procedures.

The Drug Act may require rehabilitation or legal procedures that do not align with the specialised approach mandated by the Juvenile Act, for example, automatic referral to drug court or mandatory rehab timelines which may conflict with juvenile case assessments.

¹⁷⁰ *Drug Act 2011, Law No 17/2011, s 31.*

Rehabilitation Approach and Facilities

Whilst the Drug Act envisions structured rehab programmes with possibly punitive elements and has standard timelines and treatment protocols not tailored for minors, the Juvenile Justice Act requires individualised, developmentally appropriate rehabilitation for minors and emphasises voluntary participation and the child's best interest. Hence, mandated rehab under the Drug Act may not consider individual needs or development stages, conflicting with the more nuanced approach required under the Juvenile Justice Act.

Overlapping Jurisdiction

A significant area of overlap arises in the judicial forum for hearing cases. The Drug Court is mandated to handle cases involving drug offenders and to facilitate rehabilitation orders. Simultaneously, the Juvenile Justice Act assigns exclusive jurisdiction over juvenile cases to the Juvenile Court. This raises the question: Which court has the final say when a minor is charged under the Drug Act?

In practice, many juvenile drug cases are handled by the Juvenile Court, but the rehabilitation programmes and referrals remain under the purview of the Drug Court and the NDA. This fragmentation can result in delays in treatment initiation and a lack of coordinated care.

Overlap in Rehabilitation Services

Both Acts advocate for rehabilitation, but they differ in approach:

- The Drug Act emphasises medical and clinical treatment, structured detoxification, and long-term therapeutic communities.
- The Juvenile Justice Act promotes holistic, child-sensitive programmes, including education and family counselling.
- The absence of integrated rehabilitation services that cater to the developmental needs of minors creates a gap in service delivery. Juveniles may be placed in adult-oriented rehabilitation facilities, undermining their psychological and emotional development.

Diversion and Sentencing Alternatives

Diversion is a key component of both Acts. The Drug Act allows individuals who admit to drug use to be diverted from the criminal justice system into rehabilitation. Similarly, the Juvenile Justice Act emphasises diversion as a first response, including mediation, counselling, and community service.¹⁷¹

However, the criteria for diversion under the Drug Act do not always align with those of the Juvenile Justice Act, leading to inconsistencies in eligibility assessments and treatment referrals.

There is an overlap and sometimes conflict between the Drug Act and the Juvenile Justice Act when dealing with juvenile drug offenders. For instance, juvenile drug users may fall under both jurisdictions, but referral mechanisms and case management are not clearly coordinated. The Drug Court has no jurisdiction over minors, whilst the

¹⁷¹ *Juvenile Justice Act 2019, Law No 18/2019, s 49(b).*

Juvenile Court lacks specialised tools for addiction management, resulting in chaos, confusion, and uncertainty regarding various roles played by the officers in giving effect to the scheme of rehabilitation and reintegration of children in conflict with the law.

When juveniles are involved in drug-related offences, it is unclear whether the NDA or Department of Juvenile Justice has primary authority. This results in:

- Delays in referrals
- Duplicated assessments
- Inconsistent application of diversion

Institutional Limitations

- Lack of specialised juvenile rehabilitation centers
- Inadequate training for judiciary and frontline workers
- Absence of unified case management systems

Monitoring and Data Deficiency

No public data exists on the following which impedes on efficacy:

- Rehabilitation success rates
- Recidivism following treatment
- Programme efficacy

Comparative and International Context

- **Singapore:** Integrates strict drug laws with rehabilitation programs
- **Norway:** Focuses on community-based interventions and restorative justice.
- **Sri Lanka:** Offers rehabilitation through youth homes but is understood to suffer from resource shortages.
- **Bangladesh:** Introduced diversion for juveniles, yet implementation is understood to remain uneven due to lack of coordination.
- **United Nations Convention on the Rights of the Child (CRC):** Emphasizes that juvenile justice should prioritize rehabilitation over punishment.
- **UNODC (2018) and WHO:** Recommend integrated systems, with streamlined assessment, treatment, and follow-up areas where the Maldives still needs significant development.

Conclusion

The Maldives has taken critical legislative steps towards a rehabilitative justice system. However, overlapping mandates and weak implementation are understood to limit the effectiveness of both the Drug Act and Juvenile Justice Act. Strengthening institutional coordination, legal clarity, and monitoring can ensure these laws fulfil their rehabilitative potential.

Both the Drug Act and the Juvenile Justice Act reflect the Maldives' efforts to reform its justice system with a strong focus on rehabilitation rather than solely on punishment. Whilst both Acts aim to prevent recidivism and promote reintegration into society, their targets differ—the Drug Act mainly deals with adult drug offenders, whilst the Juvenile Justice Act focuses on minors.

The Drug Act places more emphasis on addiction recovery, offering rehabilitation programmes for drug abusers, whilst the Juvenile Justice Act prioritises non-custodial sentences and restorative justice for minors. In both cases, the goal is not just to punish but to transform offenders, focusing on rehabilitation and social reintegration.

Whilst both Acts represent significant steps in creating a more rehabilitative justice system, challenges remain in the full implementation of these provisions, such as the availability and quality of rehabilitation facilities and programs. Continued attention to these issues will be key to ensuring that both laws achieve their intended goals of reducing recidivism and reintegrating offenders into society.

The Juvenile Justice Act 18/2019 clearly intends to override conflicting provisions in other laws when it comes to children. However, in practice, there have been institutional overlaps and confusion, especially regarding:

- Whether juveniles should go to drug court or juvenile court.
- Whether mandatory rehab timelines apply to minors.
- Who determines and oversees juvenile rehab programs

Recommendations

To resolve this conflict effectively:

Legal Harmonization: Both Acts should be amended to explicitly outline how they interact in juvenile drug offence cases, with clear priority rules.

Inter-Agency Protocols: Standard Operating Procedures (SOPs) should be established between the NDA and Department of Juvenile Justice, and shared protocols developed between the Drug Court and Department of Juvenile Justice.

Capacity Building: Professionals in rehabilitation and restorative practices should be trained.

Infrastructure Investment: Juvenile-specific rehabilitation centers should be developed.

Monitoring Framework: National indicators for measuring rehabilitation outcomes should be introduced.

Referencing

Legislation

- Drug Act (Law No 17/2011) (Maldives).
- Juvenile Justice Act (Law No 18/2019) (Maldives).

International Instruments

- Convention on the Rights of the Child (adopted 20 November 1989, entered into force 2 September 1990) 1577 UNTS 3.

Other Materials

- Mohammad Rezaur Rahman, 'Juvenile Justice in Sri Lanka and Bangladesh: A Comparative Analysis' (2020) 24(1) International Journal of Children's Rights 120.
- UNICEF Maldives, Juvenile Justice and Child Protection in the Maldives: Situational Analysis (UNICEF Regional Office for South Asia 2021).
- United Nations Office on Drugs and Crime, Alternatives to Incarceration for Drug-Dependent Offenders (UNODC 2016).
- United Nations Office on Drugs and Crime, Handbook on the Management of Substance Abuse in Juvenile Justice (UNODC 2018)

Effectiveness of the Diversion Program in the Juvenile Justice System

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Introduction

The juvenile justice system embodies the dual objectives of public protection and the rehabilitation of juvenile offenders, which fosters conflicting perspectives on the optimal approach to managing juvenile delinquents.¹⁷² In accordance with Article 35 of the 2008 Constitution and international commitments¹⁷³, the Maldives enacted the Juvenile Justice Act 2018 (hereinafter referred to as the 2018 Act), which commenced implementation on November 20, 2020. One legal technique to mitigate the risk of juvenile criminality and alleviate the potential adverse effects of formal prosecution in juvenile court is the juvenile diversion program established by the law.¹⁷⁴

Prior to the implementation of the 2018 Act, alternatives to prosecution and formal police cautioning were still utilised under then existing regulations for handling juvenile offenders and through general prosecutorial discretion. The 2018 Act established the first comprehensive legal framework for diversion during the investigation and prosecution stages.

Internationally published research on the impact of juvenile diversion on recidivism has yielded varied results, with some studies indicating reduced recidivism rates in comparison to non-diverted adolescents, while others report no significant difference¹⁷⁵. Limited study has been undertaken locally to evaluate the efficacy of the diversion programs instituted under the 2018 Act. This paper predominantly employs case studies and qualitative research to argue that, despite certain limitations, diversion

172 Wylie, Lindsey E, Samantha S Clinkinbeard, and Anne Hobbs. "The Application of Risk-Needs Programming in a Juvenile Diversion Program." *Criminal justice and behavior* 46.8 (2019): 1128–1147.

173 *Child Rights Convention and the United Nations Standard Minimum Rules for the Administration of Juvenile Justice ("The Beijing Rules")*

¹⁷⁴ n1

175 Schwalbe, C. S., Gearing, R. E., MacKenzie, M. J., Brewer, K. B., & Ibrahim, R. W. (2012). *A meta-analysis of experimental studies of diversion programs for juvenile offenders. Clinical Psychology Review, 32*(1), 26–33. Retrieved at <https://pubmed.ncbi.nlm.nih.gov/22138452/>

programs have shown success to a degree. The efficacy of the diversion program is heavily contingent upon its components, design, and overall quality.

Juvenile Diversion and the legal framework

Diversion seeks to prevent delinquent youth from entering the juvenile court system. Different legal systems employ various diversionary tactics which may vary based on structures, target demographics, implementation methodologies, populations, strategies, and other factors.¹⁷⁶ Minors are removed from the court system by pre-charge diversion.¹⁷⁷ It transpires before to official prosecution; hence, minors are not indicted.¹⁷⁸ Post-charge diversion occurs after an official charge is filed against the children, prior to referral to intervention programs.¹⁷⁹ Intervention programs include activities, community therapy, victim-offender mediation, non-conviction fines, compensation, and further measures.¹⁸⁰

While certain legal systems acknowledge post-charge diversion, the 2018 Act exclusively recognises pre-charge diversion, thereby limiting this authority to law enforcement and prosecution prior to charging. The law mandates that police and prosecution prioritise diversion for juvenile offenders over formal sanctions within the juvenile justice system.¹⁸¹ This aims to guarantee that a child, despite involvement in

¹⁷⁶ Mustaffa, Aminuddin. “Diversion Under Malaysian Juvenile Justice System: A Case of Too Little Too Late?” *Asian journal of criminology* 11.2 (2016): 135–153.

¹⁷⁷ *Ibid*

¹⁷⁸ *ibid*

¹⁷⁹ *ibid*

¹⁸⁰ *ibid*

¹⁸¹ Section 8

criminal behaviour due to their vulnerable character and susceptibility to deviant behaviour, is afforded the opportunity to have a meaningful life within the community.¹⁸²

Every juvenile offender who commits an offence is required by the law to undergo a risk assessment. The risk assessment takes into account the severity of the offence, the circumstances of its commission, the individual's history of reoffending, and social and psychological factors. In addition to risk assessment, social enquiry report is considered in making a decision with regard to diversion.

Currently, the prosecution is not allowed to send a child to diversion without the child's consent and without the child confessing to the offence.¹⁸³ This may be one of the reasons for the limited number of diversions at police and prosecution stage in the past five years.

¹⁸² *The Beijing Rules*

¹⁸³ *Section 38*

Literature review

Various forms of diversion programs have been tested globally, and much research and analysis have been undertaken regarding their success. The predominant outcome factor for assessing the efficacy of juvenile diversion is recidivism, or the rate of reoffending.¹⁸⁴ Empirical research indicate that overall diversion does not significantly affect recidivism, since its impact mostly depends on the nature of the intervention, or the type of diversion program implemented. Family intervention and restorative justice have demonstrated beneficial effects.¹⁸⁵ Diversion programs achieve optimal effectiveness when they consider elements such as extensive case management, including behavioural contracts; addressing mental health issues; providing academic help; and attention to demographic variables such as race, class, and family support.¹⁸⁶ This section of the paper seeks to explain various approaches and interventions implemented by different countries and their advantages compared to others.

Each person is distinct. It has been proposed that diversion programs should consider the uniqueness of the juvenile.¹⁸⁷ It should be predicated on the distinct risks, requirements, and attributes of the individual in question.¹⁸⁸ It should be customised

¹⁸⁴ Schwalbe, C. S., Gearing, R. E., MacKenzie, M. J., Brewer, K. B., & Ibrahim, R. W. (2012). *A meta-analysis of experimental studies of diversion programs for juvenile offenders*. *Clinical Psychology Review*, 32(1), 26–33, Link: <https://pubmed.ncbi.nlm.nih.gov/22138452/>

¹⁸⁵ *ibid*

¹⁸⁶ McMahon, Sheila M, and Shelby Pederson. “‘Love and Compassion Not Found Elsewhere’: A Photovoice Exploration of Restorative Justice and Nonviolent Communication in a Community-Based Juvenile Justice Diversion Program.” *Children and youth services review* 117 (2020): 105306-. Web.

¹⁸⁷ Wylie, Lindsey E, Samantha S Clinkinbeard, and Anne Hobbs. “The Application of Risk–Needs Programming in a Juvenile Diversion Program.” *Criminal justice and behavior* 46.8 (2019): 1128–1147.

¹⁸⁸ *ibid*

for the child instead of employing a "one-size-fits for all" diversion strategy.¹⁸⁹ The RNR (Risk Needs Responsivity) approach comprises individually personalised programs founded on three principles: the risk principle, which dictates that the intensity and duration of interventions should correlate with the individual's risk level; as risk escalates, both duration and intensity should also increase.¹⁹⁰ The need principle dictates that services are provided in consideration of individual qualities and circumstances. General responsivity pertains to the impact of services and the extent to which interventions emphasise behavioural and social learning methodologies, skill development, and cognitive transformation.¹⁹¹ Specific responsivity entails tailoring treatment based on individual qualities, including skills, abilities, motivation, personality, and demographic factors.¹⁹²

The efficacy of RNR model was evaluated in a study comprising 2,482 juveniles of various races, ethnicities, and socio-economic backgrounds.¹⁹³ However, the research did not arrive at a conclusion about whether the RNR strategy improves diversion outcomes due to the lack of valid data concerning the responsivity element. However, it demonstrated that participants in the risk-needs based method were less prone to reoffend compared to others.¹⁹⁴

Another recommended approach is to prioritise mental health and psychological elements in program design. Delinquent teenagers experience an excessive prevalence of behavioural and mental health issues, along with increased alienation from healthy

¹⁸⁹ *ibid*

¹⁹⁰ *ibid*

¹⁹¹ *ibid*

¹⁹² *ibid*

¹⁹³ *ibid*

¹⁹⁴ *ibid*

peers, educational institutions, and career prospects.¹⁹⁵ Research conducted in the United States and globally indicates that 13-21 percent of adolescents under 18 years in the community would encounter a mental disorder, and up to 70 percent of detained and jailed youths possess a diagnosable mental health issue.¹⁹⁶ Providing mental health care to delinquent adolescents in residential environments may enhance both child and systemic results.¹⁹⁷ However, young offenders frequently do not receive treatment for their mental and behavioural issues, irrespective of whether they are in jail or under community-based diversion programs.¹⁹⁸

The Community-Family Integration Diversion Program (C-FIT) has been established to tackle the challenges of delivering treatment to justice-involved adolescents in resource-limited settings. C-FIT was established in 2011 and underwent pilot testing with financing from UNICEF.¹⁹⁹ The preliminary test, albeit inconclusive, suggested that the C-FIT program may be effective in enhancing recidivism and mental health outcomes for adolescents with significant mental health issues.²⁰⁰

It has been contended that the true form of diversion occurs prior to arrest.²⁰¹ Post-arrest diversion programs redirect children after arrest, potentially reducing future involvement with the juvenile justice system; however, they do not protect youth from the often-traumatic experience of arrest or its associated consequences, such as a record

¹⁹⁵ Gearing, Robin E et al. "C-FIT Adolescent Diversion Program: A Behavioral Intervention Pilot Test for Delinquent Offenders." *International social work* 60.5 (2017): 1111–1125. Web.

¹⁹⁶ *ibid*

¹⁹⁷ *ibid*

¹⁹⁸ *ibid*

¹⁹⁹ *ibid*

²⁰⁰ *ibid*

²⁰¹ Goldstein, Naomi E. S et al. "Preventing School-Based Arrest and Recidivism Through Prearrest Diversion: Outcomes of the Philadelphia Police School Diversion Program." *Law and human behavior* 45.2 (2021): 165–178. Web.

that may persist into adulthood.²⁰² Prearrest diversion programs protect children from the negative impacts and collateral consequences of arrest, imprisonment, processing, and legal procedures before the commencement of post-arrest diversion programs.²⁰³

Law enforcement generally implements pre-arrest diversion programs.²⁰⁴ An officer cautions, releases, or directs a juvenile to a diversion program at the initial police encounter to avert arrest and subsequent formal judicial proceedings.²⁰⁵ Prearrest diversion programs differ in their structure and components. Some jurisdictions provide children with only warnings without further action, while others have structured diversion programs that require completion of community service, participation in in-person or online courses, substance use treatment, and supervision to ensure compliance.²⁰⁶ The effective fulfilment of these formal programs generally terminates diversion expectations and engagement with the judicial system.²⁰⁷ Failure to adhere to program restrictions may nullify the diversion chance, leading to charges and legal action.²⁰⁸

An examination of internal police records from the Philadelphia Police indicated that local schools were a significant source of youth arrest referrals, resulting in the establishment of the Philadelphia Police School Diversion Program in 2014.²⁰⁹ This pre-arrest diversion strategy prevents the arrest of youth without prior adjudication for

²⁰² *ibid*

²⁰³ *ibid*

²⁰⁴ *ibid*

²⁰⁵ *ibid*

²⁰⁶ *ibid*

²⁰⁷ *ibid*

²⁰⁸ *ibid*

²⁰⁹ *ibid*

minor offences.²¹⁰ The Diversion Program fundamentally relies on the automatic diversion of teenagers according to objective criteria, devoid of additional requirements.²¹¹ Youth who choose not to participate in service are neither detained nor penalised.²¹² The elements of these Diversion Programs minimise net broadening, ensuring that diverted adolescents and their families do not engage with the criminal system due to treatment obligations and likely disinterest in service participation.²¹³ Data show that the year prior to the 2014 program recorded 1,580 school arrests.²¹⁴ This method led to an 84% reduction in arrests, totalling 251 over a five-year span. Diverted youth showed lower rates of recidivism in comparison to non-participants.²¹⁵

²¹⁰ *ibid*

²¹¹ *ibid*

²¹² *ibid*

²¹³ *ibid*

²¹⁴ *ibid*

²¹⁵ *ibid*

Maldivian context- Case Studies

Number of cases submitted to juvenile court are given in the table below.[45]

Year	2020	2021	2022	2023
Number of cases submitted to Juvenile Court	18	51	15	3
Number of juveniles who entered into Diversion with Prosecution	-	-	4	-

The table indicates a gradual decline in the number of juvenile offender cases submitted to court since the enactment of Act 2018. Nonetheless, this decline is primarily attributed to a reduction in the number of cases accepted for prosecution, as cases resolved through diversion remained at four, as recorded in 2022. The lack of police data on cautioning and diversion at the police stage complicates the assessment of the number of juvenile offender cases submitted to law enforcement. Of the four juvenile offenders who entered into a diversion agreement, two programs are currently ongoing, one was successful, and one was unsuccessful, as discussed in detail below. These cases include murder, grievous bodily harm and sexual offence. For anonymity, have used code names instead of real names.

