

GROUP 3

A HOLISTIC APPROACH TO THE JUVENILE JUSTICE SYSTEM

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I. INTRODUCTION

This paper aims to compare and contrast different practices, legal systems and best available choices of our respective countries and to look for means and ways which may be practical and result oriented in addressing Juvenile Delinquency. Irrespective of different environment, norms and mores and religious backgrounds, we can agree upon minimum standards for the improvement in the juvenile justice system. There need to be continued and sustained efforts in this regard. Considering the diversity of cultural, political and economic aspects of our countries and the varying differences in our criminal justice systems, establishment of equal treatment for juveniles worldwide according to international standards and norms may prove to be challenging.

But keeping in view the international instruments as explained through various conventions, guidelines and rules, we are required to set certain criteria in the pursuit of our ideals. With the coming into being of the Universal Declaration of Human Rights (UDHR) and the evolution of human rights, a series of norms that focus on the issue of juveniles in conflict with the law have been built gradually, including:

- A) The United Nations Standard Minimum Rules for the Administration of Juvenile Justice (“The Beijing Rules”);
- B) The United Nations Guidelines for the Prevention of Juvenile Delinquency (“The Riyadh Guidelines”);
- C) The United Nations Rules for the Protection of Juveniles Deprived of their Liberty;
- D) The UN Convention on the Rights of the Child (CRC).

The scope of the discussion is limited to the topics which the group believed can help in the formulation of workable policies and measures that will address, if not resolve, the current challenges in our respective countries, as follows: the minimum age of criminal responsibility, diversion, special procedures for juveniles (compared to adults), inter-organizational cooperation among related agencies, and multi-agency cooperation with the community and the private sector.

A. Minimum Age of Criminal Responsibility

1. Standards

The definition of “juvenile” in Article 2.2 (a) of United Nations Standard Minimum Rules for the Administration of Juvenile Justice, “The Beijing Rules”, adopted by General Assembly Resolution 40/33 on 29th November 1985, is: “A juvenile is a child or young person who, under the respective legal systems, may be dealt with for an offence in a manner which is different from an adult.”

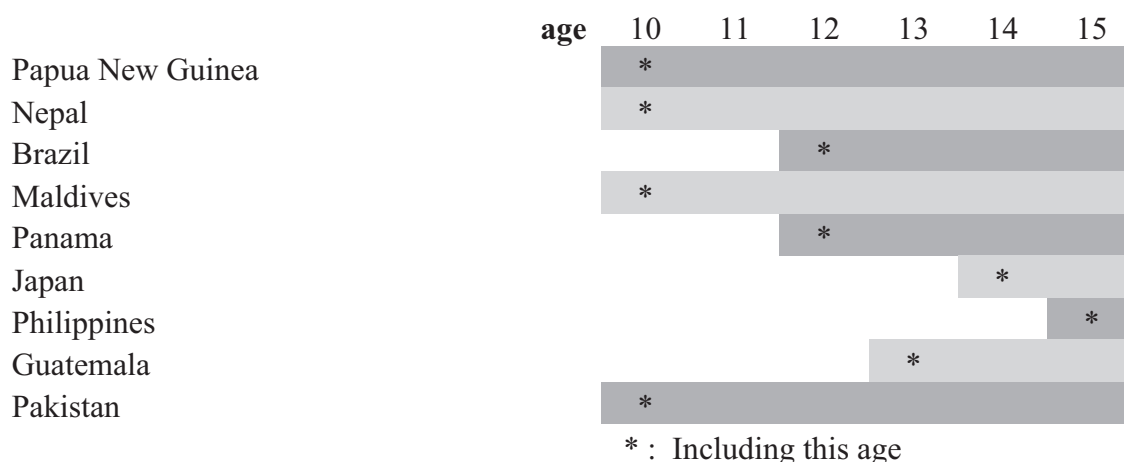
In the Convention on the Rights of the Child, Article 1 states, “A child means every human being below the age of 18 years unless under the law applicable to the child, majority is attained earlier”. Professor Matti Joutsen¹ says that General Comment 10 of the Committee on the Rights of the Child seeks to provide guidance to be used in establishing age limits for criminal responsibility:

