

Probation sentencing and juvenile re-offending in Ghana: The perspectives of juvenile justice practitioners

Prince Boamah Abrah^{id1} and Jones Adu-Gyamfi^{id2*}

Abstract

This study investigates probation sentences and juvenile reoffending in Ghana, drawing on the opinions of Probation Officers at the Department of Social welfare in Accra. Drawing on phenomenological research methodology, in-depth interviews were conducted with 10 Probation Officers to obtain their views on the effectiveness of probation in Ghana. Thematic analysis was employed to analyse the qualitative data. The results reveal the factors which predispose juveniles to commit crime: delinquent peer association, poverty, and lack of parental supervision. The roles played by probation officers are also discussed in the article. Additionally, location/residential change, involving probationers in decision making and providing for the material needs of probationers were some of the factors found to reduce reoffending. Finally, the challenges that probation officers encounter are discussed. The study strengthens the debates on what works to reduce reoffending among probationers.

Article History: Received 20 March 2025

Accepted 7 January 2026

Keywords: Juvenile delinquency; Probation officers; re-offending and Probation.

¹ Department of Social Welfare, Ministry of Gender, Children and Social Protection, Accra, Ghana

² Department of Social Work, University of Ghana, Accra, Ghana

***Corresponding author:** Department of Social Work, University of Ghana, Accra, Ghana

Email: jadu-gyamfi@ug.edu.gh

Introduction

Probation is a non-custodial sentencing practice that allows offenders to remain in the community provided they comply with certain restrictions and conditions. It is designed to promote rehabilitation rather than punishment and often involves supervision, reintegration, resettlement, counselling, and, when possible, reconciliation between offenders and their victims (Omboto, 2022). Despite its intended benefits, some scholars have questioned the relevance of probation, suggesting that it may be obsolete and in need of reform or replacement (Soung, 2022). The adoption of probation marks a significant shift from decades of punitive approaches, during which offenders, particularly juveniles received harsher sentences primarily due to public safety concerns (Snacken, 2010). Critics argue that such harsh sentences have been largely ineffective in reducing youth crime and have called for alternative approaches that emphasize the rights and well-being of juvenile offenders (Snacken, 2010; Haines & Case, 2015).

With the introduction of probation, juvenile delinquents are no longer subject to the same penalties or criminal procedures as adults. Instead, they are recognized as having a special status and are afforded specific protections when charged with criminal offences. In Ghana, first-time juvenile offenders who commit minor offences are typically placed on probation and are required to comply with the conditions specified in the court's probation order (Department of Social Welfare, 2019). Ghana has a robust legal and policy framework for child justice. This framework includes the Children's Act (Amendment) 2016 (Act 937), the Children's Act, 1998 (Act 560), the Criminal and Other Offences (Procedure) Act, 1960 (Act 30), the Juvenile Justice Act, 2003 (Act 653), and the Child Rights Regulation, 2002 (L.I. 1705). The juvenile justice system in Ghana encompasses arrest, adjudication, sentencing, corrections, and reintegration, with the police, courts, juvenile correctional facilities, welfare agencies, and other stakeholders actively involved in its administration.

Various sentencing alternatives exist including custodial sentences, fines, probation, rehabilitation, and mental health or correctional services. Yet Ghana's prisons remain overcrowded due to the courts' historical preference for custodial sentences (Baffour et al., 2024; Boakye et al., 2022). While the Juvenile Justice Act, 2003 (Act 653) provides for probation as a non-custodial option for juvenile offenders, implementation challenges limit its effectiveness. Probation is primarily applied to first-time juvenile offenders; however, these challenges reduce its impact on preventing reoffending and promoting rehabilitation (Ame, 2017). While prior studies have examined aspects of juvenile justice administration in Ghana (Abrah, 2017, 2019; Ame, 2017; Asamoah, 2021), limited research exists on how probation sentencing influences juvenile reoffending or the key challenges faced by probation officers. Ame (2019) emphasized the need for primary data collection, including interviews with policymakers, stakeholders, and children in contact with the law, to assess the strengths and weaknesses of the system. Although Ghana's juvenile justice system has a strong legal framework, scholars have highlighted

persistent challenges that affect its successful implementation (Adu-Gyamfi, 2019; Ame et al., 2020a; Dako-Gyeke et al., 2020; Osei, 2013). Previous studies have focused on specific aspects of the system, such as child panels (Adu-Gyamfi, 2019; Ame et al., 2020b), juvenile courts (Anku, 2022), and correctional centres (Osei, 2013), but none has examined the probation component in depth. This study addresses that gap.

Furthermore, Ame et al., (2020a) have urged researchers to move beyond evaluating institutional efficiency and instead focus on strategies to transform the system into a reliable, effective, and sustainable one (p.46). Accordingly, this study not only identifies the challenges faced in implementing probation but also explores factors that promote its effectiveness despite these challenges. The study seeks to answer the following research questions: What factors contribute to juveniles being predisposed to commit crimes? What is the role of probation officers within the juvenile justice system in Ghana? What factors influence the effectiveness of probation practices for juveniles in Ghana? and what challenges do probation officers encounter in their work with juvenile delinquents?

Statement of the problem

There are a variety of sentencing alternatives available to punish people who break the law: an offender may be required to serve time in prison, pay a fine, be placed on probation, or even get rehabilitation, mental health, or correctional services, among other penalties, depending on the kind of crime they committed. Ghana's prisons are overcrowded due to the imposition of lengthy prison sentences. Custodial sentences have been preferably pronounced by the courts, even though section 356 of the Criminal and Other Offences Procedure Act 1960 makes room for probation. Nonetheless, in Ghana, probation has been mainly used for young offenders under section 31 of the Juvenile Justice Act 2003. The probation officer is expected to implement conditions necessary for securing the good conduct of the offender or for preventing a repetition of the same offence or the commission of other offences. The efficacy of probation officers in discharging this mandate has not been studied.