Case 1: JO1 and JO2 (status: ongoing)

A Diversion agreement with JO1 was signed on October 6, 2022, for a duration of three years. The diversion plan mandated that JO1 refrain from committing any offences, attend school and therapy sessions led by the case worker, inform the case worker of any changes to contact details, and adhere to a curfew from 8 PM to 5 AM. Monthly progress reports were disseminated by the Department of Juvenile Justice. The diversion program will conclude on October 5, 2025.

JO1 was engaged in gang-related offences prior to the diversion program. Following his involvement in the program, he has disengaged from gang and criminal activities. This can be classified as a beneficial outcome of the diversion program. Confirmation

is contingent upon the conclusion of the diversion program. JO1 has conducted religious sessions alongside 18 life skill sessions. These sessions cover topics such as self-control, positive behaviour and discipline, social relationships, peer pressure, rights and responsibilities, as well as managing risky thoughts and fostering new thoughts that promote recovery. Additionally, the sessions emphasise the influence of thoughts on behaviour.

Progress reports to date have not indicated any violations of the curfew; however, this information is primarily derived from the mother and JO1.

JO1 resided outside Male' until January 2024. The majority of therapy sessions were conducted via phone, with few home visits occurring. Progress reports have consistently indicated a lack of cooperation from JO1 regarding the phone call sessions, and JO1 has ceased attending school entirely since January 2024. This constitutes a clear violation of the agreement that granted the prosecution the authority to terminate the diversion and charge JO1 in Juvenile Court. But the diversion program was not terminated. Additionally, review meetings were not conducted regularly.

JO2

A Diversion agreement with JO2 was signed for a duration of three years on October 6, 2022. The diversion plan mandated that JO2 refrain from committing any offences, attend school and therapy sessions led by the case worker, inform the case worker of any changes to contact details, and adhere to a curfew from 8 PM to 5 AM. Monthly progress reports were disseminated by the Department of Juvenile Justice. The diversion program will conclude on October 5, 2025.

JO2 participated in gang-related offences prior to the diversion program. Since the diversion agreement, he has not participated in gang-related activities; however, his phone was confiscated during a confrontation with police officers in June 2024. In early 2024, the family of JO2 expressed concerns regarding an unidentified individual residing in the same household who was allegedly using drugs. JO2 ceased attending

school in January 2024. He advised against excessive time spent playing poker on his phone; however, this recommendation was not followed.

JO2 has conducted 18 life skill sessions, which include topics such as controlling our lives, good behaviour and discipline, social relationships, peer pressure, rights and responsibilities, risky thoughts versus new thoughts that support recovery, and the influence of thoughts on behaviour. However, he declined to participate in any of the religious sessions.

Progress reports thus far have not indicated any violations of the curfew; however, this information is primarily derived from the family and JO2.

Case 2: JO 3 (Unsuccessful)

A diversion agreement was executed on July 2, 2022. The diversion plan mandated that JO3 refrain from committing any offences and therapy sessions led by the caseworker, notify the caseworker of any changes to contact information, and completely dissociate from gang activity.

During the diversion, JO3 participated in religious and life skills sessions encompassing the influence of thoughts on behaviour, strategies for life management, principles of good conduct and discipline, social relationships, peer pressure, rights and responsibilities, risky thoughts versus constructive thoughts that facilitate recovery, and the impact of thoughts on behaviour. However, JO3 exhibited minimal cooperation during the sessions and was apprehended in connection with a drug-related offence. The Diversion program was terminated and subsequently prosecuted. JO3 is presently convicted of the offence.

Case 3: JO 4 (Successful)

A diversion agreement was executed in April 2022. The diversion plan mandated that JO3 refrain from committing any offences, participate in therapy sessions led by the case worker, and keep the case worker informed of any alterations to contact information.

JO 4 completed all sessions and requirements of the diversion program and started employment to earn income. JO 4 successfully completed the diversion program and has not committed any other offences since that time.

Effectiveness of the diversion programs

The minimal number of cases involving diversion makes it challenging to assess the program's success. Nonetheless, as previously said, one of the cases is a total success story. An interview with a Police Officer and an Officer from the Department of Juvenile Justice emphasised that the two adolescents now undergoing diversion had seen positive adjustments, as they have not reoffended since participating in the diversion program. This may be perceived as a positive development.

It is evident that these children have acquired life skills, which may confer some indirect benefits to them. Children in conflict with the law experience significant mental pain and trauma. A trauma-informed approach is crucial for teenagers engaging with the juvenile justice system to properly meet their needs. Trauma-informed care is based on a strengths-oriented framework; it recognises that youth display maladaptive behaviours in response to perceived threats and underscores the necessity of maintaining safety, offering support, promoting self-regulation, and enhancing the

strengths of youth.²¹⁶ The life skills sessions, while not exhaustive, would address this issue to some degree. The aforementioned case studies presented three serious cases of varying type. Children originate from diverse socio-economic origins. However, an identical diversion strategy is employed. Identical life skills classes were given to all participants. In the future, it is essential to construct the diversion for juveniles (considering the uniqueness) to optimise the program's outcomes. The case studies indicate that a significant area of ineffectiveness is school attendance, since participants consistently declined to attend classes, whether in person or online. To ensure the effectiveness of these programs, it is essential to broaden the learning environments accessible to these children, rather than confining them to traditional classroom education. Furthermore, case studies underscore the significant role that the family may play in the success of a diversion and, of course, in the child's life. To achieve sustainable outcomes, it is essential to identify methods for empowering families and fostering awareness within them. Existing diversion programs lack components of restorative and mental health support. It is crucial for the youngster to own responsibility for their actions and rectify the harm inflicted upon others as a result of those actions. During the interview conducted, officer from the department of juvenile justice highlighted the importance of incorporating restorative element in the intervention plan. The success of diversion programs depends also heavily on collaboration and community involvement.

²¹⁶ McMahon, Sheila M, and Shelby Pederson. "‘Love and Compassion Not Found Elsewhere’: A Photovoice Exploration of Restorative Justice and Nonviolent Communication in a Community-Based Juvenile Justice Diversion Program." *Children and youth services review* 117 (2020): 105306-. Web.

Conclusion

To enhance effectiveness, it may be necessary to modify the development of the diversion plan to align with the specific requirements of the child involved. A thorough examination of the entire system must be undertaken to uncover deficiencies in the juvenile justice system, as the efficiency of one component is largely contingent upon the functioning of other elements. The effectiveness of diversion cannot be accurately assessed without first addressing the reasons for the limited number of diversion instances. First and foremost, we need to find a way to convince children and parents of its benefits or to develop an appealing diversion approach so that they do not say no to diversion.

References

McMahon, Sheila M, and Shelby Pederson. “Love and Compassion Not Found Elsewhere’: A Photovoice Exploration of Restorative Justice and Nonviolent Communication in a Community-Based Juvenile Justice Diversion Program.” *Children and youth services review* 117 (2020): 105306-. Web.

Goldstein, Naomi E. S et al. “Preventing School-Based Arrest and Recidivism Through Prearrest Diversion: Outcomes of the Philadelphia Police School Diversion Program.” *Law and human behavior* 45.2 (2021): 165–178. Web.

Gearing, Robin E et al. “C-FIT Adolescent Diversion Program: A Behavioral Intervention Pilot Test for Delinquent Offenders.” *International social work* 60.5 (2017): 1111–1125. Web

McMahon, Sheila M, and Shelby Pederson. “Love and Compassion Not Found Elsewhere’: A Photovoice Exploration of Restorative Justice and Nonviolent Communication in a Community-Based Juvenile Justice Diversion Program.” *Children and youth services review* 117 (2020): 105306-. Web.

Wylie, Lindsey E, Samantha S Clinkinbeard, and Anne Hobbs. “The Application of Risk–Needs Programming in a Juvenile Diversion Program.” *Criminal justice and behavior* 46.8 (2019): 1128–1147.

Schwalbe, C. S., Gearing, R. E., MacKenzie, M. J., Brewer, K. B., & Ibrahim, R. W. (2012). A meta-analysis of experimental studies of diversion programs for juvenile offenders. *Clinical Psychology Review*, 32(1), 26–33, Link: <https://pubmed.ncbi.nlm.nih.gov/22138452/>

Mustaffa, Aminuddin. “Diversion Under Malaysian Juvenile Justice System: A Case of Too Little Too Late?” *Asian journal of criminology* 11.2 (2016): 135–153.

Schwalbe, C. S., Gearing, R. E., MacKenzie, M. J., Brewer, K. B., & Ibrahim, R. W. (2012). A meta-analysis of experimental studies of diversion programs for juvenile offenders. *Clinical Psychology Review*, 32(1), 26–33. Retrieved at <https://pubmed.ncbi.nlm.nih.gov/22138452/>

Wylie, Lindsey E, Samantha S Clinkinbeard, and Anne Hobbs. "The Application of Risk–Needs Programming in a Juvenile Diversion Program." *Criminal justice and behavior* 46.8 (2019): 1128–1147.

Child Rights Convention and the United Nations Standard Minimum Rules for the Administration of Juvenile Justice ("The Beijing Rules")

[1] Wylie, Lindsey E, Samantha S Clinkinbeard, and Anne Hobbs. "The Application of Risk–Needs Programming in a Juvenile Diversion Program." *Criminal justice and behavior* 46.8 (2019): 1128–1147.

[2] Child Rights Convention and the United Nations Standard Minimum Rules for the Administration of Juvenile Justice ("The Beijing Rules")

[3] n1

[4]Schwalbe, C. S., Gearing, R. E., MacKenzie, M. J., Brewer, K. B., & Ibrahim, R. W. (2012). A meta-analysis of experimental studies of diversion programs for juvenile offenders. *Clinical Psychology Review*, 32(1), 26–33. Retrieved at <https://pubmed.ncbi.nlm.nih.gov/22138452/>

[5] Mustaffa, Aminuddin. "Diversion Under Malaysian Juvenile Justice System: A Case of Too Little Too Late?" *Asian journal of criminology* 11.2 (2016): 135–153.

[6] Ibid

[7] ibid

[8] ibid

[9] ibid

[10] Section 8

[11] The Beijing Rules

[12] Section 38

[13] Schwalbe, C. S., Gearing, R. E., MacKenzie, M. J., Brewer, K. B., & Ibrahim, R. W. (2012). A meta-analysis of experimental studies of diversion programs for juvenile

offenders. *Clinical Psychology Review*, 32(1), 26–33, Link: <https://pubmed.ncbi.nlm.nih.gov/22138452/>

[14] *ibid*

[15] McMahon, Sheila M, and Shelby Pederson. “Love and Compassion Not Found Elsewhere’: A Photovoice Exploration of Restorative Justice and Nonviolent Communication in a Community-Based Juvenile Justice Diversion Program.” *Children and youth services review* 117 (2020): 105306-. Web.

[16] Wylie, Lindsey E, Samantha S Clinkinbeard, and Anne Hobbs. “The Application of Risk–Needs Programming in a Juvenile Diversion Program.” *Criminal justice and behavior* 46.8 (2019): 1128–1147.

[17] *ibid*

[18] *ibid*

[19] *ibid*

[20] *ibid*

[21] *ibid*

[22] *ibid*

[23] *ibid*

[24] Gearing, Robin E et al. “C-FIT Adolescent Diversion Program: A Behavioral Intervention Pilot Test for Delinquent Offenders.” *International social work* 60.5 (2017): 1111–1125. Web.

[25] *ibid*

[26] *ibid*

[27] *ibid*

[28] *ibid*

[29] *ibid*

[30] Goldstein, Naomi E. S et al. “Preventing School-Based Arrest and Recidivism Through Prearrest Diversion: Outcomes of the Philadelphia Police School Diversion Program.” *Law and human behavior* 45.2 (2021): 165–178. Web.

[31] *ibid*

[32] *ibid*

[33] *ibid*

[34] *ibid*

[35] *ibid*

[36] *ibid*

[37] *ibid*

[38] *ibid*

[39] *ibid*

[40] *ibid*

[41] *ibid*

[42] *ibid*

[43] *ibid*

[44] *ibid*

[45] Juvenile court website and PGO statistics

[46] McMahon, Sheila M, and Shelby Pederson. “‘Love and Compassion Not Found Elsewhere’: A Photovoice Exploration of Restorative Justice and Nonviolent Communication in a Community-Based Juvenile Justice Diversion Program.” *Children and youth services review* 117 (2020): 105306-. Web.

Rehabilitative & Reintegration Pathways Employed by the Relevant Legislative Institutions

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Introduction

Juvenile delinquency is a term referring to a minor who has committed a criminal offence (American Psychological Association, 2018; Nisar et al, 2015). Although the minimum age of a child varies in different countries, literature suggests that the Minimum Age of Criminal Responsibility (MACR) is usually 18 years (Young et al., 2017). In recent years, issues relating to juvenile delinquency have become a major concern worldwide. Such that two third and three-quarters of all crimes are committed by young people who also belong to gangs or groups (Mantey & Dzetor, 2018). These gangs and groups vary from being highly structured criminal organisations to less structured street gangs. The fact that gangs and groups exist in local communities, juvenile delinquency poses serious challenges to family, public safety, lives of young people and law enforcement agencies as delinquents come into the justice system with an array of problems that have caused them to commit the offence. The intensity and severity of juvenile offences are generally determined by the juvenile's surroundings or the environment such as family problems, parental attitudes, family structure, socio-economic conditions and peer influences (Nisar et al, 2015). Additionally, social economic, political instability and weakening of key institutions poses detrimental consequences for formation of delinquent trajectories. For instance, social instability such as unemployment and low incomes can increase the likelihood of young people's involvement in criminal activity. Similarly, when institutions working with the juvenile system lack rehabilitation and reintegration structures, the number of offenders that many young people retreat into confines their own groups and resort to drug use for psychological and emotional escape (World Youth Report, 2003).

In the Maldives, the number of minors engaged in criminal behaviour has increased rapidly over the years. According to Maldives Police Services (MPS), Crime Investigation Department, there have been over 134 juvenile offences lodged for investigation out of which 130 juvenile offenders have been detained for various types of cases ("Rate of juvenile", 2024). It is of concern that a number of young people are involved in serious crimes such as murder, gang violence, organised crime and drug trafficking. Given the scale of juvenile delinquency calls for improved rehabilitation and support for juvenile offenders. This paper aims to explore the existing

rehabilitation and reintegration pathways employed by the relevant legislative institutions.

Literature Review

The global juvenile justice landscape has evolved from punitive models toward rehabilitative and restorative approaches (Lumbantoruan & Rosando, 2025). This shift reflects the growing recognition that juvenile delinquency often stems from complex psychosocial, economic, and environmental factors. International frameworks such as the United Nations Convention on the Rights of the Child (UNCRC) (UNICEF, 1989), and the Beijing Rules (United Nations, 1985) also emphasise the importance of education, restorative justice, and reintegration as core components of juvenile justice systems. It is rooted in the belief that juveniles are developmentally distinct from adults and more amenable to change. Therefore, highlighting the criticality of reducing recidivism and supporting young offenders in transitioning into society as responsible citizens. These frameworks establish a rights-based approach that prioritises the dignity, developmental needs, and best interests of the child, while promoting rehabilitation and reintegration over punitive responses. The collective emphasis on reintegration, dignity, and minimal use of detention has inspired numerous national legislative reforms and programmatic innovations (UNICEF, 1989; United Nations, 1985). Resulting in the formation of an integrated and interdisciplinary foundation for juvenile justice reform.

The international legal landscape governing juvenile justice is anchored in two primary instruments: the United Nations Convention on the Rights of the Child (UNCRC) and the United Nations Standard Minimum Rules for the Administration of Juvenile Justice, commonly known as the Beijing Rules. The UNCRC, adopted in 1989, is the most comprehensive legally binding international treaty on children's rights. Article 40 of the UNCRC is particularly significant in the context of juvenile justice. It recognises the right of every child alleged or recognised as having infringed the penal law to be treated “in a manner consistent with the promotion of the child’s sense of dignity and worth” (UNICEF, 1989). This includes a focus on reinforcing the child’s respect for the rights and freedoms of others and promoting their reintegration and assumption of a constructive role in society. The UNCRC also stipulates that detention and deprivation of liberty must be used only as a measure of last resort and for the shortest appropriate period, thereby discouraging incarceration unless necessary.