“...MACR (*minimum age of criminal responsibility*) shall not be fixed at too low an age level, bearing in mind the facts of emotional, mental and intellectual maturity. In line with this rule the Committee has recommended State parties not to set a MACR at too low a level and to increase the existing low MACR to an internationally acceptable level. From these recommendations, it can be concluded that a minimum age of criminal responsibility below the age of 12 years is considered by the Committee not to be internationally acceptable. State parties are encouraged to increase their lower MACR to age of 12 years as the absolute minimum age and to continue to increase it to higher age level.”²

2. Practice

Although most of countries have signed or ratified the CRC, discrepancies still exist in the minimum age of criminal responsibility. However, efforts are underway to enhance this limit to 12 years.

The Minimum Age of Criminal Responsibility



As we observe, the minimum age of criminal responsibility in Japan is fourteen years, while in some countries variation in minimum age of criminal responsibility ranges from ten to fifteen years. Therefore, the need of the hour is to have unanimity regarding the minimum age of criminal responsibility.

B. Diversion

The baseline definition in Article 11.1 of “The Beijing Rules” is: “Consideration shall be given, wherever appropriate, to dealing with juvenile offenders without resorting to formal trial by the competent authority...”³

Diversion, invoking removal from criminal justice processing and redirection to community support services, is commonly practiced on a formal and informal basis in many legal systems. This practice serves to hinder the negative effects of subsequent proceedings in juvenile justice administration, e.g. the stigma of conviction and sentence. In some cases, non-intervention would be the best response. This is especially the case where the offence is of a non-serious nature and where the family, the school or other informal social control institutions have already reacted, or are likely to react, in an appropriate and constructive manner.

The first analysis of the differences among the diversion systems of the countries in question looks at the

¹ JOUTSEN Matti. From Soft to Hard Law. Tokyo, Public Lecture, 2017, p. 23.

² JOUTSEN Matti. From Soft to Hard Law. Tokyo, Public Lecture, 2017, p. 23 (citing General Comment 10 of the Committee on the Rights of the Child).

³ United Nations Standard Minimum Rules for the Administration of Juvenile Justice (“The Beijing Rules”) Adopted by General Assembly resolution 40/33 of 29 November 1985.

points where diversion is available, i.e., the police, social workers, prosecutors, courts, etc. Commonly used diversion measures are caution, reprimand, counselling, referrals, warning, apology, compensation, restitution and affidavit/bond. Further, differences have been noted in the formal procedures and measures of diversion among the countries under discussion.

In **Brazil**, the prosecutor can handle diversion without trial but these measures have to be approved by the judge. The Brazilian diversion system provides juveniles with educational measures by prioritizing their reintegration instead of placing them under protection. The Brazilian Federal Law 8.069/90 "Statute of Children and Adolescents," adopted an ideology based on the theory of integral protection, placing children and young people in the special category of human beings under development and considered vulnerable.

The **Guatemalan** legal system expressly establishes in the "Law on the Comprehensive Protection of Children and Adolescents and Adolescents in Conflict with the Criminal Law", the minor offences: 1. Reconciliation 2. Remission 3. Opportunity Criterion (Imposing on the adolescent the obligation or prohibition of performing certain actions such as attending therapies or restraining visits to certain places). One of the weaknesses of the diversion measures in Guatemala is that the relationship between the justice system and citizen participation is still weak. Strengthening community participation is needed. In that sense, it is important to make the public aware to avoid misconceptions about juvenile offenders, particularly about the rehabilitative measures.