Although there exists a body of knowledge, such as Abrah (2017, 2019), Ame (2017), Asamoah (2021), on juvenile justice administration in Ghana, there is not much research on how effective probation sentencing impacts juvenile reoffending, as well as the key implementation challenges from the experts' perspectives. Ame (2019) maintained that there is the need for researchers to engage in primary data collection involving interviews with policymakers and other stakeholders within the juvenile justice system, including children in contact with the law, to unravel the strength and weakness of the system.

Several scholars have argued that while Ghana's juvenile justice system looks good, it is bedevilled with several challenges in practice, which have affected its successful implementation (Adu-Gyamfi, 2019; Ame et al., 2020a; Dako-Gyeke et al., 2020; Osei, 2013). A few studies have examined different aspects of Ghana's juvenile justice system e.g., child panel (Adu-Gyamfi, 2019; Ame et al., 2020b), juvenile court (Anku, 2022),

correctional centres (Osei, 2013). However, no study has examined the probation side of the juvenile justice system in Ghana; this current study fills that gap.

The above scholars have outlined the challenges facing the juvenile justice system in Ghana. However, Ame et al. (2020a) have urged scholars to move beyond assessing the efficiency of the institutions and agencies and “to focus on exploring how the challenges could be addressed to transform the system into a reliable, effective, and sustainable one” (p.46). This current study did not only obtain information on the challenges but also identified factors that promote effectiveness irrespective of the challenges experienced. The study will attempt to provide answers to the following research questions: 1) What factors contribute to juveniles being predisposed to commit crimes? 2) What is the role of probation officers within the juvenile justice system in Ghana? 3) What factors influence the effectiveness of probation practices for juveniles in Ghana? 4) What challenges do probation officers encounter in their work with juvenile delinquents

Literature review

In the several attempts to evaluate the impact of probation on probationers and families, available literature suggests that probation practice does have a differential impact on offenders. According to MacKenzie et al. (1999), the efficiency of probation in lowering criminal activity varied according to the age of the probationer; as a result, probation seemed to work better for older criminals. According to Smith et al.'s (2018) study the likelihood of reoffending was shown to be lower for offenders who had been exposed to some type of supervision. Fox et al (2022) maintained that although the number of robust studies remains quite small for such a key area of consideration, there appears to be a growing body of evidence that lower probation caseloads have a positive impact in terms of reducing reoffending. Probation officers actively participate in the monitoring, supervision, and rehabilitation of criminals in Sub-Saharan Africa, following comparable methods to those in Western Countries. For instance, when South African legislation mandated new roles and responsibilities for probation officers working with children in conflict with the law, it emphasized on close monitoring of behaviour, assessment of progress, responses to change, and measuring the effectiveness of rehabilitation and correctional services (Sibisi & Warri, 2020).

In Kenyan probation practice, probation officers guarantee that the probationer follows the stringent supervision standards. Additionally, the probation officers watch out for the probationers' compliance with the law and to avoid committing criminal offences while they are on probation. Probation officers also collaborate with the local chiefs who are part of the provincial administrative system of the government and the police to ensure proper control (Omboto, 2022).

A study by Osei (2013) evaluating the effectiveness of Ghana's juvenile justice system found a disconnect between the legal provisions and actual practice. It was found that due to inadequate resources, practices in the correctional homes did not match the provisions

in the Juvenile Justice Act 2003. For example, Osei (2013) reported that the requirement of section 23 of the Juvenile Justice Act 2003, that remand warrant shall not be renewed without the appearance of the juvenile at the hearing is flouted. However, a study by Anku (2022) showed that the Ghanaian juvenile courts largely adhered to the guidelines in the Juvenile Justice Act 2003, despite challenges that affect their functionality. The juvenile courts depended on social enquiry reports prepared by the probation officers of the department of social welfare to make its decisions. Therefore, failure of the probation officer or the social welfare officer to furnish the court with the needed documents led to adjournments, which created delays during trial (Abrah, 2017; Anku, 2022).

According to Ame et al. (2020a), the institutions and agencies within Ghana's juvenile justice system are highly encumbered and saddled with several constraints and challenges, such as dilapidated structures and acute lack of human resources and logistical supplies that seriously hamper staff from carrying out their mandate. Also, persistent interference in their work from traditional, religious, and community leaders who present cultural and religious reasons for which reported cases should be withdrawn and addressed outside the formal system. In their study covering 16 districts in 4 regions of Ghana involving 115 respondents, Ame et al. (2020a) reported that Ghana's juvenile justice institutions and agencies were in abject sordid state, which makes them grossly inefficient and under-utilised.

Similarly, Dako-Gyeke et al. (2020) have bemoaned the lack of resources to the institutions and agencies within the juvenile justice system that would enable effective treatment of juvenile offenders to occur. This has resulted in Ame et al. (2020a) to conclude that Ghana's juvenile justice model appears to be a welfare model on paper, but in practice a justice model where juveniles appearing before the courts are sentenced to serve time at treatment institutions that do not have the resources to offer effective treatment. In sum, Boakye and Akoensi (2021) contend that although in theory, Ghana's juvenile justice system appears to conform to many of the international standards and expectations, in practice, the system undermines the rights of children and young people in conflict with the law.