Complementing the UNCRC, the Beijing Rules (1985) operationalise these principles by offering detailed guidance on juvenile justice procedures and standards. Rule 1.1 emphasises that all actions taken within the juvenile justice system must further the well-being of the juveniles and their family (United Nations, 1985). The Rules advocate preventative, restorative, and diversionary approaches. This reflects a belief that legal intervention should be minimised and replaced where possible with community-based or informal measures that are less stigmatising. Additionally, Rule 5.1 introduces the principle of proportionality, urging that the response to juvenile offending should not only consider the gravity of the offence but also consider the child's individual circumstances, such as their background, age, and developmental needs. Moreover, the Beijing Rules underscore the necessity of individualised treatment, where responses to juvenile offences are tailored to the personal and psychological profile of the young person. This also aligns with Rule 26.4 which stresses the importance of professional assessments and the involvement of qualified personnel in planning rehabilitative interventions.

Juvenile Rehabilitation Programs in South Asia

Over the past few decades, several South Asian countries have implemented juvenile justice reform programmes that focus on rehabilitative and reintegrative frameworks ranging from diversionary initiatives in India (Sato, 2024; Pooja & Dixit, 2023) to de-radicalisation centres in Pakistan (Fatima et al., 2025; Khan et al., 2025). These initiatives were often spurred by legal reforms, rising youth crime, and increased alignment with international child rights conventions. Common themes of interventions include education, vocational training, counselling for trauma, and family or community reintegration. Table 1 illustrates a summary of juvenile justice reform programmes in South Asia. While many of these programmes demonstrated short-term success, several of them were discontinued, scaled down, and failed to sustain momentum. The programme conducted at Singapore (Tang, 2010), offers critical insight into factors influencing long-term programme effectiveness.

Table 1. Summary of juvenile justice reform programs in South Asia Region

Country	Year	Program	Key Features	Outcomes	Challenges
India	2016	Project Dishant	Diversion from detention, legal aid, social work, family engagement	Rapid reintegration, resumed schooling, reduced stigma	Inconsistent application across states; stigma; limited aftercare support
Pakistan	2009-2018	Sabaoon, YEP, Community Probation	De-radicalization (Sabaoon), vocational rehab (YEP), NGO-community probation	Reintegration with skills, trauma care, some relapses addressed via alumni support	Stigma, resource gaps, relapse risk among deradicalized youth
Bangladesh	1978-2003	Child Development Centres (CDCs)	Education, vocational training, therapy, parenting workshops	Reduced recidivism where skills and family support present	Overcrowding, staff shortage, inconsistent rehab quality, punitive mindsets
Sri Lanka	1999-2009	Wataraka Training School, Child	Formal schooling, vocational skills, post-war reintegration	81% recidivism in Wataraka; high success in child soldier rehab	High recidivism in Wataraka; weak post-release

		Soldier Rehab		support; academic mismatch
Indonesia	2012	LPKA Palembang Reform Model	Restorative justice, education, vocational & religious training, a family coordination	Limited staff and resources; stigma remains a barrier; regional inconsistency, societal stigma
Singapore	2004- Present	Through-Care Model	Three-phase model: In-Care, Halfway Care, Aftercare, Ribbon Campaign	90%+ program completion; <16% recidivism; strong employment integration
				Stigma ('second prison'), need for long-term follow-up, systemic coordination

Through-Care System

Singapore's juvenile justice system exemplifies long-term systemic integration. Its "Through-Care" model, active since 2004, is supported by strong institutional coordination and robust community involvement. It encompasses three phases: *In-Care*, *Halfway Care*, and *Aftercare*.

- *In-Care Phase:* Rehabilitation begins at the point of incarceration, where inmates are assessed using tools such as the Level of Service Inventory-Revised (LSI-R) and classified based on their risk and needs. A Personal Route Map (PRM) is developed for each inmate to guide individualised

rehabilitation, which includes specialised treatment programmes addressing pro-social thinking, anger management, substance abuse, violence, and sexual offending. Educational opportunities are also considered central. This is facilitated through institutions like the Kaki Bukit Centre (Prison School), with access to national certifications and the National Youth Achievement Award (NYAA) for young inmates. Vocational training is further integrated through the Workplace Literacy and Numeracy (WPLN) initiative and partnerships, providing industry-relevant skills and job placement. Family-focused services are also emphasised, with Family Resource Centres (FRCs) offering financial assistance, counselling, and parenting support to maintain familial bonds during incarceration. Religious counselling is also made available through volunteer networks across six major faiths, with recent shifts towards integrating rehabilitative elements into spiritual programming.

- *Halfway Care Phase:* In this phase, eligible inmates may complete their sentence through community-based programmes. The Home Detention Scheme supports low-risk prisoners with strong family support, while the Halfway House Scheme offers a structured living environment for those lacking safe homes. The Work Release Scheme enables inmates to work during the day while returning to prison in the evenings. These programmes have shown success, with completion rates exceeding 90% and lower recidivism rates (under 16%) compared to institutional counterparts.
- *Aftercare Phase:* The last phase includes the Community Aftercare Programme (CAP), which supports reintegration for up to six months post-release, offering case-managed assistance in employment, housing, financial literacy, and social support.

Central to Singapore's approach is the belief that rehabilitation must extend beyond incarceration. Recognising that social stigma, which they refer to as the "second prison", impedes reintegration. Additionally, community engagement plays a vital role, with over 1,400 trained volunteers and more than 50 voluntary welfare organisations participating in in-prison and aftercare programming. Furthermore, the Yellow Ribbon Project was launched in 2004 as a national campaign to promote awareness, acceptance,

and action. Legislative changes, including amendments to the Registration of Criminals Act, have also supported this movement by allowing certain records to be spent, thus enabling access to civil service and private employment. These efforts are coordinated through the CARE Network, a multi-agency coalition tasked with sustaining aftercare innovation and policy reform.

Collectively, Singapore's model demonstrates a robust, evidence-based system that balances security with compassion, aiming to reduce reoffending and support sustainable reintegration through holistic, collaborative strategies.

Challenges and limitations in programme implementation

Despite regional strides in juvenile justice reform, other initiatives faltered under systemic and contextual pressures. The following are considered as contributing factors.

- a) **Funding and resource dependency:** Several programmes did not achieve longevity due to an over-reliance on singular funding sources which were often state budgets or donor aid. Without long-term integration into national budgets or public-private funding models, these programmes could not scale or sustain operations beyond their pilot phases. For example, Pakistan's YEP and Sabaoon, though innovative in addressing ideological rehabilitation and trauma, were heavily dependent on international donor support (Fatima et al., 2025; Khan et al., 2025).
- b) **Inconsistent implementation and policy discontinuity:** Policy fragmentation and lack of standardisation posed major barriers, particularly in federal or decentralised systems. In the absence of centralised coordination or mandatory implementation protocols, the programme saw uneven delivery, varying outcomes, and limited policy traction. Furthermore, shifts in political will or administrative leadership often led to reprioritisation of juvenile rehabilitation on national agendas (Bhardwaj, 2024; Ningsih et al., 2024;

Siddika, 2021). India's Project Dishant exemplifies this, as its core principles were not uniformly applied across states (Sato, 2024).

- c) **Institutional overload and staff limitations:** Operational bottlenecks within juvenile facilities hampered programme quality. Without investment in human capital and institutional capacity, even well-designed programmes fail to deliver meaningful change. Bangladesh's CDC system, while rich in vocational training options, struggled with overcrowding, insufficient staffing, and poor inter-agency communication (Siddika, 2021). Many staff lacked formal training in child development, trauma-informed care, or rights-based practices (Fatima et al., 2025; Sato, 2024; Siddika, 2021). This led to inconsistent engagement, burnout, and procedural failures. Additionally, this left juveniles without a safety net during their reintegration period.
- d) **Poor planning of aftercare and reintegration:** The absence of structured post-release support mechanisms was another recurring failure point. Programmes that focused solely on in-custody interventions, without ensuring continued mentorship, housing, employment support, or mental health services, saw high recidivism. Sri Lanka's Wataraka model faltered largely because it emphasised academic and moral reform within the facility but lacked robust family reunification efforts or socio-economic reintegration support (Munaweera, 2020; Wickramasinghe et al., 2020). This resulted in youth vulnerability upon release.
- e) **Cultural mismatch and socioeconomic disconnect:** Several programmes underestimated the socio-cultural and economic realities of the populations they served. For example, the academic-heavy focus of Wataraka in Sri Lanka did not resonate with marginalised youth from under-resourced communities who required more immediate, practical skills (Wickramasinghe et al., 2020). Without grounding interventions in local context such as through participatory design or community input, programmes risk alienation, noncompliance, and reduced effectiveness.
- f) **Stigma and community resistance:** Perhaps the most pervasive barrier was the social stigma surrounding juvenile offenders. Across South Asia, cultural narratives around honour, shame, and criminality often render families and

communities hesitant to accept rehabilitated youth (Malviya et al., 2024). In India and Bangladesh, even those who completed programmes struggled with reintegration due to labelling and rejection (Sato, 2024; Siddika, 2021). Without systemic efforts to shift public attitudes or engage communities in the rehabilitation journey, reintegration becomes an uphill battle, undermining programme success.

These thematic challenges converge on a crucial insight; sustainable juvenile rehabilitation requires more than just programme design. It demands structural reform, social reintegration pathways, and adaptive systems thinking.

Best Practices and Strategic Learnings

Best practices emphasise comprehensive psychological assessment and the provision of appropriate interventions. This ranged from individual and group therapy to art therapy and cognitive-behavioural techniques (Bosgraaf et al., 2020).

- **Prioritising alternatives to incarceration.**

Deprivation of liberty should be the last resort, hence diverting juveniles away from formal detention and into community-based rehabilitation programmes leads to better psychosocial outcomes and reduces recidivism. India's Dishant programme and Pakistan's use of probation or community service demonstrate that minor offences can be managed effectively through community supervision (Fatima et al., 2025; Sato, 2024). Singapore similarly prioritises diversion for youth under 21 through structured community-based orders, including probation, community service, and weekend detention orders, reserving institutionalisation as a last resort (Tang, 2010).

- **Emphasis on education and vocational training.**

Education and vocational training are cornerstone strategies across all successful programmes. Evidence suggests that juveniles who graduate with a certificate or marketable skills are significantly less likely to reoffend (McNeeley, 2023). Education is treated as a right and a reintegrative tool. For example programmes in Bangladesh offer skills in sewing, welding, and electronics repair (Siddika, 2021), Pakistan introduced computer training (Khan et al., 2025), Sri Lanka offers formal schooling and Vocational skills (Wickramasinghe et al., 2020) and Singapore excels in this regard through its Prison School, the National Youth Achievement Award (NYAA), and accredited vocational training programmes managed in partnership with the Singapore Corporation of Rehabilitative Enterprises (SCORE). These interventions equip juveniles with essential life and work skills (Tang, 2010),

- **Integration of psychological counselling and trauma-informed care.**

Many juvenile offenders have histories marked by abuse or violence (Dierkhising et al., 2013). Henceforth, programmes that include mental health interventions report improved behavioural and emotional outcomes. Programmes in Sri Lanka provide trauma-focused counselling for former child soldiers (Wickramasinghe et al., 2020), while Pakistan's initiatives include psychotherapy and religious counselling to de-radicalise and manage behavioural issues (Khan et al., 2025). In India, a child-friendly justice model ensures that social workers play a central role in addressing psychological needs (Sato, 2024). Singapore mirrors these best practices through its *Specialised Treatment Programmes* (STPs), which target anger management, substance abuse, sexual offending, and pro-social thinking (Tang, 2010). By classifying prisoners based on risk and responsivity, and creating a Personal Route Map (PRM) for each, Singapore ensures that therapy is not only available but individually tailored.

- **Family engagement and community reintegration.**

Reintegrating juveniles into stable, supportive family environments enhances their chances of successful rehabilitation (Ackerman et al., 2024). These initiatives therefore aim to maintain parent-child bonds, prevent intergenerational offending, and offer financial and emotional support. Reintegration remains a communal responsibility, not an individual task. Countries across the region have recognised this by integrating family counselling and reunification components into their programmes. India's model, for instance, focuses on immediate family reintegration and joint counselling (Sato, 2024; Pooja & Dixit, 2023), while Bangladesh introduced workshops aimed at strengthening family dynamics (Siddika, 2021). In Sri Lanka and Pakistan, community and religious leaders have played a role in reducing stigma and endorsing reformed youth. Singapore's model goes a step further with the establishment of *Family Resource Centres* and support programmes for prisoners' families. Where family is the core social unit, a lack of familial support increases the likelihood of reoffending (Tang, 2010). Community-based networks such as sports clubs or mentoring groups can also further ease reintegration by offering juveniles a prosocial peer environment.

- **Individualised case planning.**

Rather than adopting one-size-fits-all models, tailored rehabilitation plans are found to be developed based on the juvenile's unique risk factors and strengths. India mandates Individual Care Plans (Sato, 2024; Pooja & Dixit, 2023), and Singapore institutionalised this approach through the PRM and a classification system (A, B, C categories) based on the Revised Level of Service Inventory (LSI-R) (Tang, 2010). Multidisciplinary teams, including educators, psychologists, and probation officers, collaborate to ensure that rehabilitation is dynamic, holistic, and driven by outcome. Effective interventions require a personalised care plan for each child, outlining appropriate educational support, skill development, psychological services, and post-release assistance (Yadav et al., 2025). For instance, substance abuse cases may need targeted counselling, while others may benefit from academic

tutoring. Tracking individual outcomes also informs broader policy reform by highlighting what works.

- **Training and collaboration.**

Reform efforts cannot succeed without reorienting the attitudes and practices of police officers, judges, correctional staff, and social workers. In countries like India and Bangladesh, judicial and law enforcement training has been crucial for implementing child-centred approaches (Pooja & Dixit, 2023; Siddika, 2021). Singapore also distinguishes itself through rigorous volunteer management frameworks, training for corrections staff, and partnerships across civil society and government sectors. These initiatives underscore the truth that systemic reform requires not just new policies but a fundamental shift in professional culture and public perception. In addition, partnerships with NGOs and international organisations can bring in expertise, resources, and culturally sensitive innovations that accelerate the implementation of global best practices.

- **Monitoring and follow-up.**

The broader lesson is that reintegration is not a one-time event but an extended process that requires continued support systems. Effective aftercare can include mentoring, education support, job placement, and psychological counselling. Additionally, programme success should be evaluated through measurable indicators such as recidivism rates and employment outcomes. Without structured support post-release, gains made during custody may quickly erode. While South Asian countries still face challenges with data collection, steps like Bangladesh's integration of juvenile indicators into national data systems are promising moves forward (Siddika, 2021).

Programmes like Sabaoon have shown that ongoing mentorship and check-ins are vital for sustained progress. India's juvenile justice framework provides for Aftercare Homes and financial support until the age of 21, with implementation by NGOs in some states. Sri Lanka, too,

assigns social workers for follow-up visits with former child soldiers. Singapore, by contrast, offers a highly structured *Community Aftercare Programme* (CAP), covering employment, financial needs, housing, family support, and mental health services during the critical six months after release. Additionally, initiatives like *Home Detention*, *Halfway House* schemes, and the *Work Release* programme further support this reintegration phase. These schemes are effective as Singapore reports a recidivism rate below 16% for those who complete community-based programmes, compared to 26.5% overall (Tang, 2010).

- **Cultural and contextual adaptation.**

Each country has drawn upon its cultural fabric to inform programming. In Pakistan and Bangladesh, religious counselling by imams has proven impactful in moral reformation (Fatima et al., 2025; Khan et al., 2025; Siddika, 2021). In India, the involvement of extended family or community elders enhances acceptance (Sato, 2024; Pooja & Dixit, 2023). Sri Lanka has employed yoga and meditation practices to foster emotional regulation and resilience among juveniles. Singapore, a multi-ethnic and multi-religious society, offers tailored religious programmes across six faiths and ensures follow-up support post-release. These culturally congruent approaches not only enhance effectiveness but also increase community ownership and acceptance. The key takeaway is that incorporating traditional, religious, or indigenous practices, provided they align with child rights, can enhance both the legitimacy and effectiveness of rehabilitative efforts.

Bronfenbrenner's Ecological Systems in Understanding the Juvenile Justice System

Bronfenbrenner's Ecological Systems (Bronfenbrenner, 1994) provides a powerful theoretical framework that situates the child within interconnected layers of influence,

from immediate relationships to broader societal systems. It conceptualises human development as the result of interactions between an individual and multiple layers of their surrounding environment. This theory emphasises that a child's development is best understood when considering these interacting systems holistically. It is particularly useful in juvenile justice as it contextualises delinquent behaviour within layered structural influences, which aids in the rehabilitation and reintegration process as well.

According to Bronfenbrenner (1994) the microsystem consists of the child's immediate relationships and environments, such as family, peers, and school. The mesosystem refers to the interactions between these microsystems, such as the relationship between a child's family and their school or court. The exosystem includes external settings that do not directly involve the child but still impact their development, like social services or justice policies. The macrosystem encompasses broader societal influences, including cultural values, norms, and legislation. Lastly, the chronosystem introduces the element of time, highlighting how life transitions and historical events shape developmental trajectories. Together, these systems offer a holistic framework for understanding how environmental contexts interact to shape juvenile behaviour and outcomes.

For instance, The UNCRC (UNICEF, 1989) highlights the right of every child to be treated in a manner that fosters dignity, worth, and reintegration. It emphasises that deprivation of liberty must be a measure of last resort. This principle corresponds to the microsystem and mesosystem layers of the Ecological Systems Theory, focusing on the child's immediate environment and their interconnectedness such as relationships with family, community, and educational institutions. Moreover, The Beijing Rules (United Nations, 1985) reinforces this developmental orientation where they call for the full mobilisation of community and familial resources, aligning with the mesosystem. Rule 5.1 further advocates proportionality in sentencing, emphasising individualised treatment which is considered a key component of the microsystem. And Rule 3 further encourages the use of diversion and alternative measures, discouraging system-level interventions unless necessary. This reflects a focus on strengthening support at the exosystemic and macrosystemic levels. And lastly, the chronosystem, which incorporates the dimension of time, is highly relevant to the long-term impacts of interventions. For instance, sustained community-based support post-release is crucial in reducing recidivism and ensuring healthy development.