Japan, as a policy, refers all cases to the family court, and the diversion takes place through the family court. However, the family court can refer juveniles who commit heinous crimes to the prosecutor. The most commonly applied diversion measures in the Japanese system are probation (non-custody) or referral to the juvenile training school (custody). These diversions come in to effect at the hearing stage. Prior to the hearing stage, another diversion system exists. During a social investigation by the family court investigating officer, various types of educative measures for juveniles take place, e.g. "on-site learning," "group work," "equipping knowledge," "employment assistance" and so on. These measures are intended for juveniles, who commit minor offences. Using these steps, Family Court investigating officers enhance the juvenile's perception of delinquency, remorse, and self-recognition. These measures assess the reflection of juveniles and the likelihood of their transformation. In most cases, these measures are effective. Then, the judge dismisses the case after hearing (or without a hearing). According to the statistics (Final Rulings in 2014), dismissal without hearing takes place in 51% of all cases, and 20% percent are dismissed after hearing. Family court investigating officers have to select the most efficient measure based on the particular juvenile. Findings are based on three viewpoints: Biological, Psychological, and Sociological (the "BPS" model).

In **Maldives**: There are two stages of diversion being practiced. Matters relevant to children in conflict with the law are governed by the *Regulation on Conducting Trials Investigation and Fair Sentencing of Juvenile Offences*. The first is at the police level where juveniles are provided with an "informal caution" in the presence of a parent or guardian, followed by a "formal caution" if they persist in criminal behaviour. Next, the Prosecutor General has discretion to issue a formal caution and to divert the child to a rehabilitation programme under the guidance of the Juvenile Justice Unit (JJU), or to sign an agreement with the juvenile to comply with certain conditions (attending an educational or vocational centre) and to refrain from criminal behaviour. The JJU operates under the Ministry of Home Affairs and is tasked to provide support and assistance to children in conflict with the law. There is no court-level diversion in the Maldives. However, the Office of the Prosecutor General often withdraws cases registered at the court, in order to provide the juvenile with the chance to rehabilitate. Except for serious offences, or offences that warrant a sentence under Islamic Shari'ah, the general approach is to divert juveniles away from trial.

Nepal has no specific legal framework regarding diversion. However, measures like caution, reprimand, warning, apology, conciliation, compensation and affidavit/bond are being practiced at police units. If these measures are incorporated in the legal system of the country, their efficacy and effectiveness is expected to improve.

Pakistan, like Nepal, has no specific legal framework regarding diversion. However, measures like caution, reprimand, warning, apology, reconciliation, compensation, fine and affidavit/bond are informally being practiced at police stations and in the courts. If these measures are incorporated into the legal system of the country through legislation, their efficiency and effectiveness is expected to improve. Since these

diversions are being practiced without a specific legal framework, sometimes it causes complications for practitioners.

Panama has the following forms of diversion provided by law: 1- remission, in which the judge, in specific cases designated by the law, dismisses the case. 2- Criteria of opportunity. The prosecutor decides to refrain from prosecuting the case. 3- Conciliation. The teen has met the obligations imposed. Additionally, in the most recent amendment to the law, enforcement was established: “reparation of harm”, community service and the obligation of an assistance programme and orientation.

Papua New Guinea Juvenile Justice Acts provide for a wide range of diversion programmes in dealing with minor juvenile offenders. Forms of diversion include caution and discharge, formal apology, counselling service, community service, reconciliation, restitution, compensation, juvenile/family conferencing, and restorative justice approaches such as mediation. Diversion takes place at two stages (i). Diversion by Police-Initial Contact and (ii). Diversion by Court – Pre-hearing.

In the **Philippines**, when a juvenile/child over the age of 15 but under 18 commits an offence, the child shall be referred to a social worker who shall determine whether the child acted with discernment. If with discernment, the child will be subjected to a diversion programme as the case may be. If without discernment, the child shall be referred to his parents through the *barangay* (“village”) for a proper intervention programme. A child aged 15 and below who committed a minor offence shall be referred to the parents through the social worker for proper intervention, and if the child committed a serious offence or is a repeat offender, the child shall be referred to a youth rehabilitation centre for proper intervention.

