



# Exploring the Perspectives of Lawyers to Study the Criminal Justice System's Support of Domestic Abuse Victims in Jamaica

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### ABSTRACT

Domestic violence in Jamaica can be contextually understood through the lens of radical feminism and social learning theory. The theoretical underpinnings used in this study served to explain the patriarchal social structures, intergenerational transmission of intimate partner violence, and normalization of this behavior. This phenomenological study served to explore and examine the criminal justice system's support of victims of intimate partner violence and results indicated reforms to improve initiatives to eradicate this violent conduct. The data collection method was using semi-structured interviews of 12 lawyers in Jamaica, functioning in a legal capacity as prosecutors and family law practitioners, and analyzed using thematic analysis. The results indicated that the criminal justice system reduces the incidences of domestic violence through punitive measures and support via counseling, mediation, and protective orders. Although prosecutors were quick to dismiss domestic violence cases, victims were reported to be disillusioned with unreasonably long court delays, and violations of protection orders were leniently penalized. The findings indicated that broadly, law enforcement often did not consider intimate partner violence a criminal act, victims lacked privacy when reporting cases, and security checks were not undertaken before allowing victims to return to their attackers. The recommendation is for mandatory and ongoing gender-based violence training for law enforcement, the judiciary, and prosecutors. This study will contribute to existing knowledge and provide the criminal justice system stakeholders with evidence-based findings to transform responses to domestic abuse resulting in positive social change.

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### Introduction

This study involved exploring the criminal justice response to domestic violence (DV) victims on the island of Jamaica. Although it is not uncommon for females to perpetuate gender-based violence, a disproportionate number of males are perpetrators and involved in intimate partner violence (IPV) occupy a place of prominence in Jamaican society. DV is an international dilemma that is pervasive and complex in terms of its presentation, with variations in its definition. Comprehending gender-based violence (GBV) has significantly benefited from collaborative scholarships, activists, and DV advocates who have frequently sought to define the behavior, its detrimental effects, and cultural and structural factors that precipitate the act. This violent phenomenon is also described as a misguided use of power to control another through fear and violence, including physical and sexual assaults and financial, social, and psychological abuse (Kaur & Garg, 2008, p.3-76). IPV is defined as a pattern of behavior in any relationship that is used to gain or maintain power and control over an intimate partner. Abuse is physical, sexual, emotional, economic, or psychological actions or threats of actions that influence another person. The aforementioned includes any behaviors that frighten, intimidate, terrorize, manipulate, hurt, humiliate, blame, injure, or wound someone (United Nations, 2020).

The mandate of Jamaica's criminal justice system (CJS) mandate is to hold offenders accountable for unlawful conduct, ensure victims' safety, and promote equality in terms of processes when confronting challenges posed by gender-based violence (Cubells & Calsamiglia, 2018, p.107-127). An effective CJS involves creating a victim-friendly space and promoting best practices through training for all justice administrators. I examined the CJS in Jamaica for victims of gender-based violence and offered recommendations for improved administration of justice regarding IPV.

### Background Information

Jamaica's CJS is based on English common law since the British captured the island in 1655 (Black & Ferguson, 2020). A central aspect of the move toward gender justice is critiquing society's institutional structures that create and reinforce male superiority. The subjugation of women was historically and definitively articulated in English common law, which gave the husband proprietary rights over his wife, and such rights extended to dominance over her property and daily life (Smith, 1990). A husband was empowered to discipline his wife physically and could severely chastise her with whips and clubs for certain infractions irrespective of socioeconomic standing (Smith, 1990). Society and law accepted physical violence against the female adult, which suspended her right to co-exist within an intimate relationship

as an independent person with decision-making capacity. As a former colony, Jamaica would be bound to follow the substantive and procedural criminal laws that govern England.

### **The Problem Identified**

Domestic violence has been a longstanding silent epidemic in Jamaica. 25.2% of women are physically assaulted, 7.7% are sexually assaulted in their relationships, and 27.8% experienced a lifetime of IPV (Watson-Williams, 2016). Despite the high incidence of lethal and nonlethal domestic violence in Jamaica, CJS encompassing courts and law enforcement has failed to meet victims' needs (Harriott & Jones, 2016). The current Domestic Violence Act 2004 permits DV victims to seek the courts' protection by granting protection orders. Law enforcement officers can apply for these orders to protect victims of their own volition. A penal note is attached to orders such that violations are punishable by a fine, imprisonment, or both.