Methodology

This study adopts a qualitative situation analysis approach whereby we drew on data collected from existing documents on local policies on social reintegration and conducted a focused group interview with the individuals working in the space of legislation governing juvenile offences. The data and its analysis were structured to map the pathways available in the Maldives juvenile system. Therefore, the study takes on a two-step approach to analysis. The first step involves analysis of legal and other policy documents relevant for rehabilitation and reintegration. This step was crucial to identify existing legal and potential policy gaps in rehabilitation and reintegration of juvenile offenders. Hence the following Jurisdiction documents were reviewed.

1. Drug Act (Law no. 17/2011)
2. Juvenile Justice Act (Law no. 18/2019)
3. Protection of the Rights of Children Act (Law no. 19/2019)
4. Regulation on Re integration for Children Under State Care (2020/R-30)
5. Juvenile Justice Regulation (2020/R-101)
6. Juvenile Drug offenders between 13 to 15 years recidivism / Rehabilitation Standard Operation Procedure National Drug Agency (NDA Juvenile rehabilitation SOP)

The second step of the study was a Focus Group Discussion (FGD) among key stakeholders involved in the jurisdiction over juvenile crimes. The main aim of this step was to get a better understanding of the current situation and issues of reintegration pathways. The participants for the interviews were selected through purposive and convenience sampling. A total of seven participants from the jurisdiction units were interviewed, these included; Department of Juvenile Justice, Maldives Police Service, Prosecutor General's Office, Juvenile Court, Drug Court, National Drug Agency and the Maldives Correctional Services. Prior to the interview, consent was sought from the participants, where participants were briefed about the nature of discussion and that some questions might be asked to understand a clear picture of work that is being done. Hence, the policy of "off the record" conversation was briefed

that any information stated within the “off record” will be considered as confidential and will not be used as data in this study. The FGD was audio recorded, however, due to the sensitivity of the discussion the researchers opted to transcribe the important quotes that will be used in this study. The interviews lasted for 60 minutes.

Findings and Discussion

The findings from the documents reviewed on the jurisdiction over juvenile crimes, revealed that integration should be a collective and collaborative effort. For instance, the Juvenile Justice Act and Drug Act needs to be considered as there are several clauses which are relevant to integration. For example, children in conflict with the law especially in cases of drugs, The Drug Act (Law no. 17/2011) recognises three main categories of drug offences; use of drugs, peddling and trafficking of drugs and promotes reintegration of those addicted to drugs through rehabilitation as a key goal. Similarly, the Juvenile Act (Law no.18/2019) also provides opportunities for young offenders to be diverted away from being prosecuted if and when the offender is under the age of 15 years. The Act also obliges the state to invest in providing services to prevent minors at risk to come in conflict with the law. The main purpose of the diversion system is to enable children in conflict with law to take responsibilities and contribute to society. On the contrary, the new Child Rights Protection Act (law no. 19/2019) article 110, 111 and 112 emphasises on secluding children below 15 years from the Juvenile Justice System. However, the Juvenile Justice Act highlights the prevention programmes that need to be targeted for this population signifying the importance of aligning the social protection and juvenile justice system to provide the best treatment for children under the age of criminal responsibility. Further the National Drug Agency's standard procedure on Juvenile recidivism states that there are three steps for the rehabilitation programme. In each step there are classes and sessions that the client and the parents need to attend. Such that in the first and second steps of the programme involves religious sessions, psycho education sessions, drug awareness and relapse prevention sessions, however, interestingly, step three includes just religious and psychoeducation classes. There is no justification why relapse awareness is omitted in this stage. Moreover, the protection of the rights of Children Act (19/2019) Chapter 20 deterring children from crime stipulate that the state shall formulate policies to prevent and deter children from committing crime and provide special assistance and protection to children who are prone to commission of crime and must take immediate action under the Juvenile Justice Act to prevent minors who at risk with law and make the required arrangements to provide assistance, rehabilitation and other treatments necessary. Additionally in conducting programmes for rehabilitating children who are

at risk, a holistic approach to rehabilitation needs to be taken into account involving parents, families and educational and other relevant institutions. However, despite this legal advancement, the implementation of comprehensive, coordinated, and sustainable rehabilitation programmes remains limited in both scope and efficacy reflecting an emerging but underdeveloped system shaped by the recent enactment of the Juvenile Justice Act in 2020. This legislation certainly marked a pivotal shift in the country's approach to children in conflict with the law, and laid the groundwork for the establishment of rehabilitative structures and diversionary practices.

Program Development and Service Provision

The rehabilitation efforts in the Maldives remain fragmented across key agencies. Findings from the focus group discussion highlight that the Maldives Correctional Services (MCS) currently implements the most structured juvenile rehabilitation initiative within the country. This programme, conducted at Maafushi, is organised into three progressive phases. In Phase 1, juveniles receive orientation alongside basic education. Phase 2 involves more targeted interventions focusing on the specific nature of the offence, incorporating crime-specific rehabilitation efforts. Phase 3 serves as a transitional phase where individuals remain engaged in vocational and life skill training aligned with Maldives Qualification Authority standards. And Phase 4 continues until the individual is either formally released or deemed rehabilitated and fit for reintegration into society. Although this phased structure reflects a positive movement toward structured rehabilitation, the programme is heavily reliant on external service providers. This is due to a shortage of in-house specialists, including educators, psychologists, and trained rehabilitation personnel.

The Department of Juvenile Justice (DJJ) on the other hand, operates on a case-by-case model. They reported developing individual intervention plans depending on the unique needs of the individual. However, it was highlighted that these individualised interventions were being done without a standardised rehabilitation framework. This could risk increased variability and lack of appropriate guidance in the elements that must be considered in the creation of such a plan. Similar to MCS, DJJ also heavily

outsources services. Without formal assessment tools or trained clinicians, the risk of subjective or incomplete treatment planning is high. Moreover, DJJ lacks its own facilities or appropriate rehabilitation programmes, functioning largely as a coordinating body rather than a direct service provider.

Similarly, The National Drug Agency (NDA), while active in community-based programmes in relation to drug related crimes, also faces human resource constraints. It was reported that many of their "counsellors" are reported to hold only diploma or undergraduate qualifications. This limits their ability to manage the multifaceted psychological needs of justice-involved youth. This concern is further substantiated by the Psychology and Counselling Professionals Registration and Licensing Pathways published by the Maldives Allied Health Council in 2022, which explicitly outlines the scope of practice for mental health professionals based on their educational qualifications. According to these guidelines, diploma and undergraduate-level counsellors are not equipped to independently handle complex cases, particularly those involving trauma, comorbidity, or behavioural disorders. This often results in referring clients for advanced care by outsourcing to external bodies. Moreover, diploma and undergraduate-level counsellors are also mandated to work under the supervision of a licensed professional with a postgraduate qualification. The existing practice therefore not only highlights the limited capacity of existing personnel but also underscores a critical human ethical dilemma. While the existing counsellors play a valuable role, it is imperative to ensure adherence to competent and high-quality care. Which is also highlighted in the local Standard of Conduct, Performance, and Ethics (Ministry of Health & Maldives Allied Health Council, 2018) along with international best practices (The British Psychological Society, 2018; American Counselling Association, 2014).

Stakeholders also noted practical limitations that influence the scope and quality of existing interventions. These include an ongoing shortage of trained personnel, limited infrastructure, and resource constraints. Additionally, the absence of a rehabilitation facility and a formal case-sorting mechanism was highlighted. For the latter specifically, this means that all juveniles, regardless of the nature or complexity of their offences, whether drug-related, violent, or otherwise, are typically placed into the same rehabilitation process. This generalised approach, while administratively doable, may not adequately accommodate the differing psychological, social, and developmental

needs of individual juveniles. Developing a more nuanced and responsive framework could enhance the relevance and effectiveness of rehabilitation efforts across diverse offender profiles.

Limited Scope of Interventions

The current rehabilitation model primarily centres on foundational components such as basic education, life skills development, and religious counselling, supplemented by limited psychosocial support. While these elements represent valuable starting points for engagement and personal development, the model does not yet reflect the breadth of a holistic, rights-based framework as envisioned by international standards such as the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules, 1985) and the Convention on the Rights of the Child (UNCRC, 1989).

Coordination and Structural Gaps

Despite the enactment of the Juvenile Justice Act, the translation of its principles into practice appears to vary across institutions, particularly in relation to stakeholder-specific roles and mandates. While the Act provides a comprehensive legal foundation for juvenile justice, its operationalisation has yet to be uniformly embedded across relevant agencies. For instance, the National Drug Agency (NDA) operates under its own institutional policy framework primarily focused on substance use and addiction-related interventions. However, juvenile offending in the Maldivian context encompasses a broader spectrum of issues, including violence, neglect, and psychosocial vulnerability, which may not fall squarely within the scope of the NDA's current programmatic offerings. This indicates a need for greater alignment and coordination across agencies to ensure that the full range of juvenile needs that go beyond drug-related concerns, are addressed through appropriately resourced and specialised services. Strengthening inter-agency collaboration and clarifying cross-cutting responsibilities

could help bridge these service gaps and promote a more integrated and inclusive approach to rehabilitation.

Institutionally, the primary stakeholders include MCS, DJJ, and the Maldives Police Service, with support from the Prosecutor General's Office, the Juvenile Court, and the NDA. While the Prosecutor General's Office consults with DJJ and MCS in diversion decisions, there is no formal multi-agency Standard Operating Procedure (SOP) or decision-making framework. The absence of such SOPs has resulted in ad hoc coordination, role ambiguity, and significant challenges in service delivery. Stakeholders expressed a clear need for a unified SOP that delineates responsibilities and outlines a case conferencing mechanism across relevant agencies.

An additional area requiring attention is the absence of a structured reintegration model. At present, juveniles are typically released without a formalised system of post-release support, follow-up, or reintegration planning. There is no established framework to assess an individual's readiness to transition back into the community, nor are there mechanisms in place to guide or monitor this critical phase of rehabilitation. Furthermore, there is a lack of systematic tracking of recidivism or long-term social and psychological outcomes following release. This gap limits the ability of stakeholders to evaluate programme effectiveness or to intervene early in cases where reintegration challenges arise.

In contrast, international standards and best practices underscore the importance of continuous care that extends beyond the period of institutional rehabilitation. Instruments such as the Beijing Rules and various reintegration models implemented globally highlight the value of individualised aftercare planning, community-based support networks, and long-term case management (Young et al., 2017). Such approaches help ensure continuity, support stability, and promote successful reintegration by addressing risks and reinforcing protective factors in the post-release environment. The development of a localised reintegration framework, grounded in the Maldivian context, could significantly strengthen the rehabilitation continuum and contribute to more sustainable outcomes for these individuals.

Need for a Holistic Approach

The stakeholders demonstrated an awareness of the broader ecological factors that influence juvenile offending. They identified a range of structural and social determinants such as high rates of family separation, parental neglect, community-level disconnection, and socioeconomic challenges as significant contributors to youth vulnerability and delinquent behaviour (Young et al., 2017). These insights are closely aligned with Bronfenbrenner's ecological systems theory, which emphasises the interplay between individual development and the surrounding family, community, and societal environments (Bronfenbrenner, 1994). The discussion revealed strong alignment with Bronfenbrenner's ecological systems theory. Henceforth, incorporating family and mentoring into the rehabilitation and reintegration process were elements widely endorsed by the participants.

Similarly, countries such as Singapore reflect an integrated approach, embedding early intervention into the broader juvenile justice framework. Programmes such as the Guidance Programme and Enhanced STEP-UP (Support for Transitional and Educational Progress of Youths Undergoing Probation) emphasise school retention, family involvement, and case management before formal court proceedings are initiated. These models operate through strong inter-ministerial collaboration between education, social development, and law enforcement bodies. This is a major factor that can be considered to reduce the risk of reoffending and support long term reintegration.

Key Recommendations

1. Establish a National Rehabilitation Framework and SOP
A unified, rights-based, holistic rehabilitation framework with clear SOPs that define the roles and responsibilities of each stakeholder is fundamental. This can include and is not limited to procedures for case discussions, inter-agency coordination, and decision-making.
2. Develop a dedicated Juvenile Rehabilitation and Reintegration Facility
Establishment of a facility that consists of multidisciplinary teams that provide structured interventions (in addition to basic education and life skills), clinical services (including individual and family counselling), and reintegration support.
3. Strengthen human resource capacity
Address critical staffing shortages by recruiting and retaining licensed mental health professionals, educators, and social workers with adequate qualifications. This can be on a consultancy basis as well. In addition, it is essential to equip current personnel such as correctional officers, case workers, police officers, probation officers, and frontline staff within the relevant stakeholders with foundational psychological training. The training can cover key areas including:
 - a) Basic psychological first aid
 - b) Trauma-informed care
 - c) Effective communication with children and adolescents
 - d) Developmental psychology
 - e) Behaviour management techniques
 - f) Screening and referral tools for mental health, substance use, and psychosocial risk
 - g) Ethical and rights-based approaches in working with juveniles
4. Implement a case-sorting mechanism
Adapt formal sorting mechanisms from international best practices to the Maldivian context. This can help classify juveniles based on their age, offence

type, risk level, and psychosocial needs, allowing for more tailored and effective rehabilitation intervention pathways.

5. Adapt and operationalise a reintegration and aftercare model
Adapt a structured reintegration framework that aligns with international best practices to the Maldivian context. This can include incorporating readiness assessments, post-release case management, family engagement, and community reintegration support. Integrate recidivism tracking and outcome monitoring mechanisms to evaluate the efficiency of the rehabilitation programme.
6. Expand scope beyond drug-related interventions
Broaden institutional mandates to ensure that youth facing challenges related to violence, neglect, trauma, and other non-substance-related issues also receive adequate support through specialised services.
7. Embed preventive and ecological strategies
Develop upstream, community-based interventions that target at-risk youth before conflict with the law occurs. This includes strengthening school engagement, family support systems, mentorship programmes, and public awareness initiatives.

Draw lessons from models such as Singapore's Guidance Programme and Enhanced STEP-UP, adapting components such as early diversion, school retention, and family casework into the Maldivian juvenile justice framework

Conclusion

This paper explores the rehabilitative and reintegrative pathways in place for juvenile offenders in the Maldives. It is also anchored in international legal frameworks and contextualised through Bronfenbrenner's Ecological Systems Theory. While global paradigms have shifted towards reintegration, education, and psychosocial support, implementation of such programmes in South Asia remains inconsistent. In contrast to the many South Asian programmes targeting Juvenile Rehabilitation and Reintegration, Singapore's Through-Care model stands out as a golden standard. Its holistic approach of combining individualised treatment plans, educational and vocational training, and structured aftercare supported by a multi-agency coalition and community engagement are aspects that can be adapted in a Maldivian context. Though local legal reforms such as the Juvenile Justice Act (2019) provide a foundation for a rehabilitative approach, actual service delivery remains fragmented and underdeveloped. The Maldives Correctional Services (MCS) operates a programme segmented into phases covering education, crime-specific intervention, and vocational training. However, it remains heavily reliant on external service providers due to a shortage of in-house specialists. The DJJ adopts a case-by-case model but lacks standardised tools, risking inconsistency in care. Similarly, the National Drug Agency's (NDA) community-based interventions are constrained by limited personnel qualifications, narrow scope, and ethical gaps. Furthermore, the absence of a coordinated, multi-agency Standard Operating Procedure (SOP), a dedicated juvenile rehabilitation facility, and a structured reintegration model creates substantial systemic gaps within the local framework. While stakeholders acknowledge the influence of broader ecological and psychological factors, the current programmes fail to address these factors effectively. Reintegration efforts remain minimal, with no formal frameworks for post-release support, outcome tracking, and long-term mentorship.

International best practices advocate for community-based prevention strategies that emphasise school retention, family engagement, and early intervention to ensure prevention of crime and to address reoffending. Juvenile offenders are children who are still capable of growth and deserving of support. With a shift toward compassionate, evidence-based, and contextually adapted approaches, the Maldivian justice system can evolve into one that not only rehabilitates but also restores dignity, hope, and

opportunity. Sustainable reform requires structural alignment, community partnership, and a commitment to seeing youth not as criminals, but as citizens in need of care, guidance, and reintegration. Most importantly, it is integral for the system to evolve beyond reactivity to ensure that no child is left behind simply because the system was not ready for them. Hence, investing in education and job skills, coupled with mental health care and family engagement, creates the foundation for long-term change. Drawing from South Asia's juvenile justice reforms models, it is suggested that Maldives develops a structured, evidence-based, integrated model anchored in family, education, psychological care, and community partnership that demonstrates how rehabilitation can be both compassionate and pragmatic. To address these challenges, the paper calls for a holistic national rehabilitation framework with clear SOPs; a dedicated, multidisciplinary rehabilitation and reintegration facility; capacity-building initiatives to upskill frontline personnel; and the implementation of structured reintegration pathways. Additionally, the paper also calls for expanding the scope of interventions beyond drug-related offences, acknowledging the complexity and diversity of juvenile trajectories.