C. Special Procedures for Juveniles (Compared to Adults)

Since juveniles are the most vulnerable section of the society and they are yet to attain maturity, special procedures are of utmost importance for the investigation, adjudication and imposition of punishment, wherever necessary for offences committed by juveniles. Preference shall be given to the best interests of the child by rehabilitation without imposing punishment on such child.

Brazil: The statute addresses all issues related to children and adolescents including the rights of juveniles as well as the obligations of parents and family, and public servants involved in the processes and the State. The law created a specific structure, parallel to the ordinary criminal justice system, to deal with the misconduct, treatment, and rehabilitation of juveniles. For the Brazilian law, young people cannot formally commit crimes; rather they commit “infraction acts.” Therefore, they are treated differently and held in detention until the fulfillment of socio-educational measures in specific establishments.

Guatemala: since 2003, the Law of Integral Protection of Children and Adolescents and Adolescents in Conflict with the Criminal Law has been approved. This law is in consonance with the international standards and norms. This law establishes the creation of special courts, specialized prosecution and specialized police units for juvenile justice. They are supported by Specialized Juvenile Courts (Courts of First Instance and the Appeals Chamber), and the Prosecutor’s Office is specialized in adolescents in conflict with the criminal law (assistance by interdisciplinary teams of experts).

Japan: There are three basic principles in the procedures for juveniles: the educational principle, the principle of individual treatment, and the inquisitorial principle. These principles promote educational treatment for rehabilitating juveniles that have fallen into delinquency (educational principle). Family courts should strive to eliminate delinquency by protective measures. Imposing penalties on juveniles is the exception. Moreover, all juvenile cases are referred to family courts. Family courts should perform treatment according to the needs of each juvenile delinquent (principle of individual treatment). Treatment is decided according to the problems of the juvenile’s nature and the juvenile’s environment. Treatment is not decided only according to the weight of the facts/evidence constituting the alleged delinquent acts. In addition, because of the special nature of juvenile hearings, it is not open to the general public. Family courts preside over the procedures themselves (inquisitorial principle). At the hearing, prosecutors and juveniles do not oppose each other, and judges speak directly to the juveniles. All attendees of the hearing have the purpose of rehabilitating juveniles.

Maldives judicial procedure mandates that the cases of juveniles must be referred by the Police to the

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Juvenile Justice Unit (JJU) immediately. It is pertinent to mention that JJU is under the administrative control of the Ministry of Home Affairs. The JJU will then assign a case worker who will provide support and assistance to the juvenile throughout the criminal justice process. No child can be questioned without the presence of a parent or guardian or a representative of the JJU. It is mandatory for the JJU to attend all hearings at the court including remand hearings and trial. Social Inquiry Reports are obtained during remand, trial, pre-sentencing and the post-sentencing rehabilitation stage, which will provide background information on the juvenile to the authorities in the disposition of the case. The juvenile court proceedings are closed to the public. There is a specialized unit of the Police (Family and Child Protection Department), but other departments also deal with juveniles accused of serious offences. Except for serious offences, juveniles are usually placed on house arrest subject to conditions.

