



## Research Article

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### **A comprehensive review of the diversion of children in conflict with law from judicial proceedings in Albania: Assessing alternatives to traditional justice**

**Ph.D. Etlon Peppo**

*Lecturer at the Criminal Law Department  
Faculty of Law, University of Tirana  
Albania*

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#### **Abstract**

Diversion refers to the measures used for children in conflict with law without resorting to criminal prosecution or trial. Therefore, a child or a youth committing a criminal offense may be subjected to specific measures or programs other than the criminal prosecution and trial. Of course, different jurisdictions provide different legal requirements and conditions to be complied with when deciding to apply a diversion measure instead of prosecuting the child or the youth in conflict with law.

In general, children in conflict with law who are under the age of 18 do usually benefit from the diversion measures when all the required conditions are fulfilled in accordance with the national Juvenile Justice Code. From the point of international law, the imposition of diversion measures for children in conflict with law may be considered as a legal obligation deriving from the United Nation Convention on the Rights of the Child and the Beijing Rules.

In Albania, the diversion measures tend to divert children away from the formal proceedings and give priority to the restorative justice or other rehabilitation programs. This paper aims to provide a general overview of the diversion measures and their importance for the well-being of the children involved in criminal activities.

The scope of the paper is focused on the diversion measures provided by the new Albanian Criminal Justice for Children Code with the aim to repair the harm caused by the offence and rehabilitate the children in conflict with law. In conclusion, the paper highlights the benefits of the diversion measures compared to punitive measures and traditional justice by providing such alternatives as the best way to promote the well-being of children in conflict with law and their inclusion in society.

**Keywords:** Diversion, children in conflict with law, juvenile justice, Criminal Justice for Children Code, alternative measures.

## **I. Introduction**

Criminal law and criminal justice are two essential components for each society because they serve to maintain public order, provide justice and safeguard both the public interest and private rights. Criminal law defines what actions are considered criminal offenses and provides the corresponding sanctions for their perpetrators, while criminal justice concerns with the rules for investigation, prosecution and adjudicating a criminal case.

The criminal justice system comprises several actors, such as: law enforcement agencies, prosecutors, judges, attorneys, bailiffs, probation service and other correctional institutions. These actors work with each-other to provide justice and maintain public order, while it is now broadly accepted that the aim of the criminal law is not only to punish the offenders, but to rehabilitate and reintegrate them into society.

Considering the above, alternatives to traditional justice have gained more ground and states are inclined to shift from traditional to new approaches to administering criminal justice. Of course, there is always a debate when it comes to the punishment of crimes and the treatment of their offenders.

Restorative practices have been inserted in different degrees into most systems of responding to crime, especially youth crime. Some advocates do not believe that restorative practices can be applied to serious crimes and are skeptical about the possibilities of combining restorative practices with legal safeguards (Walgrave, 2004). The same debate is further developed regarding the balance that should exist between the punishment and treatment of juvenile delinquency.

Since the establishment of the first ever Juvenile Court in Chicago in 1899, there have been significant improvements to the criminal juvenile justice system and alternatives to imprisonments have been widely adopted in most states of Europe and world. Nowadays, almost all the states have adopted separate laws for children committing an offence and these children are mainly subjected to separate jurisdictions compared to adults.

One of the most important alternatives to imprisonment that is found to be very beneficial for both the children in conflict with law and the society is diversion. Developing diversion plans that are tailored to the needs and circumstances of each girl/boy, and especially when combined with a restorative justice approach and applied as early as possible in the child justice process and in as many child cases as possible, will decrease the chance of reoffending and stigmatization, avoid the excessive costs of formal judicial proceedings and detention; increase the satisfaction of victims and others affected by the child's offence; and improve national security (UNICEF, 2002).

In other words, diversion refers to the measures used for children in conflict with law without resorting to criminal prosecution or trial. Instead of punitive measures, the aim is to rehabilitate, counsel and educate children so that they could be integrated into society and develop their personality as law-abiding citizens.

As a matter of law, not any child may benefit from the diversion measures. Different states and jurisdictions provide different rules, requirements and conditions when dealing with juvenile delinquency. In this regard, this paper aims to provide a comprehensive review of the diversion of children in conflict with law from judicial proceedings in Albania.

Considering the above, the scope of the paper is focused on the legal framework provided on the diversion by the Criminal Justice for Children Code in Albania. Additionally, the paper describes and analyses the types of the possible diversion measures that are available and may be offered from the prosecution or the court.

