

# ABILL

ENTITLED

AN ACT to Amend the Child Care and Protection Act.

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BE IT ENACTED by The King's Most Excellent Majesty, by and with the advice and consent of the Senate and House of Representatives of Jamaica, and by the authority of the same, as follows:—

1. This Act may be cited as the Child Care and Protection (Amendment) Act, 2023, and shall be read and construed as one with the Child Care and Protection Act (hereinafter referred to as the principal Act) and all amendments thereto.

Short title  
and con-  
struction.

Amendment  
of section 78  
of principal Act.

**2.** Section 78 of the principal Act is amended by deleting subsection (3) and substituting therefor the following—

“ (3) Notwithstanding the provisions of the Parole Act, on sentencing any child under subsection (1), the court may, subject to subsection (5)—

- (a) where the offence is murder, specify a period of not less than twenty years, which that child should serve before becoming eligible for parole, notwithstanding section 3 of the Offences Against the Person Act;
- (b) in the case of any other offence, specify a period which that child should serve before becoming eligible for parole.”.

## MEMORANDUM OF OBJECTS AND REASONS

A decision has been taken that Jamaica's peculiar reality—namely, an uncontrolled and unabated murder rate that ranks highest among 22 Latin American and Caribbean countries, the adverse impact on domestic safety and security, the reputational damage to Jamaica resulting therefrom and, by extension, the impact on the country's Gross Domestic Product—warrants a similarly distinctive approach and necessitates penalties that are especially punitive.

A decision has therefore been taken to amend the Child Care and Protection Act to specify that the period that a child, who is sentenced to imprisonment for life for the offence of murder, shall serve before being eligible for parole shall not be less than twenty years. This Bill seeks to give effect to that decision and is a companion measure to the Bill shortly entitled the Offences Against the Person (Amendment) Act, 2023.

FAYVAL WILLIAMS  
Minister of Education and Youth.

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As introduced by the Minister of Education and Youth

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