Nepal, after the ratification of the CRC, has passed different laws and initiated various policies to implement the juvenile justice system. The Children's Act 2048 (1992) and Juvenile Justice (Procedure) Rules 2063BS (2007) are the primary laws that stipulate juvenile justice procedures. The Children's Act, 2048 (1992) introduced the concept of juvenile justice as a separate branch of the justice system which includes the legal provisions in order to protect the rights and best interests of the children for physical, mental and intellectual development. The Women and Children Services Directorate of the police is specially tasked to deal with matters of juvenile and other vulnerable social groups. It has established 23 separate buildings for the Women and Children Service Center (WCSC), 40 districts with juvenile justice officers, and 20 child friendly rooms at the district level. As a special measure, adolescents cannot be investigated during the night and even not for more than one hour per day. Juvenile offenders may not be handcuffed, cannot be compelled to provide statements and have the right to be silent. Free legal assistance to the juvenile is the responsibility of the state. Their cases must be tried expeditiously. On the initiative of the Nepal Police, the state of Nepal has formulated "Gender Policy 2069". It has facilitated the incorporation of gender issues in various police training curricula, separate posting of 1,344 personnel for WCSC units, establishment of a national centre for children at risk with a hotline number 104, and formulating victim support SOP- 2070. The police and legal counsel shall appear in civilian clothes in closed proceedings. Provisions relating to the investigation include a requirement that all police staff shall introduce themselves by showing identity and explaining the cause for the arrest, informing the child about his or her constitutional rights in a language understood by him/her, informing both parents of the child as far as possible, at least one if both are not available, and he or she shall examine the physical and the mental health of the child.

In **Pakistan**, no proper or separate procedure to deal with juvenile offenders has been established. However, the country, being a signatory of the CRC and other related international treaties, has promulgated the Juvenile Justice System Ordinance, 2000 (JJSO), Child Welfare Commission Act and the Bursal Institute Act to deal with the offenders. Moreover, with the approval of High Courts, the District and Session Judges have been declared as juvenile judges to handle the cases of adolescents. Statements of the accused cannot be recorded without the presence of his/her guardian or counsel. No other hearing is fixed on the date when the juvenile case is to be heard by the judge. All hearings are in camera. Juvenile offenders are provided with free legal assistance by the state. All juvenile cases must be decided within four months. The victim is allowed to participate in the hearing. Juveniles have the right to remain silent. If the police officer wants to join the proceedings, the police officer must not be in uniform; instead he/she should participate in plain clothes. Media coverage is not allowed.

In **Panama**, there is a separate family court to deal with the affairs of children, and there are criminal courts for juvenile offenders. These courts are part of the judiciary. There is also a police unit of childhood and adolescence, specialized in protection of minors when they are victims and a special adolescents unit to take care of juvenile offenders judicially, under the control of the Ministry of Security. Moreover, there is the specialized division of adolescents, charged with the responsibility of assisting the prosecution of teenagers in investigation. There are specialized prosecutors to prosecute juvenile cases supervised by the Public Ministry.

Papua New Guinea: The Juvenile Justice Act and Juvenile Justice Policy provide for special Juvenile Justice Procedure with strong emphasis on community-based treatment options such as diversion measures and non-custodial sentencing (Probation, good behaviour bond and fine). These measures are effective in treating juvenile offenders, and custodial sentences are only ordered as a last resort and for the shortest necessary period. Diversion takes place at two stages: the juveniles cannot be placed in police cells; rather

they are released or handed over to their parents or guardians or are kept in juvenile remand centres pending trial. The country has a separate court with trained juvenile court magistrates and trained police prosecutors. The police shall appear in civilian clothes, including legal counsel, in closed proceedings. Free legal aid is provided by the government. Social Inquiry Reports are mandatory before disposition. Juveniles who commit serious offences are sent to juvenile institutions or to a separate juvenile section in a correctional institution depending on the nature of the offence and surrounding circumstances. It is mandatory for juvenile justice officers to be present at any juvenile court proceeding. In addition, the police protocols and the juvenile court protocols on magistrates provides for juvenile police officers', juvenile court magistrates', police prosecutors', juvenile court officers' and the correction services officers' duties and responsibilities in handling juvenile cases.

In the **Philippines**, during the initial contact (the term "arrest" is avoided), the Women and Children Protection Center/Desks of the police handle cases involving children. Juveniles shall be turned over to a social worker within 8 hours for proper disposition. Custody of the child while undergoing diversion or intervention shall be referred to the parents, youth rehabilitation centre or to the social worker. Additionally, the juvenile shall be provided with a lawyer (Public Attorney's Office) during investigation. In the case of adults, the general investigation of the police shall handle the criminal case, which shall be referred to the Prosecutor's Office within 9 hours for minor offences, 18 hours for less serious offences and 36 hours for serious offences. The prosecutor, upon determination of probable cause, shall file the case with the court for trial. The adult shall be committed to jail.