Through this legal analysis, the paper aims to point out which are the benefits of the diversion measures for the children and their family, the victims, the society as a whole and the juvenile justice system itself. Instead of punishment, we must rely first on rehabilitation and reintegration as the new restorative justice approach constitutes the best way to promote the well-being of children in conflict with law and their inclusion in society.

## **2. Diversion measures: Overview and types in Albania**

Juvenile justice policies must reflect the reality that children have special needs. State, local, and tribal juvenile justice systems must rely less on incarceration and more on providing developmentally appropriate responses whenever possible consistent with public safety (Serpas & Merkl, 2020). Therefore, as stated above, diversion measures represent one of the best ways to address juvenile delinquency without resorting to criminal prosecution or trial.

In Albania, the diversion conditions, types and rules have been provided by the Criminal Justice for Children Code [‘CJCC’] that came into effect on January 01, 2028. Namely, CJCC introduced for the first-time diversion as a new institute of criminal justice dealing with children in conflict with law committing a punishable criminal offence. In fact, paragraph 23 of article 3 of the CJCC defines diversion as “the alternative measure to avoid, suspend or dismiss the criminal prosecution against the child in conflict with law” (CJCC, 2017).

Further, the CJCC reserves a special chapter to the diversion from prosecution and punishment through alternative measures. Chapter VII of the CJCC, including articles 55-71, deals with the criteria and conditions to apply diversion, the procedure for applying the diversion through the prosecutor and the court, the general rules underlying the diversion, the types of diversion measures and the related consequences in case of compliance or non-compliance with the diversion measures. Primarily, it is important to emphasize that diversion may be applied only to the children in conflict with law under the age of 18 or those pertaining to the group age 18-21, provided that the latter have committed the alleged criminal offence when they were under 18. Of course, diversion does not apply to those children who are under the age of criminal responsibility, that corresponds to 14 years old for crimes and 16 years old for misdemeanors.

For the first time, the CJCC determines that criminal cases involving children in conflict with law or even a child victim shall be adjudicated by judges specialized and trained in juvenile justice law. Consequently, the national courts in Albania have established their special division within the structure of the court to specifically deal with juvenile criminal justice and encounter the children needs.

The special treatment of the children in conflict with law and the role of juvenile courts in addressing the related criminal cases have been underlined since the last century. So, only a decade after the establishment of the first Juvenile Criminal Court in Chicago, it was noted that the object of the juvenile court and of the intervention of the state is, of course, in no case to lessen or to weaken the sense of responsibility either of the child or of the parent. On the contrary, the aim is to develop and to enforce it (Mack, 1909).

From the point of international law, the imposition of diversion measures for children in conflict with law may be considered as a legal obligation deriving from the United Nation Convention on the Rights of the Child of 1989 [‘UNCRC’] and the United Nations Standard Minimum Rules for the Administration of Juvenile Justice of 1985 [‘Beijing Rules’].

Article 40(3)(b) of the UNCRC, that is, the most widely adopted human international rights treaty in history, requires state parties to promote the measures for dealing with children in conflict with law without resorting to judicial proceedings, providing that human rights and legal safeguards are fully respected (UNCRC, 1989). On the other hand, Rule 11 of the Beijing Rules is the first instrument that used the term “diversion” for removal of children in conflict with law from formal judicial proceedings (Beijing Rules, 1985).

Before proceeding further with the analysis of the types of diversion measures that are applicable in Albania, it is important to briefly confirm the main criteria, conditions and principles of diversion as settled by the CJCC. While all the actors involved within the juvenile criminal law system must assess with priority the best interest of the child in any decision or procedure, article 55 of the said Code determines that that following criteria and conditions should cumulatively be met to apply a diversion measure:

- i. There is sufficient evidence for a reasonable doubt that the child has committed a criminal offense, for which it is provided a sentence to imprisonment of maximum 5 years or a fine;
- ii. The child admits the responsibility and gives explanations about the criminal offense in the presence of the attorney;
- iii. The child has not been previously subjected to a criminal denunciation or he/she is not recidivist;
- iv. The child, and where appropriate, his/her legal or procedural representative, give the written consent to apply diversion;
- v. The child has not been part before of a program of diversion and/or mediation;
- vi. The punishment of the child for the criminal offense does not serve to the correction of his/her behavior;

vii. Taking into account the best interest of the child, it is assessed whether there exists a public interest to initiate the criminal prosecution or continue with the prosecution process.