References

- Ackerman, E., Magram, J., & Kennedy, T. D. (2024). Systematic review: Impact of juvenile incarceration. *Child Protection and Practice*, 3, 100083. <https://doi.org/10.1016/j.chipro.2024.100083>
- American Counseling Association. (2014). ACA code of ethics.
- APA Dictionary of Psychology. (2018). <https://dictionary.apa.org/juvenile-delinquency>
- Bhardwaj, S. (2024). The juvenile act & amendments: analyzing legal framework, reforms, and case studies. *Motherhood International Journal of Research and Innovations*, 1(2).
- Bosgraaf, L., Spreen, M., Pattiselanno, K., & Van Hooren, S. (2020). Art therapy for psychosocial problems in children and adolescents: A systematic narrative review on art therapeutic means and forms of expression, therapist behavior, and supposed mechanisms of change. *Frontiers in Psychology*, 11(584685). <https://doi.org/10.3389/fpsyg.2020.584685>
- Brogan, L., Haney-Caron, E., NeMoyer, A., & DeMatteo, D. (2015). Applying the risk-needs-responsivity (RNR) model to juvenile justice. *Criminal Justice Review*, 40(3), 277–302. <https://doi.org/10.1177/0734016814567312>
- Bronfenbrenner, U. (1994). Ecological models of human development. In *Readings on the Development of Children* (pp. 37–43). NY: Freeman.
- Dierkhising, C. B., Ko, S. J., Woods-Jaeger, B., Briggs, E. C., Lee, R., & Pynoos, R. S. (2013). Trauma histories among justice-involved youth: Findings from the national child traumatic stress network. *European Journal of Psychotraumatology*, 4(1). <https://doi.org/10.3402/ejpt.v4i0.20274>
- Fatima, K., Mohsin, S. N., Sadia, H., Asim, F., & Hamayun, A. (2025). Demography and parenting domains: The real culprits behind delinquency among juveniles in camp jail Lahore, Pakistan. *Insights Journal of Health and Rehabilitation*, 3(3), 420–429. <https://doi.org/10.71000/9xmvpn78>

Hadiputra, A., Maskur, M. A., Arifin, R., Amrullah, I., & Maajid, H. (2024). Juvenile justice in comparative perspective: A study of Indonesian state law and islamic law. *Contemporary Issues on Interfaith Law & Society*, 3(2), 203–228. <https://journal.unnes.ac.id/sju/ciils/article/view/79011/27060>

Khan, I. A., Ashraf, C., & Manzoor, B. (2025). The impact of trauma on juvenile offenders: A study of the Pakistani justice system. *Advance Social Science Archives Journal*, 3(1). <https://assajournal.com>

Lumbantoruan, S. H., & Rosando, A. F. (2025). Criminal law and juvenile delinquency: An analysis of legal approaches to juvenile offenders. *Journal Evidence of Law*, 4(1). <https://doi.org/10.59066/jel>

Malviya, A., Prakash, J., & Student, Y. (2024). Juvenile delinquency: A comprehensive study of south asian countries. *Journal of Emerging Technologies and Innovative Research (JETIR)*, 11(4). <https://www.jetir.org/papers/JETIR2404491.pdf>

Mantey, E. E., & Dzetor, G. (2018). Juvenile Delinquency: Evidence of Challenges in Rehabilitation. *American Journal of Applied Sciences*, 15, 321-330. <https://doi.org/10.3844/ajassp.2018.321.330>

McNeeley, S. (2023). The effects of vocational education on recidivism and employment among individuals released before and during the COVID-19 pandemic. *International Journal of Offender Therapy and Comparative Criminology*, 67(15), 0306624X2311598. <https://doi.org/10.1177/0306624x231159886>

Miklósi, M., & Kovács, K. E. (2025). Factors influencing school bonding among juvenile offenders – the experience of a systematic review. *International Journal of Educational Research Open*, 8, 100441–100441. <https://doi.org/10.1016/j.ijedro.2025.100441>

Ministry of Health, & Maldives Allied Health Council. (2018). Standards of conduct, performance and ethics (MAHC). Ministry of Health MV. <https://health.gov.mv/en/downloads/standards-of-conduct-performance-and-ethics-mahc>

Ministry of Health, & Maldives Allied Health Council. (2022). Psychology and counseling professionals registration and licensing pathways. Ministry of Health MV. <https://health.gov.mv/en/downloads/psychology-and-counseling-professionals-registration-and-licensing-pathways-mahc>

Munaweera, D. (2020). Abuses against juvenile offenders as national security threats; rehabilitation and reintegration of juvenile offenders in sri lanka. General Sir John Kotelawala Defence University. <http://192.248.104.6/bitstream/handle/345/2967/Abuses%20against%20Juvenile%20Offenders%20as%20National%20Security%20Threats%3B%20Rehabilitation%20and%20Reintegration%20of%20Juvenile%20Offenders%20in%20Sri%20Lanka.pdf?sequence=1&isAllowed=y>

Ningsih, E. M., Maryano, & Akkapin, S. (2024). Juvenile offenders and criminal sanctions: A legal perspektive on child perpetrators of violence. Journal Evidence of Law , 3(3). <https://doi.org/10.59066/jel>

Nisar, M., Ullah, S., Ali, M., & Alam, S. (2015). Juvenile Delinquency: The Influence of Family, Peer and Economic Factors on Juvenile Delinquents. Scientia Agriculturae, 9, 37-48. <https://doi.org/10.15192/PSCP.ASR.2015.9.1.3748>

Pooja, & Dixit, Dr. A. (2023). The evolving landscape of juvenile justice: A comprehensive examination of policies, practices, and reform initiatives. International Journal for Multidisciplinary Research, 5(6). <https://doi.org/10.36948/ijfmr.2023.v05i06.10885>

Rate of juvenile offenders increasing rapidly (2024, May) PSM News.

Sato, S. (2024). Juvenile crime and the Indian justice system: A scholarly evaluation of rehabilitation and recidivism prevention programs. <https://doi.org/10.22541/au.173040937.77626734/v1>

Siddika, A. (2021). Juvenile delinquency in Bangladesh: Issues and challenges. Academia, 5(1). https://www.academia.edu/44961814/Juvenile_Delinquency_In_Bangladesh_Issues_And_Challenges

Tang, S. (2010). Effective rehabilitation and reintegration of offenders. https://www.unafei.or.jp/publications/pdf/RS_No82/No82_07VE_Tang.pdf

The British Psychological Society. (2018). Code of ethics and conduct.

UNICEF.(1989). Convention on the rights of the child. UNICEF. <https://www.unicef.org/media/52626/file>

United Nations. (1985, November 29). United nations standard minimum rules for the administration of juvenile justice (the beijing rules). Office of the United Nations High Commissioner for Human Rights. <https://www.ohchr.org/en/instruments-mechanisms/instruments/united-nations-standard-minimum-rules-administration-juvenile>

Wickramasinghe, D., Jayasuriya, P., Medhavini, I., Avindhya, W., Herath, H., Konarathne, K., & Liyanage, L. (2020). An evaluation on the rehabilitation programmes conducted for juvenile delinquents in remand homes and certified schools in Sri lanka: A case study based on southern province. General Sir John Kotelawala Defense University. http://192.248.104.6/bitstream/handle/345/2861/pdfresizer.com-pdf-split%20%281%29_4.pdf?sequence=1&isAllowed=y

World Youth Report 2003: Report of the Secretary-General (Official document: A/58/79 & E/CN.5/2003/4)

Yadav, K.A., Yadav, A.G., Shrivastava, A., Kumar, R., & Hashmi, A.S. (2025). An empirical assessment of dermatoglyphics & psychological profiling of juvenile offenders in different nature of crime: Assessment of skills and psycho-social approach in forensic settings: A literature review. AEIJMR, 14(2)- ISSN -2348-6724.

Young, S., Greer, B., & Church, R. (2017). Juvenile delinquency, welfare, justice and therapeutic interventions: a global perspective. BJPsych bulletin, 41(1), 21–29. <https://doi.org/10.1192/pb.bp.115.052274>

Rehabilitation & Reintegration: Review on the Existing Rehabilitation & Reintegration Models in the Maldives

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Abstract

Effective reintegration and rehabilitation of offenders is a vital element of a successful criminal justice system. By analyzing complete models used in Singapore, Norway and Australia - nations renowned for their innovative evidence-based approaches this paper highlights the best practices in criminal rehabilitation and reintegration. This paper also discusses the existing models of rehabilitation and reintegration with the recommendations taken from the best practices.

A community driven approach that prioritizes skill development. Stigma reduction and organized after care. This is exemplified by Singapore's Yellow ribbon project. Norway uses a framework for restorative justice that incorporates psychological support and encourages communication between offenders and victims. Australia prioritizes customized risk-needs responsibility (RNR) therapies with a focus on cognitive-behavioral therapy, specific treatment programs and rigorous post – release supervision.

When we look at the situation of Maldives geographical dispersion, lack of institutional capacity, resources and experts in the area are some particular challenges currently faced in implementing the system in Maldives. In the Maldives drug related offences are the main focus of current rehabilitation initiatives, which include religious counseling and vocational trainings. Nonetheless, there are still shortcomings in post releasing monitoring, reintegration assistance and systematic risk assessment and challenges faced due to the absence of residential facilities and lack of understanding among the institutions. An overview of Maldivian models is given in this paper, along with suggestions for enhancements based on international best practices. This paper will mainly focus on adapting best practices to the current legal framework in Maldives.

This research is based on information gathered via books, journals and interviews of experts and other researches. This research emphasizes the value of multi-sectoral cooperation, community engagement and continuous evaluation in building sustainable reintegration systems.

Keywords: Rehabilitation, Reintegration, best practices, Maldives

Introduction

Over the past few decades, the function of rehabilitation and reintegration in contemporary criminal justice systems has changed dramatically. Many nations are currently adopting rehabilitative tactics, which treat the underlying reasons of criminal behavior in an effort to lower reoffending rates. Punitive and retributive approaches were once prevalent in these nations. This change is a reflection of a wider realization that successful rehabilitation helps create safer and more harmonious communities in addition to helping the individual offender.

The most effective rehabilitation is combined with planned reintegration initiatives that get criminals ready to rejoin society as contributing members of society. This calls for a multifaceted strategy that includes post-release supervision, educational possibilities, vocational training and psychological care. To meet these objectives, various that get criminals ready to rejoin society as contributing members as society.

This calls for a multifaceted strategy that includes post release supervision, educational possibilities, vocational training, and psychological care.

To meet these objectives, various nations have created models that are specific to their social, cultural, and legal environments.

Australia, Singapore, and Norway in particular provide unique but successful framework that show how focused interventions and excellent interagency collaboration can enhance outcomes for former offenders.

The Maldives, on the other hand, has difficulties because of its geographical dispersion, low institutional capability, and comparatively underdeveloped rehabilitation infrastructure.

The Juvenile Justice bill of Maldives along with the Child Rights Protection bill was ratified by the President Ibrahim Mohamed Solih in 20th November 2019.

The reconstituted Child Rights Protection Act outlines the rights and responsibilities for children, duties of the State, community, and parents to protect such rights. The new act includes several amendments and new additions to protect children from

discrimination, bias, harm, cruel punishment, neglect, physical and emotional abuse. It also includes provisions such as the right to education, right to health care, and special provisions to protect the rights of children with special needs. The bill includes several amendments and new additions to protect children from discrimination, bias, harm, cruel punishment, neglect, and physical and emotional abuse. The bill also includes provisions such as the right to education, right to health care, and special provisions to protect the rights of children with special needs

The Juvenile Justice Act outlines the rights of children and adolescents coming in conflict with the law, or immersed in cycles of violence, juvenile delinquency and means to prevent juvenile delinquencies. It also prescribes a swift resolution to allow reforming juvenile delinquents into productive members of society through rehabilitative facilities. The bill directs the constitution of a Department of Juvenile Justice; a specialized police department to address juvenile delinquencies; designated State Prosecutors for children; a particular unit of probation and correctional officers; a juvenile diversion program; rehabilitation programs; and residential facilities and correctional centers.

In Maldives, the minimum age of criminal responsibility is 15 years.²¹⁷ The main institutions that deals with juvenile offenders are:

1. Maldives Police Service
2. Department of Juvenile Justice
3. Prosecutor General's Office
4. Juvenile Court
5. Drug Court
6. National Drug Agency
7. Ministry of Education
8. Maldives Correctional Services

²¹⁷ *Penal code of Maldives 2014, s53*

Child Rights Protection Act 2019 and Juvenile Justice Act 2019 provides that it is the duty of the State to deter children from crime.²¹⁸

During the focus group discussions held to collect data from all the stakeholders involved in the Juvenile Justice System in Maldives, the representatives of the stakeholder institutions presented their concerns regarding the current rehabilitation and reintegration process practiced in Maldives. Currently available programs do not address the needs of the children.

This study aims to investigate the finest rehabilitation and reintegration techniques from Australia, Singapore, and Norway and critically assess how these models could improve and inform present Maldivian procedures.

The goal of the study is to find flexible tactics that fit the Maldives using ideas from these global models.

²¹⁸ *Child Rights Protection Act 2019, s 109, Juvenile Justice Act 2019, s. 13*

Research Methodology

This research makes use of qualitative research strategy, where the research approach implemented has been that of interpretation. This is qualitative doctrinal research and most of the information for my research was gathered from online libraries, journals, Maldivian institutions and online resources. I have analyzed other writings and scrutinized a solution for my research topic.

Best practices of rehabilitation and reintegration

In this paper we have included the practices of Norway, Singapore and Australia. All these countries have different system and different approaches of rehabilitation. However, there are many similar features in the rehabilitation. I have included a summary of the systems in each country.

Norway

The legal system of Norway

It is challenging to categorize the Norwegian legal system only using the several legal system categories which are frequently quoted. Norwegian legal system have been set up on a national level. The most similar method to Norwegian system is Denmark and Sweden. The courts of Norway does not weight judicial precedents as the common law countries. They have comprehensive statutes as the main part of the criminal justice system. (Norwegian Research Centre for Computer and law, 2016).²¹⁹

1- Rehabilitation focus

The rehabilitation of prisoners in Norway is tackled through a variety of

219 Norwegian Research Centre for Computers and Law. (2016),
<https://bjs.ojp.gov/content/pub/pdf/wfbcjsn.pdf>

initiative intended to support their career and personal growth. This process is greatly aided by educational and vocational training possibilities offered in correctional facilities. These programs are based on the idea that prisoners may change and make valuable contributions to society if given the correct resources and chances to better themselves. It has been demonstrated that these programs are based on the idea that prisoners may change and make valuable contributions for society if given the correct resources and chances to better themselves. These types of programs have shown a significant positive effect on prisoner's preparedness for reintegration by encouraging personal development and a sense of responsibility. (Smith PS, 2016)²²⁰

2- Restorative Justice practices

A key component of Norway's correctional ideology is restorative justice, which stands for a change from conventional punishing methods to a more reconciliatory and empathetic approach.

This approach consists of organized programs in which victims and offenders participate in a process meant to help them comprehend the effects of the crime and work toward reconciliation. The focus is on encouraging empathy and personal accountability in offenders, two things that are essential for true recovery.

Programs for restorative justice encourage offenders to accept responsibility by fostering direct communication and helping them understand the true human consequences for their actions. In addition to helping the victim's

²²⁰ Smith PS. *The effects of solitary confinement on prison inmates: A brief history and review of the literature. Crime and Justice.* 2016;34:441-528

emotional wounds to heal, this process is crucial to the offenders' moral and psychological rehabilitation. (Akkoyun, A.G, 2004).²²¹

3- Comprehensive reintegration programs

To guarantee a seamless transition back into society, Norway takes a comprehensive approach to reintegration, addressing many aspects of an inmate's life. The extensive reintegration programs include social support networks, educational and vocational training, and more. While vocational training equips the prisoners with employable skills, educational programs try to fill in any deficiencies in their academic knowledge. This combination gives ex-offenders the resources they need to find work, which is a key component in lowering the risk of reoffending. Furthermore, social support networks, such as community integration initiatives and counseling, enable ex-offenders reintegrate into society and rebuild ties. Numerous case studies and publications demonstrate the effectiveness of these programs and emphasize their beneficial effects, such as lower recidivism rates and better societal integration. These initiatives show Norway's dedication to rehabilitating and reintegrating criminals as contributing members of society in addition to punishing them. (Akkoyun, A.G, 2004).²²²

4- Lowering recidivism rates

Because of its excellent jail conditions, emphasis on education and training, and robust reintegration assistance, Norway's penal system has one of the lowest recidivism rates in the world. This achievement contrasts with greater recidivism rates in more punitive systems, underlining the effectiveness of

²²¹ Akkoyun, A.G. *Perspective Chapter: The Norwegian Model of correlation Rehabilitation – Bridging the Gap between Incarceration and Society*. KOC University – Istanbul; 2024. P.6-9.

²²² Akkoyun, A.G. *Perspective Chapter: The Norwegian Model of correlation Rehabilitation – Bridging the Gap between Incarceration and Society*. KOC University – Istanbul; 2024. P.6-9.

Norway's approach (Ministry of Justice and Public security of Norway, 2020). The Norwegian system places a strong focus on education and training, but it goes beyond simply teaching knowledge or skills; it also aims to create an atmosphere that allows prisoners to imagine life beyond prison. The method reduces one of the main risk factors for reoffending, which is the absence of steady job after release, by providing prisoners with the resources they need to find profitable employment. Additionally, the emphasis on high-quality prison conditions guarantees that prisoners' fundamental rights and dignity are upheld, enhancing their general wellbeing and preparedness for reintegration.

A robust support system that reaches outside of prison walls is a defining feature of Norway's reintegration strategy. After being released from prison, ex-offenders are provided with a range of supports to facilitate their reintegration into society, such as housing support, employment placement services, and ongoing access to education and counseling. This all-encompassing strategy lowers the chance of recidivism by ensuring a seamless transition from prisoner to citizen. (Akkoyun, A.G, 2004). ²²³

Dealing with Minors and young offenders

According to the UN Convention on the Rights of the Child, Norway has ruled that minors under the age of eighteen who are incarcerated cannot serve their sentences alongside remand inmates and adult convicted individuals.

To protect the unique needs of children who are deprived of their liberty, the Service has formed two separate juvenile units with a total of eight places. In addition, they built a backup temporary places at an ordinary prison in case of a need for increased capacity to accommodate children.

²²³ Akkoyun, A.G. *Perspective Chapter: The Norwegian Model of correlation Rehabilitation – Bridging the Gap between Incarceration and Society*. KOC University – Istanbul; 2024. P.6-9.

To ensure effective interagency cooperation the interagency teams have established juvenile units. It is the responsibility of these teams to ensure an interdisciplinary approach for the needs of children. This team consists education officers, health officers and child welfare officers.²²⁴

Norway is frequently referred to as a leader in criminal policy reforms. In Norway, the legal age of criminal responsibility is 25, and only a small percentage of young people are sentenced to prison. According to the Convention on the Rights of the Child, Norway uses a restorative justice system consistent with the Convention on the Rights of the Child. The restorative justice approach addresses three distinct questions.