Existing legislation narrowly defines domestic violence to the extent that certain abusive acts are excluded from statutory oversight. This creates uncertainty concerning interpreting statistical data of intimate partner crimes which is invaluable to understanding DV's scale as a social problem. Legal definitions influence how the legislative texts are interpreted to regulate citizens' conduct and protect them from an arbitrary explanation of state power. Definitions ensure legal certainty such that the behavior of officials is predictable, and the populace can organize their lives in a manner so as not to break the law. Importantly, having an explicit legal definition of IPV is fundamental to enable researchers, policymakers, criminal justice administrators, community support groups, and other advocates to have a single legal perception of illicit conduct. Also, several specifics are lacking regarding victim assistance and support offered to victims. These legislative deficiencies disproportionately affect children and adult females and engender distrust in justice.

### **Aim and Purpose of Research**

This phenomenological study aimed to explore the perspectives of prosecutors and family law practitioners regarding approaches to IPV by the CJS in Jamaica. Prosecutors and family lawyers were selected as participants as they understand the CJS's support of victims from their engagement in civil litigation and criminal cases. Given the unique position of lawyers' interaction with victims, courts, and law enforcement in the justice system, they are well-placed to provide invaluable insight as insiders, advocates, and criminal justice reformers. The sample population of family law practitioners was drawn from the General Legal Counsel database using purposive sampling, and the snowballing technique was used to recruit prosecutors. The data collection method involved the use of semistructured interviews, as the aim was to explore perspectives on the phenomenon and propose recommendations, which may serve to improve or repair the current system.

### **Principal Research Question**

The overarching research question for this qualitative study, which aimed at exploring the support of the Jamaican criminal justice system for victims of domestic violence from the perspectives of family law practitioners and prosecutors was:

*RQ:* What are the perceptions of family lawyers and prosecutors regarding the role the criminal justice system in Jamaica plays in terms of supporting victims of domestic violence?

### **Theoretical Framework**

The radical feminist theory (RF) served as the conceptual underlying framework, Feminism, at its most rudimentary level, denounces patriarchy. In the 1960s and 70s, frameworks for social justice with varying theoretical and political strands of opinion emerged. In the United States, from the social ferment of that period, what was typically called "wave second-wave" feminism (Jensen, 2021). The second-wave feminist view was identified in multiple ideologies, including radical feminism, a social movement that, at its core, was furthering the cause of women socially, politically, and legally (Encyclopedia, 2017). As a political mobilizer, RF served to end male dominance in social and economic areas of life and repudiated the notion of opposite natures of females and males as being sexist (Willis, 1984, p. 91-118).

### **Orientation of Study**

A qualitative study was conducted to explore the support offered to DV victims by Jamaica's CJS. The study aimed to describe the viewpoints and perspectives of family law practitioners and prosecutors regarding interactions between IPV victims, courts, and law enforcement using a phenomenological approach and thematic analysis of data. This data analysis comprised a series of steps taken to code and theme responses, which provided commonalities for analyzing respondents' perceptions. The study included interviews with 6 family law practitioners and 6 prosecutors with post-qualification experience from at least 2 years for prosecutors and 5 or more years for family law practitioners. Semi-structured interviews were conducted using open-ended questions allowing respondents to describe their interactions with victims, law enforcement, and the courts.

### **Study Significance**

This study was used to understand how courts and law enforcement support initiatives involving assisting victims from the perceptive perspectives of prosecutors and family lawyers. The study's findings may be valuable for lawyers, policymakers, and legislators in fulfilling their quest to understand the support offered and best practices to ensure improvements. Jamaica has created the National Strategic Action Plan for 2016-2026 to eliminate gender-based violence. The government seeks to enact laws that offer more protection to women against DV. The plan also involves protective measures, support services for victims, and steps to provide public education to overcome ingrained attitudes and practices. This study will help refocus objectives to undertake an inclusive and holistic approach involving supportive initiatives for victims of all forms of IPV.

### **Research Design and Rationale**

A qualitative methodology was deemed best suited for this study, as it allowed for understanding the views and perceptions of the lawyers regarding the support offered to victims by Jamaica's CJS. The invocation of qualitative methodology facilitated an in-depth exploration of the phenomenon studied and served in discovering fresh understanding and perception in systematic support that the CJS offered. I explored why events took place and what these meant to the respondents.