In line with the obligations set out from the UNCRC and pursuant to the rules provided by Beijing Rules, the Albanian legislator has also adopted some essential principles pertaining to the administration of the juvenile justice system, such as:

- Diversion must be always considered as a measure of first resort;
- Diversion should be applied as early as possible;
- Diversion should be applied as much as possible;
- The competent authorities deciding on the application of diversion include both the prosecution service and the court;
- The prosecution service/the court demand to be provided with an individual assessment report on the child where the diversion measure is determined and this report must be compiled by the probation service;
- The child shall be not regarded as having been convicted of criminal offence and there will be no criminal record against him/her;
- The prosecution service will not automatically start the judicial proceeding if the child does not comply with the diversion plan; (CJCC, 2017).

Since the focus of this part of the paper is primarily based on the types of diversion, article 62 of the CJCC provides six different types of alternative measures of diversion and the prosecutor/the court may decide to apply one or a combination of such measures:

- i. Restorative justice programs and mediation;
- ii. Counselling for the child and his/her family;
- iii. Verbal warning;
- iv. Written warning;
- v. Restrictive/constructive conditions;
- vi. Custodial placement.

The challenge for restorative justice is twofold. It must develop its own effectiveness criteria, including the interests of victims and communities, and it must achieve effects on offenders that are not worse than those of existing rehabilitative programs (Walgrave, 2004). While diversion must be always considered as a measure of first resort to be applied as early and as much possible where the conditions described by law are met, it should be also pointed out that there are numerous cases where prosecutors and judges have failed to comply with the law. In principle, diversion should be considered as a "general rule" where it is legally feasible towards the child in conflict with law and not as an "exception" (Merkaj, 2020).

The first type of diversion measures, that is the restorative justice programs and mediation, aims to create opportunities for the child to learn and correct the consequences of the criminal offence, to make restitution to the victim, community and/or society. This diversion measure can be applied only if the child, the attorney and the legal representative (where appropriate) give their free consent and where the agreement for the correction of consequences of the criminal offence is reasonable

or appropriate.

It is important to underline that restorative justice programs include diversion and mediation programs, public interest work programs and any other program aiming to rehabilitate the consequences of the criminal offence committed by a child. On the other hand, both the prosecutor and the court may opt for the mediation programs as an out-of-the court process to resolve the dispute between the child in conflict with law and the victims.

Regardless of whether the mediation can be an individual/familiar mediation or a group mediation, we should emphasize that the mediation proceedings should be based on the specific law governing mediation. However, mediation could not be applied as a diversion measure if the victims does not give their consent on the diversion and without the personal participation of the child in conflict with law. After all, restorative justice focuses on the harm and suffering to be repaired, and not on treatment or punishment for the offender (Walgrave, 2004).

Wherever appropriate, the programs/activities to which diverted girls/boys are referred should also address the needs of the victim(s) as well as the needs of others affected by the offence. International standards strongly promote the combination of diversion with a restorative justice approach (UNICEF, 2002).

Counselling for the child and his/her family is a rehabilitee approach within the child criminal justice seeking to inform the child in conflict with law and his/her family, and address the behavioral and social issues that might have contributed to the delinquency. Such diversion measure is often offer when it is considered sufficient and beneficial to the best interest of the child. In general, such diversion measure is verbal, and it can be applicable and effective where the child has committed a criminal offence but there are no victims (Merkaj, 2020).

Verbal and written warnings can be also used as diversion measures for juveniles who have committed minor offences. These warnings are granted to explain the unlawful character of an action to the child and educate them about the consequences of their actions.

In diversion programs within the criminal juvenile justice system, there can be various types of restrictive and constructive conditions imposed on the child in conflict with law. Such types include, but are not limited to, no-contact orders, stay away orders, school attendance, curfew, educational or medical programs, etc. The specific type of conditions imposed in a diversion program depends by the nature of the criminal offence, the needs of the child in conflict with law and the rehabilitation goals so that the child is become responsible for his/her actions and avoid their involvement in possible future criminal acts.

Unlike the other diversion measures, custodial placement constitutes a more severe and restrictive approach because the child in conflict with law is placed under an educational or corrective program for a period of 6 months to 2 years. This educational or corrective program is designed from the competent institutions appointing a specialized staff for continuous care based on an individual plan for each child.