Theoretical framework

This paper is anchored within the theoretical framework of the Social Ecology Theory (SET). The social ecology theory was first introduced by Urie Bronfenbrenner in the 1970s. The theory illustrated by nesting circles with the individual at the centre surrounded by five systems (microsystem, mesosystem, exosystem, macrosystem, and chronosystem). The microsystem contains an individual's interactions and relationships with their immediate surroundings (i.e., family). The mesosystem looks at interaction within systems where the individual has direct contact with, e.g., school, neighbourhood, religious institutions, etc. The exosystem is the larger social system in which the individual does not directly function, but structures in the exosystem impact the

individual's development by their interaction with the individual's microsystem, exerting both negative and positive interactive forces on the individual (Johns et al. 2017). The macrosystem includes cultural values, attitudes, and influences. Lastly, the chronosystem contains the dimension of time in an individual's life. The elements of time could be internal (e.g., physiological changes) or external (e.g., death of a parent, or the effect of policy).

The usefulness of the Social Ecology Theory within the context of this study, for example, rests on the fact that it provides a theoretical lens to consider the individual's environment and social interactions as crucial factors influencing behaviour and examines the interplay between personal, micro-environmental, and macro-environmental factors. In the context of juvenile delinquency, SET can help investigate how probation practices interact with the juvenile's social environment, family, and community to impact their behaviour. According to Johns et al. (2017), a social-ecological framework offers a useful lens through which researchers can understand and explore juvenile delinquents' prolific offending and youth justice responses to it, and serves as an analytical tool which can aid in the examination of how relationships and social processes function to support or impede juvenile delinquents' positive identity development, which, in turn, shapes their actions and behaviour.

Social ecology studies how individuals and institutions interact with and depend on each other. With regards to youth offending, the social ecology theory recognises the importance of the context that young people find themselves in and advocates that professional interventions need to holistically focus on all levels. The theory assumes that human capacity for change arises from the interactions and relationships between the developing person and environment. With regards to juvenile delinquents, the social ecology theory emphasises harnessing effective practitioner/young person relationships to promote positive youth (Drake et al. 2014). The 'promotion of desirable behaviours' and 'prevention of undesirable behaviours' is the bedrock of the positive outcomes that probation officers seek in their interaction and relationship with young offenders. Accordingly, interventions for juvenile delinquents aim at minimizing harm that can disrupt the young offenders' development and well-being. Seeing juvenile delinquents through the lens of social ecology gives insight into the type of interventions that probation officers can deploy to effectively disrupt their offending behaviour and enhance their well-being.

Methods

Research design

The study employed a qualitative descriptive phenomenological design to explore the lived experiences of probation officers working with juvenile offenders in Ghana. Phenomenology emphasizes understanding individual's subjective experiences and meaning-making, rather than producing purely descriptive accounts (Zhang & Creswell,

2013). This approach is widely used in social work and criminal justice research to examine how professionals interpret and navigate institutional processes (Reynolds & Hicks, 2015). By focusing on probation officers' first-hand experiences, the study captures nuanced insights into the operational, relational, and systemic dimensions of Ghana's juvenile justice system, highlighting officers' roles, challenges, and strategies for supporting juvenile offenders.

Research setting

The study was conducted at the Accra Probation Unit under the Department of Social Welfare. Ghana's probation system is decentralized: local probation officers serve the family and juvenile courts. The Accra Probation Unit is responsible for supervising juvenile delinquents and preparing social enquiry reports to assist courts in decision-making. Officers at this unit handle a diverse range of cases, from minor infractions to serious offences, making it an ideal site for examining probation practices. The unit provides structured resources for monitoring, rehabilitating, and reintegrating juveniles. Its central role, diverse caseload, and accessibility ensured that participants could provide rich, relevant in-sights into probation practices.

Sampling strategy

Participants were recruited using purposive sampling, a non-probability strategy that allows researchers to select individuals with specific knowledge or experience relevant to the study (Sharma, 2026). This approach ensured that participants had direct experience supervising juveniles who had completed their sentences within the past 12 months. Inclusion criteria required that participants be probation officers actively working with juvenile offenders, have supervised juveniles who had completed their sentences within the last 12 months; be willing and able to participate in interviews conducted in English. A total of ten probation officers participated, including six females and four males. Participants varied in years of professional experience as social workers and in probation-specific roles, ensuring diverse perspectives.

Table 1: Demographic characteristics of participants

Participants	Gender	Years of working experience as qualified social worker	Years of experience in probation
Participant 1	Female	10 years	6 months
Participant 2	Female	13 years	10 months
Participant 3	Male	4 years	4 years
Participant 4	Male	20 years	10 years
Participant 5	Female	15 years	11 years
Participant 6	Female	2 years	6 months
Participant 7	Female	10 years	4 years
Participant 8	Female	15 years	5 years
Participant 9	Male	7 years	5 years
Participant 10	Male	13 years	8 years

Data collection procedures

Data were collected through semi-structured, one-on-one interviews conducted between July and August 2024. An interview guide was developed based on the study's research questions and relevant literature, including open-ended questions to elicit officers' experiences, perceptions of challenges, and strategies for supporting juveniles. Potential participants were identified at the Accra Probation Unit and contacted in person or by phone. Interviews were conducted in English, either in private rooms at the probation office or over the phone, depending on participants' preferences. Each interview was audio-recorded to ensure accuracy and later transcribed verbatim using Go-transcribe software. Transcripts were uploaded into QDA Miner Lite for coding and thematic analysis. This structured procedure ensures that the data collection process could be replicated by other researchers following the same steps.