1. Nature and harm caused by the crime?
2. What to do to repair the harm?
3. Who is responsible for the repair?

This consists a Mediation Process that provides a chance for victims and offenders to mutually come to an agreement. According to the research 95% of mediation sessions were successful. The victims who met the offenders were more satisfied than the other way around. The percentages were 79% and 57%. And the victims were less fearful after meeting the offenders.²²⁵

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Kriminalomsorgen, 2021, <https://img3.custompublish.com/getfile.php/4862405.823.ubkljjwwkjaajs/Kriminalomsorgens%2Bfagstrategi%2Bom%2Bunge%2Bdomfelte%2Bog%2Binnsatte%2B18%2B-%2B24%2BC3%A5r%2BEndelig%2Bver.pdf?return=www.kriminalomsorgen.no>

225 *Oz child*, Australian Human rights commission, *Call for submissions: Youth Justice and Child wellbeing reform across Australia*, 2023, Page 9.
https://humanrights.gov.au/sites/default/files/ozchild_submission_redacted_0.pdf

Some other principles of this approach include a well-integrated system backed by the local municipal services to ensure the connection to the outside. They consider that the imprisonment of juveniles is negative for healthy development.²²⁶

226 *Oz child, Australian Human rights commission, Call for submissions: Youth Justice and Child wellbeing reform across Australia, 2023, Page 9.*

https://humanrights.gov.au/sites/default/files/ozchild_submission_redacted_0.pdf

Summary of the Findings from Norway

The penitentiary system in Norway serves as another example of the significant influence that public views have on the effectiveness of reintegration initiatives. In order for ex-offenders to become contributing and respected members of society, it is imperative that stigmatization give way to acceptance and assistance. For other nations looking to change their own systems, Norway's correctional philosophy provides insightful analysis and useful lessons due to its emphasis on restorative and rehabilitative practices.

In summary, the analysis of Norway's penal system highlights a basic reality: successful rehabilitation and reintegration necessitate a concerted strategy integrating the criminal justice system, community support, and all-encompassing policy. The effectiveness of Norway's system provides a model for other countries looking to close the gap between society and incarceration by supporting policies that promote healing, rehabilitation, and reintegration in addition to punishment. But for the system to remain functional, it is imperative that issues like resource distribution, foreign national integration, and social stigma are addressed.

Singapore

Rehabilitation and reintegration in Singapore

The goal of Singapore's rehabilitation and reintegration initiatives is to lower recidivism by giving criminals the tools and assistance they need to reintegrate into society. A "throughcare" strategy is used to do this, beginning with programs within the prison and continuing with community-based services upon release. These initiatives include education, skill development, counseling, and assistance from groups such as Yellow Ribbon Singapore (YRSG). (Singapore Prison Service, n.d).²²⁷

²²⁷ Singapore Prison Service. (nd), <https://www.sps.gov.sg/sps-rehabilitation-and-reintegration-approach/#:-:text=Singapore%20Prison%20Service's%20rehabilitation%20approach%20is%20informed,social%20and%20community%20networks%2C%20to%20prevent%20re%20offendin>

Singapore's rehabilitation strategy is founded on evidence-based techniques found in the literature on corrections, including the Good Lives Model, the Desistance Theory, and the Risk-Need-Responsivity (RNR) model. (UNODC, 2022).²²⁸

Singapore prison Service is the main agency who works for rehabilitation in Singapore. They do their work by collaborating with other law enforcement agencies such as the Singapore Police force, Immigration and customs authority, the Singapore civil defense force, The internal security department and the central narcotics bureau. (Tang.S)²²⁹

The rehabilitation system includes two main parts. One is In-prison Rehabilitation and Community based Reintegration. I have included a summary of these two reintegration systems.

The legislative framework for rehabilitation is covered in Prison Act and Singapore Corporation and Rehabilitative Enterprises Act. (Ministry of Home Affairs, n.d).²³⁰

g. &text=CBPs%20promote%20the%20reintegration%20of%20inmates%20by,tail%2Dend%20of%20their%20sentence/detention%20in%20the%20community

²²⁸ UNODC. *Singapore's national strategies and approaches aimed at reducing re-offending. (2022)* Retrieved April 10 2025 from [https://www.unodc.org/documents/justice-and-prison-reform/ReducingReoffending/MS/Singapore - Singapores national strategies and approaches aimed at reducing re-offending.pdf](https://www.unodc.org/documents/justice-and-prison-reform/ReducingReoffending/MS/Singapore_-_Singapores_national_strategies_and_approaches_aimed_at_reducing_re-offending.pdf)

²²⁹ Tang, S. *Effective rehabilitation and reintegration of offenders. 145th International training course visiting expert's paper*

²³⁰ Ministry of Home Affairs Singapore. *Managing Prisons and Rehabilitation.* Retrieved April 14 2025 from <https://www.mha.gov.sg/what-we-do/maintaining-law-and-order/managing-prisons-and-rehabilitation#:~:text=Rehabilitation%20%2D%20We%20adopt%20a%20throughc are,services%20and%20job%20retention%20support>

In – prison Rehabilitation

In prison rehabilitation in Singapore is based on several factors. I have noted down some factors of these programs.

1- Learning Prison

By fostering learning and change, the Learning Prison (LP), established by the Singapore Prison Service (SPS), helps prisoners become better people while they are imprisoned. Inmates need to take charge of their own rehabilitation in order to develop pro-social coping mechanisms and change their life.

My Action Plan (MAP), a personal planning tool that maps out each inmate's rehabilitation, is one way SPS accomplishes this. Through goal-setting conversations and the creation of action plans, the convicts are assisted in this process by their Correctional Unit Officer (CUO). After attending programs that reinforce the learning and action plan, the CUO also talks about the inmates' reflections and learning. (Singapore prison Service, n.d.)²³¹

2- Programs based on psychology

Psychology-based Correctional Programmes (PCPs) help offenders re-examine their life goals and allow them to learn new skills, enhance motivation, attitudes and thinking. These 2 interventions provide structured learning and application of pro-social skills to aid offenders in developing a

12 Singapore Prison Service. (nd). Retrieved April 05, 2025 from <https://www.sps.gov.sg/sps-rehabilitation-and-reintegration-approach/#:~:text=Singapore%20Prison%20Service's%20rehabilitation%20approach%20is%20informed,social%20and%20community%20networks%2C%20to%20prevent%20re%2Doffending.&text=CBPs%20promote%20the%20reintegration%20of%20inmates%20by,tail%2Dend%20of%20their%20sentence/detention%20in%20the%20community.>

reintegration plan that addresses their unique life situation, challenges, and goals. PCP topics include substance abuse, criminal thinking, sexual violence, and interpersonal violence. (UNODC, 2022).²³²

3- Gender – Responsive Programmes

The country understands the need for gender – responsive rehabilitation and the programs are structured on gender – informed theories like relational theory and overseas and local research on woman offending pathways. (UNODC, 2022).²³³

4- Initiatives for personal development and Family Programmes

The system of Singapore also supports personal development programmes including support groups and interest based activities.

The system also addresses transitional issues such as adjusting to the place, financial situation and childcare. The system also allows to maintain the bond with family so they can return to a supportive family network when they are released. With this the some interim support is provided to the offenders family as well. The Yellow Ribbon Community Project (YRCP) was started to address this and to it allows grassroots volunteers visit families whose loved ones are imprisoned to assess the concerns. (UNODC, 2022).

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²³² UNODC. *Singapore's national strategies and approaches aimed at reducing re-offending.* (2022) Retrieved April 10 2025 from https://www.unodc.org/documents/justice-and-prison-reform/ReducingReoffending/MS/Singapore_-_Singapores_national_strategies_and_approaches_aimed_at_reducing_re-offending.pdf

²³³ UNODC. *Singapore's national strategies and approaches aimed at reducing re-offending.* (2022) Retrieved April 10 2025 from https://www.unodc.org/documents/justice-and-prison-reform/ReducingReoffending/MS/Singapore_-_Singapores_national_strategies_and_approaches_aimed_at_reducing_re-offending.pdf

²³⁴ UNODC. *Singapore's national strategies and approaches aimed at reducing re-offending.* (2022) Retrieved April 10 2025 from <https://www.unodc.org/documents/justice->

After care phase

The rehabilitation and reintegration system of Singapore does not only focus in prison rehabilitation. It addresses for after care too. It is divided into 2 stages which are Reintegration and Halfway care. In the period of halfway care stage the perpetrator is placed in Community based programmes (CBP) during the end of their sentence. At the time the perpetrator will be placed in halfway houses or work release camps under Singapore Prison Service (SPS). During the Reintegration stage the offender is no longer imprisoned. But they are still given the adequate support and access for the services of Social Service Agencies. (UNODC, 2022).²³⁵

During the Community based programmes Yellow Ribbon Singapore (YRSG) which is a statutory board of the Ministry of Home Affairs in Singapore has an important role. Their aim is to uplift offenders via skills and development and creating opportunities for successful reintegration. Along with YRSG, SPS's reintegration officers and correctional rehabilitation specialists and community partners coaches and assists offenders. During these programmes there might be some rules such as curfew hours, reporting and monitoring. (UNODC, 2022).²³⁶

and-prison-reform/ReducingReoffending/MS/Singapore_-_Singapore's_national_strategies_and_approaches_aimed_at_reducing_re-offending.pdf

235 UNODC. *Singapore's national strategies and approaches aimed at reducing re-offending.* (2022) Retrieved April 10 2025 from https://www.unodc.org/documents/justice-and-prison-reform/ReducingReoffending/MS/Singapore_-_Singapore's_national_strategies_and_approaches_aimed_at_reducing_re-offending.pdf

236 UNODC. *Singapore's national strategies and approaches aimed at reducing re-offending.* (2022) Retrieved April 10 2025 from https://www.unodc.org/documents/justice-and-prison-reform/ReducingReoffending/MS/Singapore_-_Singapore's_national_strategies_and_approaches_aimed_at_reducing_re-offending.pdf

Dealing with juveniles in Singapore

The legislation that deals with the administration of juvenile justice in Singapore is The Children and Young Persons Act (CYPA) Chapter 38. Management of juvenile offenders aligns with the restorative models. The CYPA consists a wide range of non-custodial choices which enhances community orders to meet rehabilitative needs for young offenders and pre-delinquents.

The juvenile justice reforms that have taken place is based on increasing diversion from the court system, minimizing penetration into the system, proactively addressing offending behaviour and engendering public support and confidence.

Other than CYPA rehabilitation is also covered in the Probation of Offenders Act. According the Chapter 252 of this Act courts must take into account all the circumstances of the Act. And it is very clear in the legislation that young offenders can and must be rehabilitated. It is not granted as a right for the offender. The restorative justice system assists the young offender to gain full awareness of the offence committed by him.

A juvenile is defined as a person between the age of 7 years to 16 years old. The belief of Singapore juvenile offenders is that every juvenile has the capacity to change and the goal is rehabilitation and reintegration. ²³⁷

²³⁷ Kamal, C. (*Directions of juvenile Justice reforms in Singapore, Resource material series No.59.*

Pre-Court Diversionary Measures

When a juvenile is arrested, other than charging the police may opt for any one of the measures:

- 1- Send a warning to the minor's parents or guardians before releasing them;
- 2- Give the minor a warning before releasing them, inform their parents or guardians, and direct them to a social service organization for support and therapy;
- 3- With the advice of the Attorney – General, the Police can ask juveniles to participate in a 6 month counselling and rehabilitation programme which is named as Guidance Programme. (GP).

Juvenile Court Measures

In most cases the juvenile court requires a pre-sentence report for the purpose of determining the appropriate order. Depending on the case the court may consider one or more options from the following:²³⁸

- 1- Discharging the case conditionally or unconditionally.
- 2- Placing a bond on the guardian to ensure supervision and appropriate care.
- 3- Place the child under the care of “fit person”
- 4- Place the juvenile on stand-alone weekend detention.
- 5- Place the juvenile on a probation of 6 months to 3 years and with or without condition of residency in a probation hostel for up to 12 months.

²³⁸ Kamal, C. (*Directions of juvenile Justice reforms in Singapore, Resource material series No.59.*)

- 6- Order the juvenile to be detained for less than 3 months and place the juvenile on probation upon discharge.
- 7- Order the juvenile to be detained for a period of less than 6 months.
- 8- Order the juvenile to commit an approved school for juvenile offenders for rehabilitation for a period between 24 – 36 months.
- 9- Require the guardian and juvenile to participate in family conferencing.
- 10- Require parents for mandatory counseling.

Guiding principle in the rehabilitation of juvenile offenders in Singapore

1- Diversion from Court Process where possible and appropriate

The police reports suggest that the percentage of juveniles let off with a warning which includes bail and referral cases to other departments is between 88% and 90%.

2- Institutionalization as a last resort

They prioritize other resorts such as community orders, stand alone orders and probation offers rather than correctional facility. This includes Community service orders, strengthening of probation orders, institutionalization of core and elective programs, Individualized Program for Intellectually disable Offenders, Probation Service in Family Service Centers and Community focal points, Employment Development Programs and condition of residency.²³⁹

²³⁹ Kamal, C. (*Directions of juvenile Justice reforms in Singapore, Resource material series No.59.*

3- **The Family as Basic Building Block of society and Change Agent**

In the rehabilitative work of a young offender the Singapore system strives to build on the strength and network of the family.

4- **The many Helping Hands approach to community Rehabilitation**

Community acceptance of the offenders and their capacity to change, understanding of goals, principles of probation and their commitment to support reintegration efforts are emphasized.

The programs include Volunteer Probation Officers: Community Probation Service, School Probation Service, Community links and National standards for the probation of offender and their rehabilitation in the community.²⁴⁰

Australia

Rehabilitation and reintegration in Australia

In recent years, correctional agencies around Australia have been increasingly influenced by the model of rehabilitation commonly known as the 'what works' approach to offender rehabilitation. This Approach can be summarized by a core set of principles of human service delivery. Collectively, these principles suggest that reductions in recidivism can be maximized when programs select appropriate candidates, target factors that directly relate to their offending, and are delivered in ways that facilitate learning Programs which adhere to these principles target those at the highest risk of reoffending. They offer high-risk offenders the most intensive interventions and seek to change factors that are known to be directly related to the reasons for offending, such as antisocial attitudes, substance use and anger.

²⁴⁰ Kamal, C. (*Directions of juvenile Justice reforms in Singapore, Resource material series No.59.*)

In recent years juvenile justice agencies around Australia have become increasingly interested in applying these core principles to programs delivered with juvenile offenders. If adhering to these principles significantly improves the effectiveness of programs for adult offenders in reducing recidivism, then they may also improve the outcomes of juvenile justice programs.

Risk principle

Published research identifies variables associated with the likelihood of an individual reoffending. These risk principles include those not amenable to intervention (static risk factors), and those that might change over time (dynamic risk factors). Static risk factors include age of onset of crime, offence history and family structure. Research suggests that higher risk offenders will benefit the most from rehabilitation interventions and that the intensiveness of services delivered should be proportional to the level of risk.

Needs Principle

The second core principle of the 'what works' approach is the needs principle. It suggests that the most effective programs are ones that intervene to change needs most directly related to offending. These are commonly known as criminogenic needs. Meta-analysis was used by Cottle, Lee and Heilbrun²⁴¹ to combine the results of 24 studies conducted with juvenile offenders involving more than 15,000 participants. They found that five main categories of risk factors predicted juvenile reoffending, four of which could be considered as dynamic risk factors or areas of criminogenic need. These were:

- family and social factors (for example, significant family problems; ineffective use of leisure time; delinquent peers)

²⁴¹ Cottle CC, Lee RJ & Heilbrun K 2001. *The prediction of criminal recidivism in juveniles: a meta-analysis. Criminal justice and behavior* vol 28: 367–94

- educational factors
- substance use history; and
- non-severe mental health problems.

Programs that adhere to the ‘needs principle’ focus on changing these factors. While it may be acceptable to only intervene with these offence-related needs in adults, juvenile justice is concerned with the much broader responsibility to care for and nurture children, to ensure a successful transition into adult life. Juvenile justice services are not only concerned with addressing needs directly related to the risk of reoffending, they are also concerned with addressing a broad range of needs that center around risks, in addition to the wellbeing of children and their families, child abuse and neglect, truancy, substance abuse, and mental health problems.

Research conducted in juvenile justice settings around the world consistently shows that young people have multiple problems and experience high levels of need across all areas of functioning. For example, a young person who has an offending background, family problems and substance use, and who is disengaged from school, needs support in all areas, not just in desisting from offending. Narrow offending-targeted responses may, by themselves, be insufficient to meet this range of needs. The relationship between criminogenic programs and programs that seek to meet non-criminogenic needs has been the subject of some debate in adult rehabilitation literature (for example, Ward & Brown 2004²⁴²) and is critical to the development of programs for juveniles.

A vital task in effective rehabilitation programming is to ensure the distinctive needs of client groups are determined and addressed. It was argued by Alder²⁴³ that despite their significance as a group, ‘girls are still barely visible in our theories, research and

²⁴² Ward T & Brown M 2004. *The good lives model and conceptual issues in offender rehabilitation*. *Psychology, crime and law* vol 10: 243–58

²⁴³ Alder C 1997. *Young women and juvenile justice: objectives, frameworks, and strategies*. Paper presented at the AIC conference *Juvenile crime and juvenile justice: toward 2000 and beyond*. Adelaide: 26–27 June

policy documents in juvenile justice.’ It is difficult to access data and research that identifies gender specific risk markers or makes clear statements about criminogenic need. However, the vulnerabilities of young women in juvenile justice lead many to look towards integrated models of intervention that address multiple problems and high levels of need.

Responsivity Principle

The responsivity principle focuses on client and program characteristics that influence the offender’s ability to learn in a therapeutic situation. Treatment is a learning experience and individual factors that interfere with, or facilitate, learning are termed responsivity factors. These factors can also be understood as contextual variables, which may influence treatment outcome. These variables make a difference to the skills, strategies or identities that individuals develop and to the support available when transitions are made. Factors such as age, ethnicity, gender, disability, and socioeconomic status can be considered key responsivity factors.

A responsive program would engage young people in activities and learning that are personally meaningful and would be delivered in a way that makes sense to participants. This may mean, for example, engaging young people in a range of practical or physically based activities and relying less on formal educational methods that require high levels of literacy or concentration. Preferred learning styles will likely change over the course of adolescence, with adult learning becoming increasingly relevant as children move through adolescence. Thus, it is not only likely that risk factors for reoffending and criminogenic needs will change over the course of adolescence, but also that methods of program delivery most likely to engage young people will also change.