The purpose of this phenomenological study was to explore the perceptions of family lawyers and prosecutors regarding the criminal justice system's support for victims of domestic violence in Jamaica. Study participants were chosen for their involvement with the administration of criminal justice, which deepened their understanding of the system's

functionality and how victims' behavior patterns affect criminal justice advocates' efforts to offer meaningful support.

The overarching research question was: *RQ*: What are the perceptions of family lawyers and prosecutors regarding the role the criminal justice system in Jamaica plays in terms of supporting victims of domestic violence?

#### **Data Collection and Analysis**

Data was collected by interviewing 11 participants. The interviews were audio recorded on the Otter application and simultaneously transcribed by the application. All participants were aware that they were being recorded, and they all gave their consent. The average time for each interview was 40 minutes. There were deviations regarding the number of prosecutors used and the post-qualification experience of family lawyers, which were addressed above. The deviations did not impact the authenticity of the data collection process but ensured that the information gleaned was sufficiently robust and potent to answer the research questions. There were no unexpected or unusual circumstances emanating from the data collection process.

All interviews were audio-recorded and simultaneously transcribed using the Otter application. The transcriptions were uploaded to NVivo software for analysis for coding. As the researcher, I spent a considerable amount of time undertaking a comprehensive analysis of the data, using the six-step formulation of Braun and Clarke (2006). While analyzing the data, outlier responses deviated from the patterns that emerged from the data. These contrary responses were not discarded, as they were useful in the understanding of the CJS from the perspective of lawyers with dissenting views (Allen, 2017). P9 for instance, did not think that any changes were needed to concerning law enforcement and the courts to support domestic violence victims more effectively and stated that:

The support is there, and they are encouraged to bring their matter before the court so I don't know what more could be done. I'd have to think out of the box. Maybe the only thing that they could do more wouldn't be the court or police but the from the Ministry.

However, when the same question was put to the other participants, except for participant 1 who offered no response, the others indicated the changes they wanted in CJS. P3 said:

I would like people who are victims of domestic violence to have the police visit them. Because some of the victims are psychologically and socially harmed. So, I would say if there were homes for the victims to go to for a while meet other people who have gone through or have same the circumstances, they could be supporting of each other.

P5 stated:

Well, I would like every policeman personnel in this country to get training. So, I am hoping that the training that policemen get will sensitize them to domestic violence and I hope they will take that training seriously. And I said earlier on, is whenever there is a complaint that the complainant be given support in terms of emotional, and psychological counseling, you know, to prevent further incidences.

P11 indicated that:

The support that I would perhaps see is to make counselling widespread and to educate people that these services are available. When I talk to people, I am talking about prosecution and includes the court's system and support staff. Educate the prosecutors so that they know these systems are in place. I think that when you have return dates court staff should not stay in the office but come into the court to listen.

#### **Reporting Results**

The focal point of theme creation was based on the research questions and was organized in that manner. Regarding the RQ, the findings suggested that Jamaica's CJS plays a significant role in the legal landscape on the island. The system is a multifaceted creature serving different purposes, namely inbuilt deterrence mechanisms such as incarceration and rehabilitation. There is also a preventative component to administering justice on the island in protection orders granted in domestic violence cases and heard in the family or parish courts under the Domestic Violence Act 2004. The findings also indicated that the CJS has a prosecutorial role and offers mediatory solutions to victims of domestic violence.

The findings also indicated that the courts afforded significant support to casualties of IPV. The participants indicated that court personnel assist the victims in navigating the court process; the courts refer victims to counseling, grant access to the victim support unit, and utilize special measures where the victims' evidence can be given through video links if victims are fearful of testifying in court. Children who are exposed to abuse are also referred to counseling.

The results from the study indicated that the courts at times fail in their mandate to protect victims of IPV, such that the victims often see sentences as lenient, leading to their noncooperation. Special measures are suggested to be infrequently used even when they are unequivocally required due to the victims fearing giving evidence. Prosecutors are also swift to drop cases if a victim refuses to engage with the court process without using their evidence in the proceeding. The conclusion from the study was that there were usually unreasonable and inordinate delays that in some instances spanned years before the matter is brought to trial and that the court system is backlogged. The study findings revealed that victims and abusers occupy the same space in many courts on the island while waiting, sometimes for hours, to have matters called on. Consequently, victims who are fearful resort to standing outside under trees.

As it relates to law enforcement, their support for victims of domestic abuse is laudable in some instances. It was found that police officers will often visit the offenders' homes to give them a warning, that the community branch of the police force is often quick to respond to incidents when they are called, that some officers are described as being courteous and encouraging and that they assist victims in getting protection orders. Further, officers have become more sensitive to domestic violence due to femicide on the island increasing exponentially in recent times.

