

ABILL

ENTITLED

AN ACT to Amend the Criminal Justice (Administration) 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 Criminal Justice (Administration) (Amendment) Act, 2023, and shall be read and construed as one with the Criminal Justice (Administration) Act (hereinafter referred to as the principal Act) and all amendments thereto.

Short title
and
construction.

Amendment of section 42E of the principal Act. **2.** Section 42E of the principal Act is amended in subsection (3) by deleting the words “the prescribed minimum penalty for the offence as provided for pursuant to section 3(1)(b) of the Offences Against the Person Act” and substituting therefor the words “thirty years”.

Amendment of section 42F of the principal Act. **3.** Section 42F of the principal Act is amended by deleting the words “a term of life imprisonment shall be deemed to be a term of thirty years.” and substituting therefor the following—

“a term of life imprisonment shall be deemed to be a term of—

- (a) fifty years, where the offence is murder;
- (b) thirty years, where the offence is an offence other than murder.”.

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 Criminal Justice (Administration) Act—

- (a) in section 42E(3), to provide that in the case of murder falling within section 2(2) of the Offences Against the Person Act, the reduced sentence that may be imposed on a plea of guilt by the defendant shall not be less than thirty years;
- (b) in section 42F, to provide that, where the offence is murder, a term of life imprisonment shall be deemed to be a term of fifty years for the purposes of calculating a reduction of sentence pursuant to Part 1A of the Act, upon a plea of guilty by the defendant.

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.

DELROY CHUCK
Minister of Justice.

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As introduced by the Honourable Minister of Justice.

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