Nevertheless, we should consider that this diversion measure is applied where the

care from parents or legal custody is not sufficient to comply with the restrictive/constructive conditions. Therefore, it is thereby required a continuous monitoring service from specialized staff/institutions to enable the child to comply with the said conditions. The specialized service is carried out by the disciplinary/educative center established under the law on protection of children rights (Merkaj, 2020).

In any circumstance, custodial placement may be implemented without a full and permanent separation of the child from their environment. Also, the regular education and the involvement of child in activities should be never neglected when deciding to apply and implement such diversion measure.

The completion of diversion results in a definite and final closure of the criminal case, which is quite different from a criminal conviction. Apart from the fact that no criminal record results from the diversion, the case law in Albania has revealed many advantages for the child's development, rehabilitation and reintegration into society where formal judicial proceedings are avoided.

In view of the above, it has been also evidenced that incarcerated juveniles are less likely to graduate from high school and face diminished opportunities in the labor market, limiting their future earning potential and further increasing their likelihood of recidivism (Serpas & Merkl, 2020).

In conclusion, the prosecutor or the court may opt from several types of diversion measures based on the circumstances of each case. However, the primary factor that determines the success of diversion programs in achieving rehabilitation and reintegration goals is their effectiveness.

### **3. Effectiveness of youth diversion measures and the new restorative justice approaches**

Diversion measures aim to divert children away from the formal judicial proceedings and give priority to the restorative justice or other rehabilitation programs. In this way, both the interests of the victims and the children in conflict with law can be safeguarded in a fair and balanced approach to justice. Overall, juvenile systems, especially, are relying less on arrest and incarceration of youth to address poverty, drug addiction, health problems, and other root causes of delinquency (Soung, 2022). Diversion measures can be considered as the best alternatives to traditional justice promoting the well-being of children in conflict with law and their inclusion in society. By avoiding the resort to traditional criminal prosecution and trial, diversion offers many advantages for the victims, children and their families, juvenile justice system and society.

Victims have the opportunity to obtain apologies and compensation from the offenders, while children in conflict with law and their families can so avoid the negative impacts of formal judicial proceedings which include long-lasting proceedings, stigmatization and criminal records.

Diversion measures do not only contribute positively to the child's development, education and reintegration, but also have positive outcomes for the juvenile justice

system and society as a whole. Society gains from the diversion programs in the sense that the chances of reoffending decrease, the costs pertaining to the formal judicial proceedings are avoided and the balanced approach to justice contributes to resolution of conflicts.

Lastly, some of the benefits of diversion measures to the juvenile justice system include the reduction in workload for actors of justice system, the reduction in number of children in pre-detention, the possibility of other justice sector officials to deal with cases expeditiously and the increase of job satisfaction of personnel working in the children justice system (UNICEF, 2002).

Additionally, juvenile justice is less dependent than criminal justice on due process and adversarial proceedings, and more reliant on informal processing (Kupchik, 2003). Indeed, juvenile criminal courts are different from adult criminal courts and they often rely on different procedure, rules and principles.

Juvenile justice systems emphasize the treatment and rehabilitation of younger offenders rather than their punishment. Therefore, proceedings involving children are more informal and use a simpler language. Courtrooms also have a more relaxed atmosphere and this helps to make a less intimidating process for young offenders. When it comes to privacy, it is now a general principle that juvenile proceedings are more private and confidential than adult proceedings.

No developed nation tries its youngest offenders in its regular criminal. A central objective of those who created the juvenile court was to protect young delinquents from the destructive punishments of the criminal justice system (Zimring, 2000).

Notwithstanding from the above, there is still an ongoing public debate regarding the balance that should exist between the criminal punishment and the treatment of young offenders. The division of public opinion is a common concern in many societies, especially when it comes to complex issues such as the application of diversion measures rather than criminal sanctions for young offenders.

Generally, it is known that media plays an important role for the public demand on the application of severe criminal sanctions for children committing mass killings or other similar violent acts. The mass killings perpetrated by juveniles in the United States and Germany, as well as homicides committed by very young children, have received widespread and intense media attention, and this has had an impact on public anxiety about juvenile crime and attitudes toward juvenile justice (Roberts, 2004).