Additionally, the Centre for the Investigation of Sexual Offences and Child Abuse (CISOCA) was created in 1989 in the Jamaican Constabulary force due to the necessity for police sensitivity to victims of sexual assault. The objective was to enhance confidentiality when taking reports and ensure an expeditious investigation of the cases (Global Allegation Database on Violence Against Women, n.d.). The findings suggested that CISOCA occupies a referral role for victims of sexual assaults, some of whom are DV victims.

Despite the commendable actions of the police, the findings highlighted those police officers are known to express an overtly negative attitude towards victims and investigations in DV cases. It was found that officers are slow to respond to prosecutors when requests are made to provide evidence; officers are reluctant to take a report from victims fearing their lack of engagement will lead to the case being dropped or investigation being stalled. The results showed that officers

often make insensitive comments when capturing the victims' reports and often vacillate in acting on the information. The findings further indicated that periodically, statements will disappear and lack continuity in file preparation where an officer ceases to manage a case for any reason. Furthermore, officers were tardy in preparing a matter for trial, resulting in undue delay in court proceedings relating to an incomplete investigation or evidence gathering.

The study findings were coded and organized by themes. Using codes contributed to the emergence of themes, and the quotations from the prosecutors and family law practitioners included in the analysis. From the responses of the prosecutors and family lawyers, one major theme emerged, notably that the CJS has a significant role to play in supporting IPV victims. This theme was supported by a subtheme:

The results presented only reflect prototypical responses, one from each group of professionals. P 10, a prosecutor, saw the CJS as a deterrent to the offender but doubted its efficacy:

I see it as a deterrent. As to whether it is effective, I am going to make my comment about that, but it is supposed to be a deterrent. If it is that applicant has come to us and she has explained, like today I had one who said I'm finished, I'm out of this relationship but the gentleman is not accepting. She has a medical, she has a broken nose [information omitted as confidential]. She's embarrassed. [confidential information omitted].

P 4, a family law practitioner, expounded on other supportive functions of the CJS by asserting that the system guarantees penalty in the form of incarceration and mediation of the offender:

So, the aim is really to stop the abuse by, you know, the person being incarcerated. Some steps are being taken towards their abuser whether through mediation um you know or the courts intervene by incarceration.

#### **Principal Emergent Theme: – Recommendations for Improvements**

P1 did not contribute to this theme, which meant that only 91% responded. P 1 conceded that at this stage there was nothing that could be added in respect of what improvements would look like, although there was a clear indication that processes and procedures would need to be addressed. P 9 was the dissident, as this individual did not consider that any improvements were necessary as the courts and law enforcement were doing all they could do despite the system's deficiencies. P9 stated that: I think the justice system has been quite effective. The victim has to put themselves before the court. When they do come before the court, I think the matters are dealt with efficiently not just to solve the issue at hand, but on the undercurrent. The support is there, they are encouraged to bring them up before the court so I don't know what more could be given. I'd have to think out of the box. Maybe the only thing that maybe they could do more, it couldn't be the court, no police because it would have to be from the Ministry. Because they are also doing that to say, you know, report domestic violence and so forth. You see that sometimes on television they are saying report domestic violence.

#### **Summarized Discourse**

The purpose of this phenomenological study was to explore the support given to victims by Jamaica's CJS through the lens of prosecutors and family law practitioners through data collection using structured and semi-structured interviews. The evolving themes made apparent that both the police and the courts have not consistently offered support to

DV victims, and the level of support is dictated by victims' actions, which may be prohibitive.

The participants perceived that the extent of CJS support to DV victims hinged on the sufficiency of human and financial resources, proactive procedures, and practices of administering justice, effective laws, sociocultural sensitization to DV as detrimental conduct, and an understanding of the complexities of IPV. Amongst the many strategies proffered by participants for a better support system, training of court staff, law enforcement, the judiciary, and prosecutors is paramount.

I provided an overview of the CJS related to law enforcement and the courts only and did not address correctional institutions. The system practices, policies, procedures, and legislations operate as a deterrent via incarceration and penal sanctions for offenders who commit IPV, which aims to prevent or decrease such violence. The system also implements safety measures for victims through counseling, mediation, protection and occupation orders, and restitution.