Data analysis

Data were analyzed using thematic analysis following Braun & Clarke's (2006) six-step procedure. First, the researchers familiarized themselves with the data by repeatedly reading transcripts and listening to recordings, noting initial impressions. Second, initial codes were generated systematically across the dataset to capture meaningful text segments relevant to the research questions. Third, codes were collated into potential themes, with attention to patterns across participants' narratives. Fourth, these themes were reviewed and refined to ensure they accurately reflected the dataset. Fifth, each theme was defined and named, capturing its scope and the nuances of probation officers' experiences. Finally, the themes were integrated into a cohesive narrative, relating findings to research questions, existing literature, and theoretical concepts of procedural

fairness and juvenile rehabilitation. This analysis combined deductive coding, guided by the study's research questions, and inductive coding, allowing new insights to emerge from participants' lived experiences. Inductive coding is an approach to data analysis that does not begin with any pre-determined themes/codes that are applied to the data, but rather codes and themes are generated using participants' words or the researchers' interpretation of what the participant is saying. On the other hand, deductive coding starts with pre-determined themes/codes that are usually derived from the study's theoretical insights, and/or research questions. Reflexive memos, peer de-briefing, and iterative review ensured that the analysis remained grounded in participants' narratives while maintaining methodological rigor. As argued by Saldana (2021), even when researchers use pre-determined themes (deductive approach), they should also be open to surprise findings (inductive approach).

Ethical considerations

Ethical approval was obtained from the University of Ghana Ethics Committee for Humanities (approval number ECH069/24-25). Participants were assured of confidentiality and anonymity, and pseudonyms were used in reporting. Data were securely stored and accessible only to the research team. Participation was voluntary, and participants could withdraw at any time without consequence.

Findings

The findings of the study have been thematically arranged as follows: type of offences committed, causes of offences, role of probation officers, factors that promote probation effectiveness, and the challenges encountered by probation officers.

Types of Offences Committed

The study ascertained the type of offences that the young offenders had committed that led to them being sentenced to probation. It was found that first-time offenders were the ones mostly sentenced to probation. A repeat offender was less likely to be sentenced to probation and more likely to be given a custodial sentence. The study found that the offences that the juveniles commit were theft (mostly stealing money) and causing harm (inflicting bodily injuries from fighting). Others were sentenced for defrauding by false pretense, and defilement (sex with a minor under 16 years old).

Causes of offences

The probation officers reported a myriad of reasons why the young offenders commit offences, including ineffective parental supervision, peer pressure/influence, and poverty.

Ineffective parental supervision: The probation officers reported that an analysis of the background of the young offenders reveals that inadequate parental supervision

is one of the reasons why young people commit offences. It was reported that young people whose parents were not exercising effective supervision give too much freedom to the young people and do not sometimes know the whereabouts of their children. Such children tended to do as they pleased and, in the process, ended up committing offences. As reported by a probation officer:

from my experience, about 90% of the juveniles that I have handled do not live with their parents, and when you contact the parent asking the whereabouts of the young person, most of the time the parents will say they don't know (Male participant, 4 years experience as probation officer).

Peer pressure/influence: Another reason why some juveniles committed offences was attributed to influence from friends. Thus, the inclination of a juvenile to undertake an activity is to impress his friends to court their admiration and respect. Several probation officers narrated stories of juveniles committing offences because friends had challenged them to do so, and the young people did not want to appear to be a coward in the presence of their friends, therefore, they did so and were later arrested. A probation officer narrated as follows:

One of the sad cases that I have dealt with involved a 14-year-old girl who followed her boyfriend to go and steal clothes. According to her, she requested her boyfriend to buy some clothes for her. One evening the boyfriend told her to come on operation with him to get the clothes but unfortunately, they were caught. She stated that she did not know that they were going to steal clothes (Female participant, 5 years experience as probation officer).

Poverty: Poverty was also reported as one of the reasons why young people offend. It was noted that the inability of some parents to provide the needs of their children drives such children to steal. Several probation officers narrated stories of juveniles whose primary offence was theft and noted that the monies stolen were not large amounts, indicating that the juveniles may not have stolen such small amounts if they had someone taking care of their needs. A probation officer stated that “many of the offenders are from poor families, and they try any means to survive, and they end up committing offences” (Male participant, 10 years experience as probation officer).

Role of Probation Officers

The study sought to find out what the probation officers do with children who come into conflict with the law. The probation officers reported that the roles they play with juveniles are acting as loco parentis; undertaking pre-sentence enquiries (writing of social enquiry reports); counselling the juvenile offenders; help with education and vocational training; supervision and monitoring; and involvement in civil court cases.

Loco parentis: It was reported that when the parents of a juvenile who has been arrested cannot be traced, a probation officer is required at the Police station to act as

the parent during the police interviews and during the trial of the juvenile. This is to ensure that the rights of the offender are respected, and their best interest safeguarded. The requirement for a probation officer to be present at the interview is stipulated in section 13 (2) of the Juvenile Justice Act 2003. A probation officer stated that “if the whereabouts of the parents of a juvenile is unknown, and sometimes the juvenile would refuse to tell where his or her parents are. In such cases, we stand in as the parents to the juvenile at the court” (Female participant, 6 months experience as probation officer).

Undertaking pre-sentence enquiries: Under section 24 of the Juvenile Justice Act 2003, a social enquiry report is required with recommendation to the Magistrate on the appropriate sentence for a juvenile. This social enquiry report is an assessment report prepared by the probation officer that details the family background of the offender, the circumstances leading to the offence, offending and educational history, and the impact sentencing could have on the offender, as well as recommendations of the best sentencing option in the child’s best interest. This enables the Magistrate to pronounce the most appropriate sentence after the trial. As narrated by a probation officer, “we play a key role in the trial of juvenile offenders by conducting social enquiries to advise the Magistrate... So normally the Magistrate adheres to the recommendations in the social enquiry report” (Female participant, 11 years experience as probation officer).

Counselling and public education: The probation officers further reported that they counsel juveniles who are on probation to enable them to see the consequences if they commit further offences. This enables the juveniles to desist from re-offending. An officer stated:

we give them talks to educate them on the consequences of re-offending. We let them feel guilty through our words, to appeal to their conscience so that they will not contemplate going back to commit offences (Female participant, 6 months experience as probation officer).