However, this public perception concerns only the most serious crimes committed by juveniles. When it comes to other less violent crimes, the public tends to support the restorative approach of the juvenile justice system.

In a democratic society, it would be strange if there was not some connection between public views of juvenile justice and legislative reforms. The danger of course is that public pressure, or public concern arising from misperceptions of crime trends, provokes excessively punitive reforms that undermine the principles of juvenile justice, threaten the existence of an autonomous court system, and may, ultimately, be inconsistent with the views of the public (Roberts, 2004).



States are now inclined and committed to shift from traditional justice to new restorative approaches. In this sense, several restorative practices have been adopted to address the juvenile delinquency. The said restorative practices focus on repairing harm to the victims and society, promoting accountability and reintegrating young offenders into society by offering thereby an alternative to criminal prosecution and punishment with the aim to reduce recidivism and promote well-being of children in conflict with law.

Restorative justice is an ideal of justice, grounded on a set of social and ethical beliefs and values. After all, restorative justice focuses on the harm and suffering to be repaired, and not on treatment or punishment for the offender (Walgrave, 2004).

According to UNICEF (2002), the restorative justice processes that are used most often in cases of children in conflict with the law are:

- family/group conferencing, which is a process that brings together the child offender, his/her parents, the victim and members of their respective 'communities of care' in order to discuss how they and others have been harmed by the offence, how those harms might be repaired and how to prevent the child from reoffending;
- Victim-offender mediation, which is a process in which a neutral person (the 'mediator') assists the victim of the offence and the child-offender to discuss and resolve the conflict and to reach a solution acceptable for both parties.

In summary, the primary function of restorative justice is to address the needs of the victims affected by the criminal offence. Additionally, the restorative justice approach seeks to promote accountability and reintegration of the children in conflict with law. Therefore, diversion measures combined with a restorative justice approach offer the best alternative to the traditional criminal prosecution and punishment.

#### **4. Conclusions and recommendations**

Criminal law and criminal justice are two essential components for each society because they serve to maintain public order, provide justice and safeguard both the public interest and private rights. Generally, the primary aims of the criminal law are deterrence, punishment and rehabilitation. However, the aim of criminal law may evolve over time to align with the objectives of the criminal justice system and/or the specific needs of certain categories.

In this regard, there is an ongoing discussion in many societies about a fair balance that should exist between punitive measures and rehabilitation focused on restorative justice approaches. Recently, alternatives to traditional justice have gained more ground and states are inclined to shift from traditional to new approaches to administering criminal justice. As result, restorative justice practices have been adopted into most systems of responding to crime, especially youth crime.

Children are recognized as a vulnerable category within society due to their age, physical and emotional development, and dependence on adults. Therefore, it is very important to ensure the protection of children rights and well-being, as well as to provide a secure environment for their development. The United Nation

Convention on the Rights of the Child of 1989 ['UNCRC'], that is, the most widely adopted human international rights treaty in history, provides the minimum standard of childcare protection for guaranteeing their full development.

There are different categories of rights provided in the UNCRC, but the best interest of the child remains the main and fundamental principle in child welfare. It emphasizes the needs and interests of the children in any decision-making process, particularly in matters involving legal rights and criminal procedures.

By recognizing the fact that the development and well-being of children is seriously compromised when they are imprisoned, states have agreed to adopt and apply alternative measures to criminal prosecution and punishment such as diversion. Thus, in terms of alternatives to traditional justice and restorative practices, diversion refers to the measures used for children in conflict with law without resorting to criminal prosecution or trial.

Diversion measures are tailored to the needs and circumstances of each child, and when combined with restorative justice approaches, they bring many advantages not only to children in conflict with law but even to victims, justice children system and society as whole. Instead of punitive measures, the aim is to rehabilitate, counsel and educate children so that they could be integrated into society and develop their personality as law-abiding citizens.

As a matter of law, not any child may benefit from the diversion measures, and different procedures and rules are provided in each jurisdiction. In Albania, diversion measures are provided by the Criminal Justice for Children Code ['CJCC'] that entered into force on January 01, 2018. In line with the obligations set out by article 40(3)(b) of the UNCRC and in accordance with the Beijing Rules, diversion measures have been adopted to divert children away from the formal proceedings and give priority to the restorative justice or other rehabilitation programs.