The findings highlighted the courts' support of mediation, counseling, referral to the victim support unit, use of special measures in court, and referral to CISOCA for persons who are victims of sexual assaults. The results highlighted a significant number of flaws in terms of prosecution of cases, including prosecutors' swiftness to dismiss matters where victims fail to engage in the prosecutorial process; cases are subjected to unreasonably long delays before trial to the disillusionment of victims; infrequent use of special measures; lenient sentences; and victims being forced to mingle with offenders at court in DV cases.

Regarding the police, the findings revealed, that the system offers support to victims in that the community-based police officers respond expeditiously to domestic incidences, encourage DV victims to seek protection orders, and warn perpetrators of IPV to cease the behavior. Also, participants believed that law enforcement is sometimes courteous and sympathetic to victims, and they make referrals to relevant agencies within the police department to support victims. Even though the support is laudable, deficiencies continue to exist. The results demonstrated that the attitude of officers needs to be realigned with the mandate of law enforcement, which is to protect and service citizens, including DV victims. The overwhelming view of participants was that there was a lack of DV training for police, judiciary, prosecutors, and other court staff, and officers are tardy in investigating and evidence gathering in IPV cases.

The interviewed participants seemed to believe that there is a significant time lapse in allocating a case to another officer due to transfer or relocation of duty impacting continuity for the victim. The findings also highlighted that victim statements are not securely stored, increasing the chance of them being lost. Victims usually do not find privacy when reporting cases, and safety checks are not undertaken before allowing victims to return home to their abuser. Law enforcement is also unsure of appropriate response to domestic incidences not featuring physical assault.

Participants provided a plethora of recommendations that, if implemented, could reform the criminal justice system. Suggestions put forward covered training for all who interact with victims, increasing the number of social workers and victim care officers in court, fast-tracking domestic violence cases, and having separate courts and law enforcement departments to deal with domestic violence. Further,

prosecutors should use special measures more frequently and not be too quick to dismiss cases, and separate waiting areas should be created for victims and offenders in court.

### **Interpretation of the Findings**

In interpreting the findings, I discussed each theme and subtheme within the context of the literature on criminal justice support for victims of IPV. The data provided insight into the perceptions of family law practitioners and prosecutors regarding the adequacy of the CJS to assist victims of IPV, practical strategies used, practices that are detrimental to victims, and their recommendations for improvement.

### **RQ: Role of Jamaica's CJS**

In addressing the principal RQ, the interview transcripts of all participants were themed. A single major theme emerged that the CJS occupied a significant place in the legal environment in Jamaica. The composite perception was that the criminal justice roles feature deterrence and rehabilitation, protection through civil remedies- protection orders, mediation, counseling, occupation orders, and restitution, and prosecution. The participants believed that victims' safety is placed at the core of the CJS mandate of ensuring justice and safety for the citizens by undertaking these roles. The functions of deterrence, protection, and prosecution offer DV victims' assurance that offenders can be dissuaded or be restrained from future asocial conduct and experience behavior modification once they engage with CJS.

The study is grounded on the SLT theoretical framework and provides insight into understanding the importance of deterrence as a means of differential reinforcement, which among other things, suggests that the objective of punishment is to reduce reprehensible conduct and increase behaviors that will gain societal acceptance (Shadmanfaat et al., 2018). Consequently, the victim of IPV expects that offenders' engagement with the justice system will reduce verbal, physical, emotional, and economic aggression against them.

Respondents also described the CJS as extending a protective arm to victims through civil remedies such as counseling, mediation, and occupation and protection orders. Occupation and protection orders are granted under the Domestic Violence Act 1996 (amended 2004) with discretionary judicial powers. Though not covered by statutory provisions, mediation and counseling are widely encouraged as a dispute resolution strategy and ordered by Judges adjudicating in DV cases. I examined protection orders from Australian jurisdiction, which is persuasive and instructive in Jamaica's jurisprudence, and similarities and differences were found.

Amongst the protective roles, the participants perceived the CJS to refer IPV to mediation. The use of mediation in DV cases is a legal and ethical conundrum and controversial in domestic abuse cases. Opponents explained the inappropriateness of the power imbalance between the victim and the offender (Palij, 2013). Proponents reckon that the willingness of the parties and a process with protocols around safety planning and using trained staff negates the power differential that may exist (Holtzworth-Munroe et al., 2021). The conciliation of both viewpoints brings the third strategy into focus to support victims that the appropriateness of mediation relies on the facts and analysis of each case after dialogue with the victim (Palij, 2013). The victim should be allowed to make an informed decision as to whether she chooses the more adversarial route in the criminal courts or mediation as the best fit for her circumstances.