It was also reported that probation officers are supposed to embark on public education to visit schools, mosques, churches, families, and other places to speak to children and young people to deter them from committing offences. The Probation Desk Manual (2019) encourages probation officers to interact with vulnerable and at-risk children who could use guidance to keep them from coming into contact with the law. The probation officers reported that the public education function is not active due to funding challenges.

Help with education and vocational training: The study further found that probation officers ensure that juveniles actively engage in education and vocational skills training as part of reformation plans. This enables them to develop the necessary skills and qualifications to secure employment and reduce the chances of re-offending. An officer stated, “if the juvenile is interested in going back to school, I include that in my plan to enroll the child back in school with the consent of the parents. If he or she is interested in learning a trade too, I assist in getting that done” (Male participant, 10 years experience as probation officer).

Supervision and monitoring of offenders: The probation officers reported that their major role is supervising and monitoring the probationers. They noted that this role entails visiting young offenders in their homes, schools, and vocational training sites. Sometimes, the probation officers require the juveniles to come to the probation office to report themselves. It was stated that the monitoring and supervision role enables probation officers to ensure that the probationers adhere to the terms and conditions of their sentence. It was reported that as part of the monitoring role, probation officers are supposed to report regularly to the probation committee on the progress of probationers. Probation officers are also charged with supervising juveniles who have been released on license under section 51 of the Juvenile Justice Act 2003. The narratives of two officers are shared below:

“I visit them at home, and when I go to the home, I try to find out whether the probationer is behaving well. Whether he’s turned a new leaf or doing whatever he or she wants. sometimes I can go unannounced to see what the child is doing” (Male participant, 5 years experience as probation officer).

“I visit them at school too to get information about how the child is behaving and if the child attends school regularly. For those under apprenticeship, I meet the boss or master to find out how he is coping” (Female participant, years experience as probation officer).

Involvement in civil court cases: In Ghana, there is fluidity between probation officer and social welfare officer roles. The Juvenile Justice Act 2003 defines a probation officer to include a social welfare officer. Hence, in some districts, social welfare officers play the role of probation officers, and probation officers also play the role of social welfare officers. It is important to note that there are no specific courses available to become a probation officer in Ghana; most probation officers first train as social workers. The probation officers reported that they are involved in both civil and criminal court cases in the family and juvenile court. In the civil cases, they are involved in family disputes involving child maintenance, custody, and access, i.e., disputes during divorce proceedings over financial provision for children, who gets to live with the child, and contact arrangement for the non-resident parent. During the civil proceedings pursuant to section 48 of the Children’s Act, 1998, the court may order for a Social Enquiry Report under Section 50 of the same Act. This report is prepared by a probation officer or a social welfare officer to advise the court, and the court is obliged to consider the report in making its decision. A supervision order under the Children’s Act 1998 may be issued to a probation officer to supervise parents of children who are at risk or vulnerable.

Factors that promote probation effectiveness

The probation officers outlined a few factors that enable them to work effectively to reduce the chances of the juvenile re-offending. The factors outlined are collaboration with other stakeholders, change of locality, probationer involvement in decision making, and provision of material support to probationers.

Collaboration with other stakeholders: It was reported that since the probationers live in the community and are only seen by the probation officers during supervision visits, it is important for the probation officers to work together with other people, such as the parents, schoolteachers, and vocational skills instructors (known as masters and madams). According to the probation officers, these stakeholders have daily contact with the probationers and are better placed to provide information about the activities of the probationers in the community. As stated by an officer, “while we are not there, the master can look out for the young person’s behaviour, and when we visit, they give us information” (Male participant, 8 years experience as probation officer). Another officer also stated: “we don’t spend much time with the juvenile, so most of the time we get information from other people like the master, teachers, or anybody in the community” (Female participant, 11 years experience as probation officer).

Residential change: It was reported that, sometimes, to eliminate or reduce the chances of re-offending, it is helpful to change the locality of the probationer. Thus, if the probationer is left in the same circumstances, e.g., with the same circle of friends in the same neighbourhood, then they could continue to commit offences. However, probationers who are relocated to different locality are able to break their offending behaviour, especially for juveniles who commit offences as a result of peer influence. A probation officer stated:

sometimes it is the environment where they are being brought up could be having a negative effect on them. I worked with a young person who was living with his father and was offending, but when he went to live with his mother, she made sure that the boy changed, and he didn’t offend again (Male participant, 10 years experience as probation officer).

Probationer involvement in decision making: The involvement of probationers in implementing the supervision plan was reported to be another factor that promotes the effectiveness of probation in reducing reoffending. It was noted that involving the probationer in the design and implementation of the supervision plan helps them to take responsibility for their actions and the plan to rehabilitate them from re-offending. A probation officer stated that “engaging them in discussions and exploring ways to bring them back on track helps a bit in getting them to do the right thing” (Female participant, 4 years’ experience as probation officer). Another officer stated, “we don’t dictate to them, unless in extreme cases. We get them involved to let them see the consequences if they should go contrary to what has been agreed” (Male participant, 5 years’ experience as probation officer).

Provision of material support to probationers: Another factor that helps to reform probationers is when the probation officers show interest in their welfare. The probation officers reported that some probationers do not have anyone who takes care of them and therefore resort to offending behaviour to fend for themselves. Therefore, when probation officers make sure that the probationer is supported and provided for, it helps to change their offending behaviour. A point illustrated by a probation officer “one thing I have realized is that some of the young people feel neglected by their parents, so the moment they see that the probation officer is concerned about their welfare, they tend to turn a new leaf” (Female participant, 5 years’ experience as probation officer).

Challenges encountered by probation officers

The study found some challenges that the probation officers encounter in their work. These are: prosecution delays, resource and financial challenges.

