



Policy Brief

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Bridging the Gap: Reforming Juvenile Justice in Puntland through Rehabilitative Infrastructure and Policy Alignment

EXECUTIVE SUMMARY

Juveniles in Puntland continue to face detention in adult facilities despite the enactment of the Juvenile Justice Act (2016), which mandates a rehabilitative approach. A 2023–2024 field study across seven regions revealed critical implementation gaps, including the absence of rehabilitation centers, poor age assessment practices, and a lack of legal safeguards. This policy brief calls for the immediate operationalization of the law through infrastructure investment, specialized training, and inter-agency coordination. Without urgent reform, Puntland risks entrenching a punitive system that fails its youth and violates international standards.

CONTEXT TO THE STUDY

- Puntland enacted the Juvenile Justice Act (Law No. 8) in 2016 to align with international child rights standards (CRC, Beijing Rules).
- Despite the law, juveniles are still detained in adult facilities without access to rehabilitation.
- The policy brief draws on a 2024 field study by a Red Sea University legal scholar, covering seven regions and 40 justice professionals.
- Findings highlight deep gaps in implementation caused by institutional weakness, flawed procedures, and punitive cultural attitudes.

Summary of findings

- No rehabilitation centres exist, making legal protections largely symbolic.
- Juveniles detained in adult prisons, leading to trauma, abuse, and exposure to criminal behaviour.
- Unreliable age assessments based on physical appearance or assumption.
- Lack of legal counsel and guardian presence, violating fair trial standards.
- Urban-rural disparity: only cities like Garowe and Bosaso have partial services.
- Cultural resistance: justice is equated with punishment rather than rehabilitation.

Introduction

The 2016 Puntland Juvenile Justice Act aimed to establish a rehabilitative justice system for children in conflict with the law. While the law aligns with international standards, its implementation remains weak due to systemic, procedural, and cultural challenges. Children continue to face punitive detention practices, lacking the safeguards, services, and infrastructure required for reintegration.

Juvenile justice reform is especially critical in fragile and post-conflict settings like Puntland, where institutional capacity is limited and social reintegration mechanisms are underdeveloped. Without proper safeguards, punitive detention can fuel cycles of violence, marginalization, and radicalization among youth. A rehabilitative approach not only aligns with international legal obligations but also contributes to long-term peacebuilding, public safety, and the restoration of trust in the rule of law.

RESEARCH SUMMARY

The policy brief is based on a 2023–2024 field study conducted in collaboration with Red Sea University. The study covered seven administrative regions in Puntland and involved interviews and document reviews with 40 legal professionals, including judges, prosecutors, prison directors, and law enforcement officers. The research examined the implementation gaps in the juvenile justice system.

The research utilized a qualitative case-study approach, combining semi-structured interviews, direct observations, and analysis of judicial and procedural records. Data were collected across urban and peripheral districts to assess disparities in juvenile justice delivery. The study particularly emphasized the experiences of frontline actors such as child protection officers, CID investigators, and prison wardens to uncover systemic challenges that are often undocumented in official reporting.

Findings revealed a consistent lack of coordination between institutions tasked with juvenile justice, including the judiciary, police, correctional services, and social welfare offices. In many cases, legal professionals cited the absence of clear referral pathways or standard operating procedures for handling juvenile cases. This fragmentation has resulted in ad hoc decision-making, legal ambiguity, and over-reliance on punitive measures instead of structured rehabilitation protocols.

RESEARCH RESULTS

The study revealed that children are frequently detained in adult prisons in violation of legal protections under the Juvenile Justice Act. Age assessment practices are unreliable, legal counsel is often absent, and rehabilitation infrastructure is non-existent. Urban areas have some access to legal support, while rural regions remain excluded. Cultural perceptions continue to favour incarceration over rehabilitation, impeding the effectiveness of the law. In several documented cases, juveniles were detained not for committing a crime, but due to the absence of suitable alternatives such as shelters or community-based supervision programs. This practice directly violates Article 44(1) of the Puntland Juvenile Justice Act, which prohibits the sentencing of children without legal offense. The lack of diversion options not only contributes to unnecessary criminalization but also overwhelms the justice system with cases that could be managed through social welfare mechanisms.

Moreover, interviews with justice sector actors revealed a widespread lack of clarity regarding roles and responsibilities under the Juvenile Act. Police officers, prosecutors, and even judges often lacked specialized training in juvenile justice principles, leading to procedural violations and inconsistent application of protections. The absence of a unified juvenile case management system further exacerbates delays, miscommunication, and repeat offenses among minors who re-enter the justice cycle without proper rehabilitation.



Addressing the implementation gaps in Puntland's juvenile justice system requires a coordinated, multisectoral strategy rooted in both legal compliance and contextual realities. The findings from this study affirm the urgent need to move beyond symbolic legislation toward tangible reforms that prioritize child protection, institutional accountability, and public engagement. The recommendations below are designed to translate the principles of the Puntland Juvenile Justice Act into practice and to establish a child-centred, rehabilitative justice system aligned with both domestic mandates and international obligations.

- Operationalize the Juvenile Act Immediately
- Establish at least one pilot rehabilitation center in each region.
- Activate the Juvenile Rehabilitation Steering Committee as per Article 21.
- Build Institutional Capacity
- Deliver mandatory training in juvenile rights and procedures for law enforcement, prosecutors, and judges.
- Develop a national juvenile justice curriculum for legal education and policing institutions.
- Standardize Age Determination Procedures
- Establish ethical and scientific protocols for age verification using documentation, medical evaluation, and a "benefit of the doubt" approach.
- Guarantee Legal Safeguards
- Ensure presence of legal representation and guardians throughout proceedings.
- Institutionalize free legal aid programs for juveniles in conflict with the law.
- Foster Public-Private Partnerships
- Involve NGOs and private sector entities to co-develop juvenile facilities and offer vocational reintegration programs.
- Launch Legal Awareness Campaigns
- Utilize media, schools, and religious platforms to educate the public on juvenile rights and the purpose of rehabilitative justice.

This policy brief was produced by the Institute for Peace, Security & Development (Ipsed.org) in collaboration with Red Sea University. It is based on a legal field study conducted between 2023 and 2024, covering seven administrative regions of Puntland and involving interviews and documentation from over 40 justice sector professionals, including judges, prosecutors, law enforcement officers, and prison administrators.



References

1. Muse, A. I. (2024). *From law to reality: Examining the challenge of lack of rehabilitation facilities in Puntland's juvenile justice system*. Red Sea University.

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