

The Kingston & St. Andrew Family Court



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Overview of the Family Court

The Family Court is a special Court established under the Judicature (Family Court) Act. It is responsible for all legal proceedings relating to family life, except for divorce. It differs from other Courts in that its structure includes social services.

The Family Court was set up in Kingston at 74B King Street on December 18, 1975 (and it moved to its current location of 55A Duke Street in 2005). Because of the great demand for the services of this court, another court was set up in Montego Bay with sub-courts in Lucea and Westmoreland. These Courts, which serve the parishes of St. James and Hanover, began to operate on the 13th of November, 1978. A Family Court was established in Portmore, St. Catherine, in 2000.



are formally recognized at the Court's annual Parents' Month Exposition.

Annual Parents' Month Exposition

This occurs during November of each year, which is the nationally recognized Parents' Month, celebrated under varying themes.

The Court hosts a day long Exposition beginning with an opening ceremony featuring remarks and greetings by the Honourable Chief Justice of Jamaica and other distinguished guests; a keynote address; and a cultural presentation by students of the Attendance Centre. The rest of the day's activities involve the court's partner agencies mounting displays/exhibits, offering one on one consultations and relevant services and the Court's Social Work Unit conducting mini parenting sessions and presentations.

Parenting School

The Kingston and St. Andrew Family Court Parenting School was launched on the 29th of November, 2013. Parents are referred by Judges hearing their cases, or by the Court's counselling centre, or partner agencies.

The curriculum modules are aimed at assisting parents, guardians and caregivers to understand and empower their children and to understand and empower themselves. The modules are delivered by duly qualified personnel from the Court's Social Work Unit and external partners.

Topics covered include: Understanding the developmental phases of a child; communicating effectively; recognizing signs of sexual abuse in children; being an effective parent; stress management and reproductive health.

Parents who successfully complete the programme

The Powers of the Court

The Family Court has the power to deal with family matters arising out of:

- The Child Care and Protection Act
- The Children (Adoption of) Act
- The Children (Guardianship & Custody) Act
- The Domestic Violence Act
- The Family Property (Rights of Spouses) Act
- The Maintenance Act
- The Status of Children Act

The Court deals with adoption, child care and protection, custody and testamentary guardianship of children, declaration of paternity-live (DNA) and deceased, domestic violence, maintenance, property rights of spouses and youth delinquency.

Personnel of the Family Court

The Court's staff consists of:

- Three Judges
- Two Clerks of Court
- Senior Court Administrator
- Senior Social Worker & Social Workers
- Family Counsellors
- Two Deputy Clerks of Court
- Assistant Clerks
- Other Support Staff

Intake Counselling

Intake Counsellors interview all persons entering the Family Court. They ensure that the individual's rights are understood and that he or she is referred to the section, within the Family Court, which is most suitable in a particular case.

Children's Drug Treatment Programme cont'd

drug dependent offenders where they are supervised by a team including a Judge, Probation Aftercare Officer, and Treatment providers specializing in substance abuse counselling, drug detoxification and rehabilitation.

The Family Court's partners in the Children Drug Treatment Programme include the National Council on Drug Abuse and Rise Life Management Services. There is equal emphasis on educational attainment and skills training and certification of the children as there is on addressing their substance abuse/misuse problem.



Court charged for any offence.

The focus is usually on schools from which there is an increased number of students who are appearing before the Court charged for various offences.

However, the focus is sometimes on alternate educational institutions, offering remedial literacy and vocational skills training. The aim is to forge partnerships with these institutions so that when referrals are made to children and their parents and guardians, it is more likely that they will be accepted into these institutions.

Children's Drug Treatment Programme

The Pilot of a Drug Treatment Court for Children was embarked upon at the Kingston and St. Andrew Family Court in September, 2014.

Drug treatment Courts have existed in Jamaica since 2001 and provide an alternative to incarceration for

Family Counselling

The Intake Counsellors may direct a person's case to a Family Counsellor. Persons meeting a Family Counsellor may discuss their problems, along with their partners, as many times as is necessary to resolve their problems in a non-judicial manner.

Adoption Services

Judges in the Family Court are responsible for issuing final Adoption Orders. Before these Orders are issued, the Adoption Board under the Child Development Agency, makes the decision as to the adopter's suitability based on factors such as age, residence and nationality.

Child Development Agency (CDA)

Representatives of this Executive Agency are accommodated at the Court on a daily basis. The CDA has responsibility for children involved in matters within the Family Court System. The Agency addresses matters involving children who are referred or brought into the court because of an offence committed against the child or other circumstances causing them to be in need of Care and Protection or because of behavioral problems exhibited by the child.

Children Officers provide voluntary supervision to help children and their families solve their problems in cases in which Court action is not required. The Officer is also concerned with the welfare of children who are removed from home by a court Order. They also appear in court on a daily basis, conduct

and Children's Homes, and even children who accompany their parents to Court, can wait in comfort, away from adults and the typical busy environment of the Court. It is furnished and outfitted with cribs, seats, toys, educational literature and a television set.

The School Tour Programme

This programme involves the Judges of the Court visiting selected schools in the Corporate Area along with the Court's Social Workers and Social Workers from partner agencies such as the Child Development Agency, the Probation Aftercare Department and an Officer of the Jamaica Constabulary Force Community Safety and Security Branch/Safe Schools Unit. The Team participates in the institution's devotion exercise, shares information and encourages students to avoid delinquency that would cause them to appear in the

Students who complete the Centre's programme are equipped to matriculate into a Ministry of Education Secondary School after passing the Grade Nine Achievement Test (GNAT); or into a Human Employment and Resource Training (HEART) vocational skills programme after passing the entrance examination; or any other educational institution for further training after passing subjects offered by the Caribbean Examinations Council-CSEC/CXC .

In recent years, parents and guardians of the students have also been participating in the Centre's Programme and recording significant achievements alongside their children/wards.

Children's Room

This is a safe, private, and child friendly space in which child witnesses, children coming from Places of Safety

investigations ordered by a Judge, and then present a report which assists in the disposal of the cases. They may have to do follow up in a child's case for one to three years after a final court order is made.



Child Development Agency
Building A Solid Future Today

Probation Aftercare Services

Within the court there are Probation Aftercare Officers who work with persons who are given Probation Orders or adults who apply for custody/access and maintenance orders. These officers investigate the circumstances related to the committing of an offence, or the relevant family matter and then present a report to the Judge to help

in the disposal of the case. The officers also offer counselling to their clients, and may have to follow up cases involving youths for between one to three years after a final court order is made. Administratively, the Probation Aftercare Officer falls under the Ministry of National Security and the Department of Correctional Services; however, a special unit dedicated to serving the needs of the Family Court was established years ago.

Teen Pregnancy Project

This project offers counselling, guidance, legal advice and social support for pregnant teenagers and their parents/ guardians. It is operated in conjunction with the Victoria Jubilee Hospital and is headed by a Social Worker.

The Family Court Attendance Centre

The Attendance Centre, an extension of the Corporate Area Family Court, is the only one of its kind in Jamaica. The Centre was established in 1978, as a non-residential Training Rehabilitation Centre for young people who have been before the Family Court or are referred there directly. Counselling is provided for these children and their parents so as to improve their relationship with each other. Presently located at 79 Duke Street, the Centre provides tuition in basic subjects that are usually taught in schools; and provides instruction in skills such as Woodwork and Needlecraft. The Centre can accommodate a maximum of forty (40) students.

The highlight of the Centre's academic year includes an Evening of Excellence which showcases skills acquired in etiquette and fine dining, Open Day for display and sale of items made by the students, and the annual Graduation exercise.