Prosecution delays: Within the Juvenile Justice Act 2003, the court may remand a juvenile pending the final determination of the case. The probation officers reported that sometimes there are delays in the prosecution, which prolongs the period the remanded offender stays at the remand home. This is illustrated by a probation officer stating that “some prosecutors make our work more difficult. We have to chase them and sometimes remind them of court dates, and still some don’t come to court” (Female participant, 4 years experience as probation officer).

Resources and financial challenges: Probation officers encounter resources and financial challenges that affect their work. They are required to visit the probationers as part of their supervision role. However, the officers reported that they face resource constraints in effectively discharging this role. For example, they do not have vehicles to use for the visits, and some officers resort to using their personal monies to pay for transportation to visit the probationers. Several officers stated that “nobody gives you money to visit the young people; it is your own money that you use” (Female participant, 4 years experience as probation officer). Another officer stated, “if a child is put on probation, you have to visit the child, but you don’t get the funds to go there. We are using our own money to fund activities with young people” (Female participant, 5 years experience as probation officer). This has resulted in a situation where some probation officers reported that they do not undertake supervisory visits. An officer stated, “to be frank with you, the cases that I have handled so far, I have not gone to do any supervision visit. There is no car to take me there, and I cannot use my meagre salary to pay for transportation” (Female participant, 10 months experience as probation officer). Consequently, the probation officers require the probationers to come to the office instead of the officers going to the community.

Furthermore, some probation officers reported that office space and adequate office supplies for work are a challenge. As stated by a probation officer, “from printing papers to office space and vehicles to visit or transport juveniles is a huge challenge” (Male

participant, 4 years experience as probation officer). It was noted that when probationers come to present themselves as part of the reporting/monitoring requirements, there are no meeting rooms to provide them privacy in their interaction with the probation officers. Some probationers do not feel comfortable discussing their issues with their probation officers in the open office to the hearing of everyone who is present.

Discussion

This study explores the probation sentencing and juvenile re-offending in Ghana from the perspectives of juvenile justice practitioners. The study fills our knowledge gaps by addressing the following research questions: what is the role of probation officers within the juvenile justice system in Ghana? What factors influence the effectiveness of probation practices for juveniles in Ghana? What challenges do probation officers encounter in their work with probationers? The study has reported a myriad of reasons why juveniles commit offences: peer influence/pressure, inadequate/ineffective parental supervision, and poverty. The findings reported in this study are consistent with findings from other studies in Africa. A study by Mlay and Mpeta (2023) in Tanzania indicated that the primary causes of delinquent behaviours were identified as poverty (67%), peer influence (28.2%), and family dysfunction (4.9%). Another study by Lynch and Liefwaard (2020) noted that most juvenile offenders face poverty, dysfunctional households and limited parental involvement. These findings are consistent with the social ecology theory, which argues that juvenile offending emerges from the interaction of multiple environments, not any single cause. In the microsystem of the social ecology theory, it is argued that young people learn to engage in crime through their association with others because of peer pressure, modelling, and the normalization of illegal behaviour within youth culture.

The finding that a residential change could help to reform young offenders is consistent with Social Ecology Theory's argument that a person's residential location (within their immediate relationships and settings) is a substantial factor shaping the likelihood that the person will become involved in crime or other deviance. Thus, unsafe neighbourhood environments expose youth to reduced informal social control and likelihood to engage in deviance. This finding is further supported by Abrah (2019), who found that living in the same environment that the juvenile committed the offence can have negative implications. Abrah (2019) has observed that residential change is critical for desistance. The social ecology theory assumes human capacity for change arising from interactions and relationships within the subsystems. In this vein, relationship quality is important. According to Johns et al. (2017), positive relationships develop positive identities, which is crucial in preventing re-offending since negative relationships may 'push change away' (Johns et al. 2017) and make offending more likely. However, positive relationships can 'open the door to influence' and 'move change closer'. As noted by Johns et al. (2017) positive mesosystems support positive microsystems. Consequently, within a

juvenile offender's microsystem, changing their residence from where there is negative relationship to that where there is positive relationship could effectively induce change of behaviour.

By the nature of probation, it is usually confined to the criminal justice system. However, in the case of Ghana, the study found that probation officers undertake roles beyond the criminal justice system. Probation officers in Ghana work at the juvenile and the family court, and the cases they handle are both civil and criminal cases. This seems to be unique to Ghana due to limited resources and institutional capacity. Probation officers work under the Department of Social Welfare. Since the Department does not have the resources to recruit adequate staff, it has maximized its workforce utilisation by extending their job roles. As to whether probation officers find this dual role (criminal and civil cases) helpful is beyond the scope of the current study. Nonetheless, this dual role is not best practice since probation is a specialised role that should not be conflated with other social work roles. In Kenya, probation is part of the Prison Service under the Ministry of Interior (Okech, 2023).

The study's finding that collaboration with other stakeholders and involvement of the young offenders in decision-making are factors that promote reformation are consistent with the Social Ecology Theory, which argues that social interactions are crucial in influencing behaviour change. SET at the macrosystem posits that cultural, societal, and structural forces shape how youth are treated and how they view authority. The support from parents, teachers, and other members in the community, in addition to the involvement of the juveniles in the design and implementation of the probation plan, as interaction within the macrosystem motivates juvenile offenders to desist from committing further offences. This highlights the importance of regular interactions that are meaningful to juveniles, and that such interactions can effectively alter their offending behaviour. By involving the juveniles in decision-making, the probation officers have also demonstrated respect for the rights of young people to participate in decisions concerning them, as contained in the UN Convention on the rights of the child 1989; African charter on the rights and welfare of the Child 1990; Ghana Children's Act 1998; and the African Youth Charter 2006. This underscores Ghana's commitment to promoting the human rights of children in conflict with the law. This finding is contrasted with findings from a study on juvenile justice in Cameroon, in which the author concluded that "much still needs to be done in terms of practice in order to ensure compliance with the human rights standards. This hinders the proper administration of juvenile justice and acts as an obstacle to the main goal of juvenile justice system set by international human rights instruments" (Tchana, 2025).