The radical feminist theory was the conceptual underlayment for this study> The system is faced with a dilemma regarding the use of mediation in IPV cases. The philosophy of conforming radical feminists is that conventional legal pedagogy is enshrined in the patriarchal interpretation of the law (Rifkin, 1984). This is symbolized by an adversarial system that empowers the dominance of one gender over another; mediation challenges the presuppositions by supporting discourse between the genders (Rifkin, 1984). Also, mediation is compatible with the female code of behavior, while litigation favors the male standard of all-or-nothing behavior (Field, 2004). RF views the accusatory and class-conscious form of litigation as exemplifying a patriarchal system but sees mediation as a natural process for females (Field, 2004; Maxwell, 2007).

Non-confirming radical feminists to the use of mediation in DV cases have served to explain that in a culture of male domination, mediation is shaped by patriarchal ideology to obtain a congruent goal (Maxwell, 2007). The privacy of the mediation process prevents any robust assessment of whether hegemony exists, either by the male partner or by mediators unable to manage the process; accordingly, mediation should be avoided (Maxwell, 2007). Radical feminists are divided on the appropriateness of mediation in the DV case but explain the pros and cons of the approach to enable CJS like Jamaica to use pragmatism in determining whether a DV case best fits mediation.

### **Recommendations for Improvement to the System**

Based on the strengths of this study, it is recommended that future researchers adopt a grounded theory approach to investigate the criminal justice support of victims in Jamaica. This approach has the flexibility that the researcher needs to formulate Another recommendation for future research is to select one arm of the CJS to study; for example, the perspective of the police culture that has negatively impacted the interplay between the police and the victim, the evolution of such culture, and whether any governmental or institutional changes enforced are beneficial. Given that law enforcement is the first face of the criminal justice system, the police must be given evidence-based information to demonstrate the impactful nature of their attitude towards victims of IPV and society if this epidemic is to be abated. Addressing the police culture in further research would make an interesting study, as the researcher would need to plan with all assiduity on how to combat the likelihood of having to scale a "wall of silence."

The most profound answer sought, was to the question that the CJS in Jamaica needs to address is where to place itself in society as an instrument for change, particularly domestic abuse. This study may provide an understanding of societal response to this wrongdoing and how institutions such as criminal justice feed asocial sociocultural norms. These recommendations for reformation are such that the social structure is regulated by the courts' expository theory steeped in the phenomenon being studied (Chun Tie et al., 2019). The researcher would conduct qualitative research and watch the emergence of a theory that would be the best fit for the Jamaican context.

The consideration therefore would be given to the peculiarities of the island's social structure and the factors that inform the cultural response to domestic violence, such as its unique kind of music. and law enforcement, thereby facilitating and maintaining favorable social contracts. Through engendering such change, the rate of DV incidents could be progressively decreased, creating a safe space for

victims, cohesion in families, and by extension, communities, and society.

At a policy level, this study generated evidence-based findings that can be used to inform policymaking decisions. This research findings from this study, if utilized, may equip decision-makers with knowledge for optimal use to transform the legal landscape through the reformation of practices and procedures that guide law enforcement and the courts. Also, accessing empirical data may result in the reshaping of present policies impacting the abused, recognizing the detrimental impact of allowing the current status to exist. Further, the study findings can serve as an educative instrument for policymakers to evaluate the merits of any change and the effectiveness of strategies employed to bring about a reformed criminal justice system.

### Conclusion

Through the perceptions of prosecutors and family law practitioners, this study demonstrated that the conduct of justice in law enforcement and the courts could be understood through the lens of feminist theory. The philosophy of the feminist explains the effect of the inherited patriarchal system to advance male superiority and female subjugation, which is entrenched in Jamaica's cultural DNA. Also, explained through SLT, is the intergenerational transmission of violence as learned behavior. The findings demonstrated that despite the positive role that criminal justice plays in Jamaica, and notwithstanding support offered to victims of IPV, more work is needed to reduce the high rate of familial violence. The study findings also indicated that victims could be barriers to the support being offered; so are the attitudes of police officers, prosecutors, and the judiciary.

Participants expounded on issues and provided recommendations for improving both the court system and law enforcement. These recommendations were made based on the respondents' experience and their perceptions of strategies to optimize support given to IPV victims by CJS.

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