

## Alternative measures of diversion: A new model for the treatment of juvenile offenders

(Albania case)

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### Abstract

Alternative measures of diversion from criminal prosecution represent a new model for the treatment of juveniles in conflict with law in Albania. The implementation of this legal institute within the Albanian legislation aims at the reintegration of the juveniles and treatment into the community as much as possible.

This paper will enable a critical analysis of the alternative measures of diversion as one of the innovations brought by the legal reform in the juvenile justice system. The paper will identify and provide answers to the most important legal issues related to the alternative measures of diversion from criminal prosecution and punishment. The analysis will be focused on the legal framework, the aspects of practice and the activity of those structures responsible for the implementation of the alternative measures of diversion from criminal prosecution. To understand the necessity of application of this institute, international standards in this field and the way they are reflected in the Albanian legal system will be referred to.

More specifically, the paper aims to:

- Highlight the importance of alternative measures of diversion from criminal prosecution as a novelty matter in the field of juvenile criminal justice in Albania and their impact on the social integration and protection of juveniles.
- Analyse the content and the procedures of the implementation of alternative measures of diversion from criminal prosecution with reference to the legal framework, with a special focus on the Juvenile Criminal Justice Code (JCJC).
- Identify issues related to the current legal framework and the institutional infrastructure governing alternative measures of diversion from criminal prosecution.
- Provide concrete conclusions and proposals regarding the improvement of the legal and institutional framework, as well as the increase of access of juveniles to this institute in accordance with international standards set out in this field.

**Keywords:** Juveniles, alternative measures of diversion, restorative justice, mediation, criminal proceedings.

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