A developmental approach

The ‘what works’ approach requires greater adaptation for younger juvenile justice clients (aged 10 to 17). While there has been relatively little discussion in the literature about the impact of developmental processes upon rehabilitation programming, this is

a critical issue. Risk factors, criminogenic needs and responsivity issues are all likely to change over the course of adolescence.

Adolescence is a period of great change – biologically, psychologically, and socially. Biological development, for example, encompasses profound physical changes caused by the onset of puberty. While some evidence suggests that physical changes (such as in hormone levels and the functioning of the endocrine system) are associated with behavioral problems (such as violence and aggression), the amount of variance explained by these changes is thought to be small when compared to the impact of social influences²⁴⁴.

Developmental issues are also likely to influence the types of problems juvenile offenders experience. Younger adolescents facing the transition to high school and the onset of puberty, for example, have different developmental needs to older adolescents facing the transition from school to work. Relationships with, and dependency on, family and caregivers are also likely to change with age. Disentangling the effects of maturation in terms of identifying criminogenic needs is not straightforward.

Work on violence prevention suggests that:

- young children (under 8) might benefit most from programs emphasizing emotional regulation and parent–child interaction.
- children in middle childhood (8 to 11) should attend programs focusing on social competence; and
- early (12 to 14) and middle (15 to 18) adolescents should attend programs that address the development of prosocial peer groups, conflict resolution and work/job skills²⁴⁵.

²⁴⁴ Weiss JR & Hawley KM 2002. *Developmental factors in the treatment of adolescents. Journal of consulting and clinical psychology vol 70: 21–43*

²⁴⁵ Farrell AD, Meyer AL, Kung EM & Sullivan TN 2001. *Development and evaluation of school-based violence prevention programs. Journal of clinical child psychology vol 30: 207–20*

An issue of special significance for this developmental period is the emergence of mental health problems and mental disorders.

France

In a 1945, France established a framework to address juvenile delinquency. It outlined age-based sentencing options. The Order emphasized the importance of educative and rehabilitative measures based on the need of an individual and imprisonment as a form of punishment was only applied when necessary.²⁴⁶ Increase in youth crimes, France shifted from rehabilitation to reincarceration and harsh sanctions for juveniles.

There are several residential facilities, some of them puts more emphasis on rehabilitation. Children's homes and educational residential facilities offer long-term placements and educational support. for juvenile offenders who are suspended or placed on a conditional release are placed in closed educational centers that are located far away from the families.

²⁴⁶ *Order of February 2, 1945, France*

Crime Prevention

The prevention programs identify children at-risk and their criminogenic needs. These programs are not evidence based.

The three categories of offence in French youth justice system are:

1. Serious violent offences,
2. Lesser violent offences and property offences, and
3. Minor offences.

Regardless of the age, the type of offence committed determines the court that deals with the case. Besides the nature of the offence, the youth court take into consideration, the age of the child. If the offender is 16 or older and committed a serious offence, the case will be delt by “cour des assises des mineurs” (Juvenile assize court) and if the offence is committed by someone younger than age of 16, the case will be submitted to “tribunal pour enfans”. “Juge des enfants deals with less serious crimes and property crimes.

The age of criminal responsibility in France is “capability of understanding”. The age of discernment is between 8 and 10 years. The thresholds are as follows.

1. Under 10 years of age – no sentence
2. 10 – 13 years of age – educational penalties. if not complied with the penalty, may be placed with foster caretaker or a specialized juvenile center.
3. 13-16 years of age – sentences, including imprisonment may be given but are only liable to half the sentence prescribed to an adult. Can only be remanded if a serious offence is committed.
4. 16-18 years of age – can be remanded. Depending on the type of offence committed the judge may set aside the special provisions for dealing with minors. In cases of habitual offenders, immediate summary trials are also allowed.

In France, crimes such as homicide, murder, assault, manslaughter, sexual assault, rape, robbery, negligence, endangerment, kidnapping (abduction), extortion, and harassment are considered as violent crimes.²⁴⁷

Programs conducted to rehabilitate juveniles who commit violent crimes include,

Mediation Reparation - The Amiens prison in France has a young offenders' section which accommodates 12 inmates aged 13-18. In April 2002, the manager of the prison informed the deputy public prosecutor about the extensive damage caused in the young offenders' section of the prison. This damage was the starting point for creating a mediation-reparation procedure. The deputy public prosecutor visited the prison and spent several hours with the young criminals involved in the damage caused. An alternative method to prosecution was offered to the inmates namely, to work together with the person responsible for prison maintenance and carry out a variety of works including cleaning, surface preparation and painting. Besides the cost of the repairs, a high emphasis was put in the respect for environment and for others. The aim was to make young offenders realize that they are responsible for the state of their own cells. This action can be regarded as part of a bigger picture which leads young prisoners to be more responsible not only in the prison but after their release as well. As a result of implementing this alternative, punishable incidents in the prison have dropped by 75% and the use of disciplinary cells has decreased extensively. The minors also have shown an interest in continuing these activities even in the absence of vandalism.

Arts and cultural activities - Within the literature it is frequently noted that Art and culture can help the personal and educational development of prisoners. They can support the rehabilitation of a prisoner and be of a great help in reconstructing his/her relationship with society. Creative and physical activities often encourage inmates to proceed further in other forms of education.

The Art of Living Prison SMART Program - The Prison SMART Program is aimed at transforming the lives of people incarcerated in prisons. The main goal of the program is to teach skills to prisoners which help them reduce stress and teaches them

²⁴⁷ Book II of the French Penal Code lists the felonies and misdemeanours against persons

to handle negative emotions. Furthermore, it is aimed to bring together probation departments, juvenile court systems, and law enforcement departments to implement the 10 activities offered by the Prison SMART Program. Studies have shown that such programs help to reduce the rate of relapse.

Programs conducted at the Centre des jeunes Détenus à Fleury-Mérogis (Youth Detention Centre)

The use of “stress management” modules are in place since November 2010 in the Fleury Merogsis Youth Detention Centre. Participants usually subscribe to this program without knowing its content in detail. Breathing and relaxation and meditation are very important elements of the program. There were 6 cycles of young offenders participating out of which 2 cycles received 14 hours of instruction and 4 cycles received a 3-5-hour instruction on simple breathing exercises.

The independent evaluation of this module was made by the Prison Service of Integration and Probation (SPIP) and has shown that 50-60 % of individuals have reported interest and benefited from the tools of the Art of Living Program.

Closed educational center of the Jubaudière

The French Ministry of Justice has created 5 closed educational centers (CEC) specifically for therapeutic purposes after 2007. The Jubaudière center is part of this five CECs that was part of the pilot project started in 2008. These CECs were created for adolescences for whom hospital care was not justified, but because of their behavioral issues they do not fit into the normal educational structure. The main objective is to bring education and therapeutic care closer together.

The placement of minors aged 13-15 are under judicial warrant. The Jubaudière CEC can accommodate 12 minors in total and the staff is consisted of 27 people including a psychologist, art therapist, two teachers, one sports teacher, educators, and a housewife. The duration of the treatment is initially 6 months and is renewable once. It is important to mention, that placement is not on a waiting-list basis. The CEC informs the various institutions when there is a place. The young person has to give consent of the placement. The CEC is consisting of 4 buildings including administrator and director offices, classrooms and meeting rooms, chambers of minors and laundry, and dining room, gym activity room. Regarding education within the CEC, minors have private lessons in the beginning. After this, they work in pairs with teachers. Various workshops and activities are organized including riding sessions, art therapy workshops. In addition, a health center was established in which psychiatric follow-up with a child psychiatric and collective follow-up with a psychologist take place. Within the health center, regular discussion groups are held with external professionals. The CEC is planning to have a separate discussion group for juvenile sex offenders. Within the health centers, nurses are present who monitor the compliance with prescribed medical treatments (International Juvenile Justice Observatory, 2008).

In France, the programs for young offenders varies depending on the type of offence they committed.

Malaysia

Nature and Extent of Juvenile Offending

Malaysia has a young population, with 60 percent of its population below 30 years of age. The general perception amongst stakeholders is that child offending has increased in recent years and that the types of crimes that children are committing have become more serious.

Police statistics show a steady increase in the number of children subjected to arrest for criminal code offence between 2003 and 2008. During that same period, the number of children arrested for drug offences increased dramatically, though it is unclear whether this represents an increase in drug-related crimes committed by children, or simply increased police focus on drug activities.

The Juvenile Justice System: Laws, Structures and Processes

The principal Act governing the handling of children in conflict with the law is the Child Act 20017, which came into force in August 2002. This Act consolidated three former Acts: The Juvenile Courts Act 1947; the Child Protection Act 1999; and the Women and Girls' Protection Act 1973. The current Child Act governs four main categories of children:

1. children in need of care and protection,
2. children in need of protection and rehabilitation,
3. children “beyond control”; and
4. children in conflict with the law.

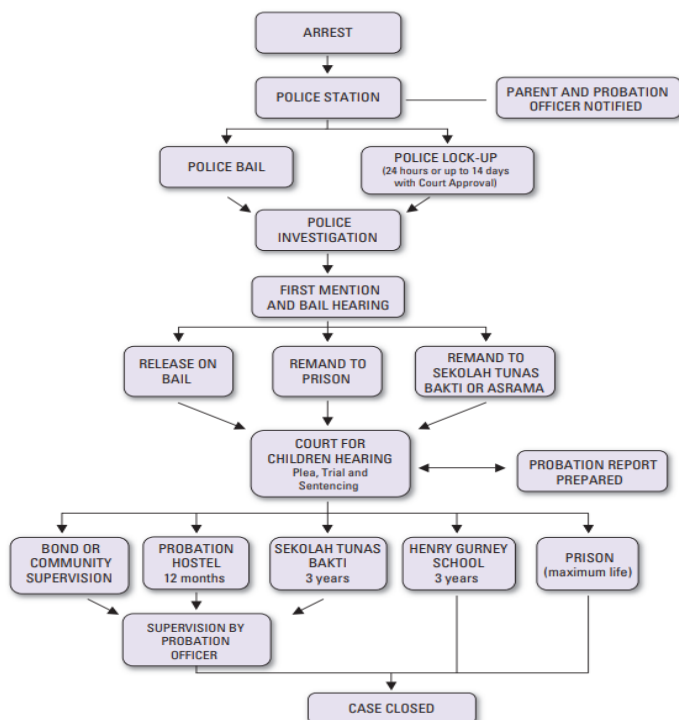
The Child Act outlines the main structure, processes, and procedures for responding to children who commit criminal offences. Part X of the Act stipulates special procedures for arrest, bail or remand, trial, and sentencing of children, as well as defines the roles and responsibilities of police, probation officers, the Court for

Children, and various institutions handling child offenders. Pursuant to section 83(1) of the Act, a child who is arrested, detained and tried for any offence (subject to certain specified limitations) must be handled in accordance with the provisions of the Child Act, rather than the normal procedures applicable to adults. The special procedures under the Child Act modify and take precedent over any written laws relating to procedures for arrest, detention, and trial. However, where the Child Act does not address a specific issue, then reference may be made to the standard procedures under the Criminal Procedure Code.²⁴⁸

The following chart presents the general process for handling a child in conflict with the law in Malaysia.

²⁴⁸ Section 11(6) of the Child Act, which states that “Except as modified or extended by this Part, the Criminal Procedure Code [Act 593] shall apply to Courts for Children as if Courts for Children were Magistrates’ Courts.”

General Process for Handling a Child in Conflict with the Law



Age and Criminal Responsibility

The definition section of the Child Act 2001 states that a “child” means a person under the age of eighteen years and, in relation to criminal proceedings, means a person who has attained the age of criminal responsibility as prescribed in section 82 of the Penal Code. The Penal Code states that children under the age of 10 years are not criminally responsible for their actions. It also includes a doli incapax provision, which states that any act of a child who is above 10 and less than 12 years of age is not an offence if the child has insufficient maturity to understand and judge the nature and consequences

of his/her conduct. Where the Court for Children is in doubt as to the age of the child, an opinion should be sought from a medical officer²⁴⁹.

In general, the special protections for child offenders under the Child Act apply to all child offenders under the age of 18, with some exceptions.

Children who turn 18 while the proceedings are ongoing: If a child turns 18 while the proceedings are ongoing, the Court for Children must continue to hear the case. However, it is up to the discretion of the Court whether it applies the special sentencing provisions available for children under the Child Act or imposes an adult term of imprisonment.²⁵⁰

Children who are only formally charged after they turn 18: If a child commits an offence while he/she is under 18 but turns 18 before he/she is formally charged, then the trial is heard by the regular adult criminal courts. The court may choose to apply the special sentencing provisions available for children under the Child Act or impose an adult term of imprisonment.²⁵¹

Children charged with adults: If a child commits a crime together with an adult, the trial will be heard in the adult criminal court, rather than the Court for Children. However, the Court must “exercise in respect of the child all the powers which may be exercised under this Act by a Court for Children” and must consider a probation report before sentencing the child.²⁵²

Children charged with very serious crimes: The Court for Children does not have jurisdiction over children charged with an offence punishable with death (murder, certain terrorism offences, hostage taking, waging war, mutiny, kidnapping in order to murder, gang robbery with murder, drug trafficking). However, while the Child Act does not state so explicitly, the special protection for children relating to procedures for

²⁴⁹ *Child Act 2001, s.16*

²⁵⁰ *Child Act 2001, s.83 (2)*

²⁵¹ *Ibid, s. 83 (3)*

²⁵² *Ibid, s. 83 (4)*

arrest, detention, trial, and sentencing should still apply equally, regardless of whether the case is before the High Court rather than the Court for Children.

Although the Child Act states that any arrest, detention or trial of a child must be done in accordance with the special provisions under the Act, “notwithstanding anything contained in any written law relating to the arrest, detention and trial of persons committing any offence,” there are provisions in other laws that limit the protection available to children for certain serious offences. Pursuant to the Essential (Security Cases) Regulations, 1975 (ESCAR), children charged with offences under the Internal Security Act 1960 and the Firearms (Increased Penalties) Act 1971 (FIPA) are not afforded the special protections under the Child Act and may be subject to capital punishment.²⁵³ The Child Act also includes provisions for certain status offences, including being “beyond control”²⁵⁴ and being subject to, or at risk of, sexual exploitation (“moral danger”).²⁵⁵ Although not classified as offenders, these children are nonetheless subject to similar treatment as children who commit crimes, including temporary detention and the possibility of being deprived of their liberty in a social welfare institution for up to three years.

For child victims of sexual exploitation, the law states that the maximum duration a child may be sent to an institution is three years and allows for a reduction in the period

253 Regulation 3(3) of ESCAR. This primacy of ESCAR was challenged and upheld by the Federal Court in Lim Hang Seah v. PP, [1978] 1 MLJ 68

254 Section 46 of the Child Act provides that if a parent or guardian is unable to exercise proper control over their child, an application may be made to the Court for Children and the child may be committed to a custodial institution (an Approved School, place of refuge, Probation Hostel) or be placed under the supervision of a probation officer

255 Under s. 39 of the Act, children in need of care and protection may be removed by a police officer or Protector and temporarily detained in a place of refuge. After inquiry, the Court may order the child detained in a place of refuge for a set period of three years, place the child in the custody of a relative or other fit person, require the child's parents to give a bond for the child's good behavior, or place the child under the supervision of a social welfare officer. If the child is sent to a place of refuge for three years, the Board of Visitors may reduce the period of detention, provided the child spends at least 12 months in the institution

of detention by the Board of Visitors.²⁵⁶ However, the period for detaining “beyond control” children in an Approved School is not specified, nor is it clear whether they may be entitled to early release by the Board of Visitors. As such, there is no clear statutory direction with respect to how long children classified as beyond control can be detained in an Approved School and whether they are entitled to the same process of periodic review and early release as child offenders.

In accordance with the CRC and international best practices, Malaysia has established special juvenile justice protections that apply to children who were under the age of 18 at the time the alleged offence was committed and in some cases may be extended to young people up to the age of 21. However, there are some exceptions to this rule, resulting in lesser protection for children who commit security offences, who are not formally charged until after they turn 18, or who commit offences together with adults. The UN Committee on the Rights of the Child has emphasized the importance of ensuring that juvenile justice protections apply equally to all children who were under the age of 18 at the time the offence was committed, regardless of the nature or seriousness of the offence. This is because the rationale behind special juvenile justice protections is children’s lack of maturity and ability to fully understand the consequences of their actions. The determining factor for special treatment is the child’s level of maturity and thinking process, not the seriousness of his/her outward actions. Children’s intellectual and emotional maturity, and therefore their degree of culpability, remains the same regardless of the type of crime they commit.

Malaysia has also met the CRC requirement of setting a minimum age below which children are considered too young to be held criminally responsible for their actions. However, the current minimum age is low by international standards. As in many other countries, provisions that were intended to limit the criminal liability of children between the ages of 10 and 12 are not rigorously applied and there is no standard process by which the Court makes assessments of maturity based on the advice of a psychologist or other expert. In practice, the lower age of 10 is generally used.

²⁵⁶ Sections 66–70 governing the use and duration of Approved School orders apply only to children placed in the schools due to the commission of an offence, not those who are beyond control.

In its Concluding Observations in response to Malaysia's first country report under the CRC, the UN Committee on the Rights of the Child noted with concern the low minimum age of criminal responsibility and recommended that Malaysia raise the age to at least 12. Since very few children under the age of 12 are currently involved in crime, the minimum age of criminal responsibility could be raised without compromising public security. In rare instances where children under the age of 12 do commit crimes, they could be more effectively dealt with through social welfare interventions, rather than being subject to criminal proceedings.