The resources and financial challenges identified in this study affect the ability of the probation officers to effectively deliver their roles. This is particularly demonstrated at the district level. For example, the Juvenile Justice Act 2003 requires police officers to contact a probation officer to come to the police station to be present at the interview of a juvenile. At the district level, the distance between the police station and the social

welfare office is not a reasonable walking distance. Therefore, in the absence of a car or money for transportation, the probation officer is unable to attend to the police call. Sometimes, the family of the juvenile is cajoled to pay the cost of transportation. This practice is consistent with the findings in Adu-Gyamfi (2019), in which social welfare officers required families to bear the cost of undertaking the pre-sentence report in return for favourable recommendations.

Furthermore, probation officers are required to regularly report on juvenile offenders' progress to the probation committee. The committee is expected to meet quarterly to review each young offender's compliance and progress towards reintegration. The resource and financial constraints have resulted in the collapse of the probation committee due to the non-payment of allowances that the members of the committee are supposed to receive. This is consistent with findings from other studies on the juvenile justice system in Ghana, where committees/panels collapse due to non-payment of allowances (e.g. Adu-Gyamfi, 2019; Hoffman & Baergg, 2011).

Probation officers are also required by the Juvenile Justice Act 2003 to provide aftercare/reintegration of young offenders. They are required to supervise probationers who have been discharged from a correctional facility for six months after release. The inadequate resources have resulted in the shirking of this responsibility. The lack of adequate resource allocation to the Department of Social Welfare for effective social work practice in Ghana is well-documented over the years (see Agbitor, 2012; Ame et al., 2020a; Aryeetey et al., 2012; Laird, 2011). The perennial under-funding of social welfare in Ghana could be attributed to the low priority accorded to social welfare by the Government of Ghana. Resource constraints' impact on the effectiveness of services has been noted globally, with Zagory (2023) concluding that inadequate resources hinder positive environment for growth and change.

Limitations of the study

The study has one primary limitation. The findings reported are from the perspectives of probation officers. The study did not capture the views of probationers and their parents. Future studies should capture the perspectives of these other stakeholders.

Implications for policy and practice

The findings underscore the critical role of probation officers in facilitating rehabilitation and reducing juvenile reoffending through individualized support, family engagement, and community-based interventions. However, the effectiveness of probation sentencing depends on adequate institutional resources, specialized professional training, and stronger inter-agency collaboration. This highlights several key areas for policy action to strengthen juvenile probation services in Ghana. First, adequate resourcing is essential: financial and logistical support, including transportation and operational allowances, would enable probation officers to supervise juveniles effectively, attend police interviews,

and maintain functional probation committees. Second, rehabilitation and residential interventions should be prioritized to remove juveniles from high-risk environments and place them in supportive settings, reducing re-offending and promoting positive reintegration, in line with Social Ecology Theory. Third, youth participation and stakeholder collaboration should be institutionalized, ensuring that juveniles, families, schools, and communities are actively involved in probation planning, consistent with international and national child rights frameworks.

Conclusion

This study used the social ecology theory and data from probation officers to identify the factors that promote the effectiveness of probation practice in Ghana, as well as the challenges encountered by probation officers. Findings indicate that reintegration and reducing reoffending is influenced by stakeholder collaboration, pursuit of conventional goals such as education and vocational skills, and involvement in decision making. The probation officers were found to be discharging their roles effectively, although they encounter several challenges that affect their ability to discharge all their duties and responsibilities. This study has outlined the responsibilities that have been affected by the challenges encountered. The study has reaffirmed that juveniles' reformation is contingent on the interactions in their systems, including family, community, legal, and the services that they receive. The social ecology theory illustrates the importance of professional networks and structures that surround juveniles to support their optimal development and help them to desist from further offending. The study has reiterated some factors that help juveniles to desist from re-offending.

Disclosure statement

No potential conflict of interest was reported by the author(s).

ORCID

Prince Boamah Abrah  <https://orcid.org/0000-0001-6451-8755>

Jones Adu-Gyamfi  <https://orcid.org/0000-0002-5339-9217>

References

- Abrah, P. B. (2017). Juvenile Sentencing and Re-offending in Ghana: Implications for Law and Practice. *Ghana Social Science Journal*, 14(2): 252-252.
- Abrah, P. B. (2019). Labeling theory and life stories of juvenile delinquents transitioning into adulthood. *International journal of offender therapy and comparative criminology*, 63(2), 179-197.