Such measures are included in Chapter VII [articles 55-71] of the CJCC and are applicable to children in conflict with law under the age of 18 or those pertaining to the group age 18-21, provided that the latter have committed the alleged criminal offence when they were under 18. Pursuant to article 3 (23) of the CJCC, diversion measures are defined as the alternative measures to avoid, suspend or dismiss the criminal prosecution against the child in conflict with law. The diversion measures could be imposed by the prosecutor before the case undergoes to a judicial review or by the court during the trial stage, before a final decision is rendered.

If the legal conditions and criteria determined in article 55 are met, there are six different types of alternative measures that could be imposed alone or in combination with each-other: i. restorative justice programs and mediation; ii. Counselling for the child and his/her family; iii. Verbal warning; iv. Written warning; v. restrictive/constructive conditions; vi. Custodial placement.

Case law concerning juvenile delinquency in Albania has revealed that prosecutors and courts have often failed to comply with the provisions of CJCC by considering the diversion as an exception rather than a general rule. While each type of diversion measure has its specifics and should be assessed based on the circumstance of the case

and the needs of the child, international standards strongly promote the combination of diversion with restorative justice approach.

Restorative justice and mediation programs offer the opportunity for the child in conflict with law to learn and correct the consequences of his/her actions, as well as to repair the harm caused to the victims and society. Thus, all the actors involved in the criminal justice system will benefit from the program and this will also help to contribute to the resolution of conflicts and peace-making.

On the other hand, counselling for the child and his/her family and verbal/written warnings are often offer for minor offences to address the behavioral and social issues that might have contributed to juvenile delinquency. Lastly, custodial placement constitutes the most severe diversion type and it is used as a last resort where other diversion measures are deemed inappropriate. Unlike the other diversion types, custodial placement involves placing the child in conflict with law in an educational or corrective program for a period of 6 months to 2 years.

The completion of diversion results in a definite and final closure of the criminal case, and no criminal record is registered on behalf of the child in conflict with law. Of course, the benefits for the child are more than positive because his/her development, education and rehabilitation are ensured without resorting to formal judicial proceedings.

Overall, diversion measures are seen as one of the best roots to address juvenile delinquency without resorting to criminal prosecution or trial, but this does not mean that the sense of responsibility of the offender is lessen or weaken. This paper outlines not only the benefits of the child in conflict with law and victims, but it is also underlined the importance and contribute of this legal institute to the criminal justice systems as whole.

While young offenders and their families benefits in terms of avoidance of long-lasting proceedings, costs and stigmatization, and victims obtain apologies and compensation from offenders, the justice system as whole gains many advantages. So, workload in the justice system can be reduced and other justice sector officials can handle their cases more quickly. Particularly, the advantages of applying diversion measures successfully gain even more significance now that there is a substantial backlog of cases in the Albanian justice system as result of the justice reform and vetting process for judges and prosecutors.

Juvenile justice systems should always emphasize the treatment and rehabilitation of younger offenders rather than their punishment. From this perspective, juvenile criminal proceedings should be less formal and the judges should ensure a relaxed atmosphere so that children are not intimidated and indeed understand the process. In conclusion, diversion measures combined with a restorative justice approach offer the best alternative to the traditional criminal prosecution and punishment of children in conflict with law.

In particular, diversion programs have been shown to be more effective in reducing recidivism among young offenders. Therefore, states and justice systems should invest in and expand the availability of diversion programs to the young offenders.

Moreover, CJCC requires the intervention of diversion measures as early and as much as possible, while diversion must be always seen as a measure of first resort. Case law in Albania has evidenced that prosecutors have neglected diversion in several cases, which is clearly wrong. To better address this issue, the actors involved within the juvenile justice system should be further trained and specialized.

Additionally, the juvenile justice system should closely collaborate with social services, community organizations and even schools to create a wider network and improve the effectiveness of diversion programs. In this regard, prevention programs may further help to properly address the factors contributing to the juvenile delinquency. Also, since family involvement can play an important role to the success of diversion measures, more support and resources should be provided for the families of young offenders. Public awareness and education about the diversion measures may serve to further promote this institution among the community and raise their awareness to apply diversion for serious crimes committed by young offenders as well.

The role of diversion measures in the juvenile justice is vital and they offer a more rehabilitative and restorative approach. The more effective these measures are, the more diversion can reduce juvenile delinquency and ensure the development of children. Expanding diversion programs and improving their effectiveness bring many benefits for the young offenders, victims, justice system and society as whole.

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