Some stakeholders were concerned that increasing the age of criminal responsibility would increase the number of children being exploited by adults to commit crimes. However, the appropriate deterrent measure to address this would be to more severely sanction adults who exploit children, rather than to punish children at a younger age. Other stakeholders expressed the view that Malaysian children are currently much more mature than in the past and therefore a lower age of criminal responsibility was justified. However, caution must be exercised in judging children's maturity based on their outward behavior or demeanor. The ability to understand the consequences of one's actions and to make reasoned, moral decisions are skills that develop through the course of adolescence and early adulthood. A study undertaken in the Philippines demonstrated that adolescents who appear mature and act "street-smart", such as street children, were in fact more delayed in their moral and cognitive reasoning than school going children of the same age.

The current provisions allowing children to be deprived of their liberty for status offences such as running away, being disobedient or otherwise beyond control are also cause for concern. This approach, inherited from outdated British legislation and once prevalent throughout the Commonwealth, has now been proven to be ineffective. Adolescence can be a trying time for families and parents struggling to cope with teenage misbehavior should be able to access guidance and support. However, as the UN Committee on the Rights of the Child has emphasized, children should not be sanctioned for behavior that would not be considered criminal if committed by an adult. Acting out and engaging in rebellious behavior is a normal part of the process of growing up and most children will "age out" of this behavior on their own. Overly intervening with punitive measures has proven to be counter-productive, as this disrupts the parent/child relationship and risks reinforcing the child's deviant identity.

While technically children who are “beyond control” are not considered “offenders”, they are nonetheless subject to the same conditions of detention as child offenders, which they themselves perceive as punishment. The current practice of detaining children for three years is arguably excessive, unduly costly to the State, and does little to heal the parent / child relationship or to build the child’s cognitive and social skills. In addition, detaining children with minor behavior problems together with child offenders is contrary to international best practices regarding criminal contamination and may be increasing the chances that the child will go on to a life of crime. International experience suggests that adolescent behavior problems are best addressed through non-punitive, social welfare responses targeting both the child and his/her family, rather than costly and ineffective institution-based rehabilitation programs.

Recommendations

- To amend current practices and models in a way that address the offence type, that promote positive social connection with a child's family, community, and culture, and focused on building connections and relationships.
- To develop rehabilitation and reintegration models individually (so that the approach and content do not overlap) for each institution and on a need basis for every juvenile.
- To develop programs considering risk, needs and responsivity of the juvenile.
- To develop specialized programs for convicted offenders based on their age.
- Since there is an identified increase in the number of at-risk children (children under the age of 15) involved in crimes, there is a urgent is a need to develop and implement rehabilitation programs modeled for this category along with MOU's between the stakeholder institutions involved.
- To develop detention centers and residential facilities which are small scale, locally sited and integrated within the surrounding community. They should promote 'relational and differentiated security' with a focus on therapeutic and individually tailored responses. These institutions should include opportunities for education and life skills and address offending behavior alongside mental health, substance misuse and other health and wellbeing needs. There should be a strong focus on resocialization and reintegration.
- To immediately develop a detoxification and rehabilitation facility for juveniles. As this may take time to develop, National Drug Agency and Ministry of Health.

- Competent, supported, and well-trained personnel are critical for working with vulnerable children, particularly in the child protection and justice system.
 - Stakeholders noted in the focus group discussion that many of the current challenges in the child justice system relate to an under-resourced workforce, this means that those working within child justice systems typically are not offered the necessary training and skills required for providing care for children with complex needs. We suggest to train a child justice workforce that ‘understands, and is empathetic towards, young people who are currently in need of assistance’ and able to meet the relational needs expressed by children and is trained in child-centered and trauma-informed approaches.
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Reference

Norwegian Research Centre for Computers and Law. (2016). Retrieved April 10, 2025 from <https://bjs.ojp.gov/content/pub/pdf/wfbcjnsn.pdf>

Smith PS. The effects of solitary confinement on prison inmates: A brief history and review of the literature. *Crime and Justice*. 2016;34:441-528

Strang H, Barnes GC, Braithwaite J, Sherman LW. Restorative Justice and Crime Prevention: Presenting a Theoretical Exploration, an Empirical Analysis and the Policy Perspective. Australian Institute of Criminology; 2006. p. 32

Akkoyun, A.G. Perspective Chapter: The Norwegian Model of correlation Rehabilitation – Bridging the Gap between Incarceration and Society. KOC University – Istanbul; 2024. P.6-9.

Ministry of Justice and Public Security. Correctional Services of Norway Annual Report. Government of Norway; 2020. p. 27

Singapore Prison Service. (nd). Retrieved April 05, 2025 from <https://www.sps.gov.sg/spa-rehabilitation-and-reintegration-approach/#:~:text=Singapore%20Prison%20Service's%20rehabilitation%20approach%20is%20informed,social%20and%20community%20networks%2C%20to%20prevent%20re%20offending.&text=CBPs%20promote%20the%20reintegration%20of%20inmates%20by,tail%20end%20of%20their%20sentence/detention%20in%20the%20community.>

Tang, S. Effective rehabilitation, and reintegration of offenders. 145th International training course visiting expert's paper

UNODC. Singapore's national strategies and approaches aimed at reducing re-offending. (2022) Retrieved April 10 2025 from <https://www.unodc.org/documents/justice-and-prison-reform/ReducingReoffending/MS/Singapore - Singapores national strategies and approaches aimed at reducing re-offending.pdf>

Ministry of Home Affairs Singapore. Managing Prisons and Rehabilitation. Retrieved April 14 2025 from <https://www.mha.gov.sg/what-we-do/maintaining-law-and-order/managing-prisons-and-rehabilitation#:~:text=Rehabilitation%20%2D%20We%20adopt%20a%20throughcare,service%20and%20job%20retention%20support.>

Kriminalomsorgen. Unge domfelte og innsatte. (2021). Retrieved April 14 2025 from: https://www.unodc.org/documents/justice-and-prison-reform/ReducingReoffending/MS/Norway_-_31st_CCPCJ_Reducing_reoffending_through_rehabilitation_and_reintegration.pdf

Oz child. (2023.) Australian Human rights commission Call for submissions: Youth Justice and Child wellbeing reform across Australia. Page 9. Retrieved April 14 2025 from: https://humanrights.gov.au/sites/default/files/ozchild_submission_redacted_0.pdf

Kamal, C. Directions of juvenile Justice reforms in Singapore. Resource material series No.59.

Ward T & Brown M 2004. The good lives model and conceptual issues in offender rehabilitation. Psychology, crime and law vol 10: 243–58

Alder C 1997. Young women and juvenile justice: objectives, frameworks, and strategies. Paper presented at the AIC conference Juvenile crime and juvenile justice: toward 2000 and beyond. Adelaide: 26–27 June

Weiss JR & Hawley KM 2002. Developmental factors in the treatment of adolescents. Journal of consulting and clinical psychology vol 70: 21–43

Farrell AD, Meyer AL, Kung EM & Sullivan TN 2001. Development and evaluation of school-based violence prevention programs. Journal of clinical child psychology vol 30: 207–20

Order of February 2, 1945, France

Book II of the French Penal Code

Criminal Procedure Code [Act 593]

[1] Penal code of Maldives 2014, s53

[2] Child Rights Protection Act 2019, s 109, Juvenile Justice Act 2019, s. 13

[3] Norwegian Research Centre for Computers and Law. (2016), <https://bjs.ojp.gov/content/pub/pdf/wfbcjsn.pdf>

[4] Smith PS. The effects of solitary confinement on prison inmates: A brief history and review of the literature. Crime and Justice. 2016;34:441-528

[5] Akkoyun, A.G. Perspective Chapter: The Norwegian Model of correlation Rehabilitation – Bridging the Gap between Incarceration and Society. KOC University – Istanbul; 2024. P.6-9.

[6] Akkoyun, A.G. Perspective Chapter: The Norwegian Model of correlation Rehabilitation – Bridging the Gap between Incarceration and Society. KOC University – Istanbul; 2024. P.6-9.

[7] Akkoyun, A.G. Perspective Chapter: The Norwegian Model of correlation Rehabilitation – Bridging the Gap between Incarceration and Society. KOC University – Istanbul; 2024. P.6-9.

[8] Kriminalomsorgen,2021,<https://img3.custompublish.com/getfile.php/4862405.823.ubkljwwkjiajs/Kriminalomsorgens%2Bfagstrategi%2Bom%2Bunge%2Bdomfelte%2Bog%2Binnsette%2B18%2B-%2B24%2B%C3%A5r%2Bendelig%2Bver.pdf?return=www.kriminalomsorgen.no>

[9] Oz child, Australian Human rights commission, Call for submissions: Youth Justice and Child wellbeing reform across Australia, 2023, Page 9. https://humanrights.gov.au/sites/default/files/ozchild_submission_redacted_0.pdf

[10] Oz child, Australian Human rights commission, Call for submissions: Youth Justice and Child wellbeing reform across Australia, 2023, Page 9. https://humanrights.gov.au/sites/default/files/ozchild_submission_redacted_0.pdf

[11] Singapore Prison Service. (nd), <https://www.sps.gov.sg/sps-rehabilitation-and-reintegration-approach/#:~:text=Singapore%20Prison%20Service's%20rehabilitation%20approach%20is%20informed,social%20and%20community%20networks%2C%20to%20prevent%20re%2Doffending.&text=CBPs%20promote%20the%20reintegration%20of%20inmates%20by,tail%2Dend%20of%20their%20sentence/detention%20in%20the%20community>

[12] UNODC. Singapore's national strategies and approaches aimed at reducing re-offending. (2022) Retrieved April 10 2025 from [https://www.unodc.org/documents/justice-and-prison-reform/ReducingReoffending/MS/Singapore - Singapore's national strategies and approaches aimed at reducing re-offending.pdf](https://www.unodc.org/documents/justice-and-prison-reform/ReducingReoffending/MS/Singapore_-_Singapore's_national_strategies_and_approaches_aimed_at_reducing_re-offending.pdf)

[13] Tang, S. Effective rehabilitation and reintegration of offenders. 145th International training course visiting expert's paper

[14] Ministry of Home Affairs Singapore. Managing Prisons and Rehabilitation. Retrieved April 14 2025 from <https://www.mha.gov.sg/what-we-do/maintaining-law-and-order/managing-prisons-and-rehabilitation#:~:text=Rehabilitation%20%2D%20We%20adopt%20a%20throughcare,services%20and%20job%20retention%20support>

12 Singapore Prison Service. (nd). Retrieved April 05, 2025 from <https://www.sps.gov.sg/sps-rehabilitation-and-reintegration-approach/#:~:text=Singapore%20Prison%20Service's%20rehabilitation%20approach%20is%20informed,social%20and%20community%20networks%2C%20to%20prevent%20re%2Doffending.&text=CBPs%20promote%20the%20reintegration%20of%20inmates%20by,tail%2Dend%20of%20their%20sentence/detention%20in%20the%20community>.

[16] UNODC. Singapore's national strategies and approaches aimed at reducing re-offending. (2022) Retrieved April 10 2025 from <https://www.unodc.org/documents/justice-and-prison-reform/ReducingReoffending/MS/Singapore ->

Singapore's national strategies and approaches aimed at reducing re-offending.pdf

[17] UNODC. Singapore's national strategies and approaches aimed at reducing re-offending. (2022) Retrieved April 10 2025 from [https://www.unodc.org/documents/justice-and-prison-reform/ReducingReoffending/MS/Singapore_-](https://www.unodc.org/documents/justice-and-prison-reform/ReducingReoffending/MS/Singapore_-Singapore's%20national%20strategies%20and%20approaches%20aimed%20at%20reducing%20re-offending.pdf)

Singapore's national strategies and approaches aimed at reducing re-offending.pdf

[18] UNODC. Singapore's national strategies and approaches aimed at reducing re-offending. (2022) Retrieved April 10 2025 from [https://www.unodc.org/documents/justice-and-prison-reform/ReducingReoffending/MS/Singapore_-](https://www.unodc.org/documents/justice-and-prison-reform/ReducingReoffending/MS/Singapore_-Singapore's%20national%20strategies%20and%20approaches%20aimed%20at%20reducing%20re-offending.pdf)

Singapore's national strategies and approaches aimed at reducing re-offending.pdf

[19] UNODC. Singapore's national strategies and approaches aimed at reducing re-offending. (2022) Retrieved April 10 2025 from [https://www.unodc.org/documents/justice-and-prison-reform/ReducingReoffending/MS/Singapore_-](https://www.unodc.org/documents/justice-and-prison-reform/ReducingReoffending/MS/Singapore_-Singapore's%20national%20strategies%20and%20approaches%20aimed%20at%20reducing%20re-offending.pdf)

Singapore's national strategies and approaches aimed at reducing re-offending.pdf

[20] UNODC. Singapore's national strategies and approaches aimed at reducing re-offending. (2022) Retrieved April 10 2025 from [https://www.unodc.org/documents/justice-and-prison-reform/ReducingReoffending/MS/Singapore_-](https://www.unodc.org/documents/justice-and-prison-reform/ReducingReoffending/MS/Singapore_-Singapore's%20national%20strategies%20and%20approaches%20aimed%20at%20reducing%20re-offending.pdf)

Singapore's national strategies and approaches aimed at reducing re-offending.pdf

[21] Kamal,C. (Directions of juvenile Justice reforms in Singapore, Resource material series No.59.

[22] Kamal,C. (Directions of juvenile Justice reforms in Singapore, Resource material series No.59.

[23] Kamal, C. (Directions of juvenile Justice reforms in Singapore, Resource material series No.59.

[24] Kamal, C. (Directions of juvenile Justice reforms in Singapore, Resource material series No.59.

[25] Cottle CC, Lee RJ & Heilbrun K 2001. The prediction of criminal recidivism in juveniles: a meta-analysis. *Criminal justice and behavior* vol 28: 367–94

[26] Ward T & Brown M 2004. The good lives model and conceptual issues in offender rehabilitation. *Psychology, crime and law* vol 10: 243–58

[27] Alder C 1997. Young women and juvenile justice: objectives, frameworks, and strategies. Paper presented at the AIC conference Juvenile crime and juvenile justice: toward 2000 and beyond. Adelaide: 26–27 June

[28] Weiss JR & Hawley KM 2002. Developmental factors in the treatment of adolescents. *Journal of consulting and clinical psychology* vol 70: 21–43

[29] Farrell AD, Meyer AL, Kung EM & Sullivan TN 2001. Development and evaluation of school-based violence prevention programs. *Journal of clinical child psychology* vol 30: 207–20

[30] Order of February 2, 1945, France

[31] Book II of the French Penal Code lists the felonies and misdemeanours against persons

[32] Section 11(6) of the Child Act, which states that “Except as modified or extended by this Part, the Criminal Procedure Code [Act 593] shall apply to Courts for Children as if Courts for Children were Magistrates’ Courts.”

[33] Child Act 2001, s.16

[34] Child Act 2001, s.83 (2)

[35] Ibid, s. 83 (3)

[36] Ibid, s. 83 (4)

[37] Regulation 3(3) of ESCAR. This primacy of ESCAR was challenged and upheld by the Federal Court in *Lim Hang Seah v. PP*, [1978] 1 MLJ 68

[38] Section 46 of the Child Act provides that if a parent or guardian is unable to exercise proper control over their child, an application may be made to the Court for Children and the child may be committed to a custodial institution (an Approved School, place of refuge, Probation Hostel) or be placed under the supervision of a probation officer

[39] Under s. 39 of the Act, children in need of care and protection may be removed by a police officer or Protector and temporarily detained in a place of refuge. After inquiry, the Court may order the child detained in a place of refuge for a set period of three years, place the child in the custody of a relative or other fit person, require the child's parents to give a bond for the child's good behavior, or place the child under the supervision of a social welfare officer. If the child is sent to a place of refuge for three years, the Board of Visitors may reduce the period of detention, provided the child spends at least 12 months in the institution

[40] Sections 66-70 governing the use and duration of Approved School orders apply only to children placed in the schools due to the commission of an offence, not those who are beyond control.

¹ UNICEF Europe and Central Asia Office Regional (ECARO), Guidance Note - Children Under the Minimum Age of Criminal Responsibility, p.13

² Zeema Nasheed Aboobakuru, “A Maldivian Perspective on Juvenile Justice”, in: Annual Report for 2016 and Resource Material Material Series No.102, Juvenile Justice and the United Nations Standards and Norms, UNAFEI, (Fuchu, Tokyo, Japan, September 2017), p. 20.

³ The Asia Foundation and Maldives Institute for Psychological Services, Training and Research, “Rapid Situation Assessment of Gangs in Male”, Maldives, 2012

⁴ Human Rights Commission of the Maldives, HRCM Submission to the Universal Periodic Review of the Maldives, April – May 2015 (22nd session) (September 2014), p.6

⁵ UNDP, Maldives, Maldives human development report 2014 bridging the divide: Addressing vulnerability, reducing inequality, 2014)

⁶ President’s Office, Official Translation of Maldives Constitution, 2008

⁷ International Association of Prosecutors, Model Guidelines for the Effective Prosecution

of Crimes Against Children, p.3

⁸ Family Legal Clinic, Unofficial Translation of Child Rights Protection Act

⁹ The Asia Foundation, Rapid Situation Assessment of Gangs in Male, p.5

¹⁰ Concluding observations on the combined fourth and fifth periodic reports of Maldives, p.11

¹¹ UNODC, Report of the Technical Assistance Needs Assessment in the Area of Juvenile Justice, May-July 2020, p.13

¹² Zaeema Nasheed Aboobakuru, A Maldivian perspective on juvenile justice, p.4

¹³ http://sharedhope.org/wp-content/uploads/2012/09/Asset_forfitures.pdf

¹⁴ <http://www.nctsn.org/>

¹⁵ www.nationalchildrensalliance.org

¹⁶ <http://www.soso.org.au>

¹⁷ <http://www.befreepro.org/en/>

¹⁸ <https://ccpcr.org.kh/article/1/activities/lotus-house-siem-reap.htm>

¹⁹ <https://digital-strategy.ec.europa.eu/en/policies/safer-internet-centres>

²⁰ <https://www.cimientos.org/en/>

²¹ <https://resourcecentre.savethechildren.net/document/child-outcomes-cash-transfer-programming-synthesis-evidence-around-survival-education-and/>

²² <https://budget.gov.mv/en/monthly/functional-classification>

²³ <https://www.soulcity.org.za>