- Adu-Gyamfi, J. (2019). Ghana's Child Panels: Effective Child Protection and Juvenile Justice System or Superfluous Creation? *British Journal of Social Work*, 49(8): 2059–2072
- Agbitor, K. (2012). *Addressing domestic violence cases in Ghana: A study of the practical methodologies of Accra Regional DOVVSU*. MPhil thesis, University of Ghana.
- Ame, R. (2017). The juvenile justice system in Ghana: an overview. *Ghana Social Science Journal*, 14(1), 1-30.
- Ame, R. (2019). Towards a relevant and sustainable juvenile justice system in Ghana. *Journal of Global Ethics*, 15(3), 250-269
- Ame, R., Ayete-Nyampong, L., & Gakpleazi, D. A. (2020a). Ghana's juvenile justice system: Assessment of selected formal juvenile justice institutions and agencies. *Ghana Social Science Journal*, 17(2): 46-69.
- Ame, R., Ayete-Nyampong, L., & Gakpleazi, D. A. (2020b). 'There's no functioning child panel in this region': an assessment of child panels in Ghana's juvenile justice system. *Contemporary Justice Review*, 23(4):373-400
- Anku, D. A. (2022). *The effectiveness of the Ghanaian Juvenile Courts: the gap between policy and practice* (MADissertation, Memorial University of Newfoundland).
- Aryeetey, B. E., Afranie, S., Andoh, P., Doh, D. & Antwi-Boasiako, T. (2012). *Where Should We Stay? Exploring the Options of Caring for Orphans and Vulnerable Children in Ghana*. Centre for Social Policy Studies, University of Ghana.
- Asamoah, J. M. (2021). *Juvenile Justice Administration in Ghana* (Doctoral dissertation, Walden University).
- Baffour, F. D., Francis, A. P., Chong, M. D., & Harris, N. (2024). Prison overcrowding and harsh conditions: health and human rights concerns to persons in custody, staff, and the community. *Criminal Justice and Behavior*, 51(3), 375-400.
- Boakye, K. E., & Akoensi, T. D. (2021). Doing time: Young people and the rhetoric of juvenile justice in Ghana. In *The Palgrave International handbook of youth imprisonment* (pp. 77-103). Cham: Springer International Publishing.
- Boakye, K. E., Akoensi, T. D., & Baffour, F. D. (2022). Rehabilitation in Ghana: Assessing prison conditions and effectiveness of interventions for incarcerated adults. In *The Palgrave handbook of global rehabilitation in criminal justice* (pp. 201-218). Cham: Springer International Publishing
- Dako-Gyeke, M., Adam, A., & Mills, A. (2020). The Quagmire of Juvenile Delinquency: Perspectives of Inmates and Officers in a Correctional Facility in Accra, Ghana. *Deviant Behavior*, 43(2): 241-257
- Department of Social Welfare (2019) Probation desk manual. Accra, Ghana.

- Drake, D, Fergusson, R & Briggs, D. (2014). 'Hearing new voices: Re-viewing Youth Justice Policy through Practitioners' Relationships with Young People', *Youth Justice*, 14(1): 22-39
- Fox, C., Harrison, J., Hothersall, G., Smith, A., & Webster, R. (2022). A rapid evidence assessment of the impact of probation caseloads on reducing recidivism and other probation outcomes. *Probation Journal*, 69(2): 138-158.
- Haines, K & Case, S. (2015). *Positive Youth Justice: Children First, Offenders Second*. Bristol Policy Press.
- Hoffman, S. & Baergg, C. (2011). Juvenile justice in Ghana: A study to assess the status of juvenile justice in Ghana. *Commonwealth Human Rights Initiative*, 1–29.
- Johns, D.F, Williams, K. & Haines, K. (2017). 'Ecological Youth Justice: Understanding the Social Ecology of Young People's Prolific Offending', *Youth Justice*, 17(1): 3-21.
- Laird, S. E. (2011) 'Social work with children and families in Ghana: Negotiating tradition and modernity', *Child & Family Social Work*, 16(4): 434–443.
- Lynch, N. & Liefwaard, T. (2020). What is Left in the 'Too Hard Basket'? Developments and Challenges for the Rights of Children in Conflict with the Law. *International Journal of Children's Rights* 28, (1): 89–110.
- MacKenzie, D. L., Browning, K., Skroban, S. B., & Smith, D. A. (1999). The impact of probation on the criminal activities of offenders. *Journal of Research in Crime and Delinquency*, 36(4): 423-453
- Mlay, C. & Mpeti, I. (2023). Factors Associated with Juvenile Delinquency: A Case of Arusha Juvenile Remand Home in Arusha City-Tanzania. *East African Journal of Interdisciplinary Studies*, 6(1): 147-161.
- Okech, C. (2023). *Juvenile justice in Kenya and the management of children involved in violent crimes*. A public lecture held at the Ministry of Justice, Headquarters, Tokyo-Japan, 27th January 2023
- Omboto, J. O. (2022). An Analysis of Probation Service Order and Its Application in Kenya. *Open Journal of Social Sciences*, 10(4): 111-120.
- Osei, A. B. (2013) *Evaluating the effectiveness of Ghana's juvenile justice system in rehabilitating the offender*. BA Dissertation, Ashesi University, Ghana.
- Reynolds, P., & Hicks, J. (2015). 'There is no justice in a police department': a phenomenological study of police experiences. *Police Practice and Research*, 16(6), 469-484.
- Saldana, J. (2021). *The coding manual for qualitative researchers*. 4th ed. London: Sage publications.

- Sharma, L. R. (2026). Choosing the Right Non-Probability Sampling Design in Research. *International Journal of Atharva*, 4(1), 113-129.
- Sibisi, M & Warriia, A. (2020). Challenges experienced by probation officers working with children in conflict with the law in the Johannesburg Metro Region (South Africa). *Children and Youth Services Review*, Volume 113. DOI: 10.1016/j.childyouth.2020.104949
- Smith, A., Heyes, K., Fox, C., Harrison, J., Kiss, Z., & Bradbury, A. (2018). The effectiveness of probation supervision towards reducing reoffending: A rapid evidence assessment. *Probation Journal*, 65(4): 407-428.
- Snacken, S. (2010). Resisting punitiveness in Europe? *Theoretical Criminology*, Vol. 14(3): 273–292
- Soung, P. (2022). Is Juvenile Probation Obsolete? Re-examining and Re-imagining Youth Probation Law, Policy and Practice. *Journal of Criminal Law and Criminology*, 112 (3):549-592.
- Tchana, A. N. (2025). Compliance of juvenile justice administration in Cameroon with the human rights based approach. *International Journal of Current Science Research and Review*, 8, (2): 631-649
- Zagory, E. (2023). Overcoming challenges in the juvenile justice system: A comprehensive review. *Addiction and Criminology*, 6 (5):172
- Zhang & Creswell (2013). The use of “mixing” procedure of mixed methods in health services research. *Medical care*, 51(8), e51-e57.