D. Inter-Organizational Cooperation among Related Agencies

Bearing in mind the intricacies of the issue, the objectives of the system cannot be achieved without inter-organizational cooperation among the relevant stakeholders and organizations. Since juvenile justice institutions are directly involved in the process while some have to be involved for the well-being of the child, such as health, education, social welfare, etc.; therefore, there has to be close collaboration and cooperation among them.

Brazil: Without a doubt, one of the biggest challenges for the Brazilian system is cooperation. Inter-agency cooperation throughout the criminal justice system chain is considerably integrated and rapid. The problem is that to the extent the new legislation imposes a system based on protective measures, a structure of protection, shelter and re-education for young offenders is needed. At the moment, the demand coming from the criminal justice system, due to the high participation of youths in crimes, does not find institutional support for the reception of youth. The Brazilian State urgently needs to improve and expand the institutions that work with juvenile offenders after passing through the system of justice.

Guatemala: It has been made possible to establish a workspace composed of the highest level officials of each of the public institutions involved in the juvenile justice system: the Public Ministry; the judiciary; the Institute of Public Criminal Defense; the Ombudsman's Office and the Secretariat of Social Welfare. As a result, a Strategic Plan on Adolescents in Conflict with the Criminal Law has been implemented in a holistic way for the cases of adolescents as a vulnerable group, which deserves adequate intervention and protection of the State. As a recommendation, good practices and procedures should be institutionalized so that juveniles do not depend on a particular person.

Japan: When family courts make final rulings, the courts receive input from juvenile classification homes and probation offices (both of them are organizations of the Ministry of Justice). In addition, family courts give information to juvenile training schools, probation offices and children's self-reliance support facilities (which operate under the organization of the Ministry of Health, Labor and Welfare) for determining concrete educative measures for the juveniles.

Maldives: There is a good level of inter-agency cooperation in Maldives. The Police work in close collaboration with the Juvenile Justice Unit and notify the unit if and when an arrest is made. Consultations take place between the different agencies on how best to deal with a particular juvenile. The Prosecutor General's Office also takes into consideration the recommendations made by the JJU as to the circumstances of the individual child in deciding on the alternatives to prosecution. Agencies have cooperated in the recent diversion programmes run by the Police and the JJU. However, there are calls for improvement. All police personnel handling juveniles must be trained in juvenile justice principles and standards, regardless of

department or division. In addition, the Prosecutor General's Office must also train special prosecutors who may only handle juvenile cases, in order to make the system more efficient. Further, parental cooperation is crucial to the successful implementation of juvenile justice policies. The State therefore needs to raise awareness about juvenile justice matters.

Nepal: Inter-organizational cooperation among related agencies is in place. The national and district levels are composed of different departments (social welfare, police, justice, education, health, etc.) to supervise the implementation of the juvenile system. The Co-ordination Committee conducts meetings to review administrative policies on the juvenile system.

Pakistan operates the Ministry of Human Rights, the National Commission for Human Rights, the Social Welfare Department, and the Probation and Parole Department at the national level. Whereas in private sector, relevant INGOs/NGOs are also working, the Ministry of Human Rights is a monitoring body for this system since the government has multiple departments to look into this issue and all are state owned. Therefore, strong cooperation, coordination and collaboration exists among them.

Panama: The Ministry of Social Development through the National Secretariat of Children, Adolescents and the Family (SENNIAF) provides training and education for juveniles. The Commission of Parliament is working on new laws for juvenile protection according to the international standards. The Ministry of Public Security and Office of Citizen Participation (responsible for the national police) developed community programmes in coordination with the General Prosecutor (independent), which aim to provide protection of juvenile offenders, prevent crimes, contribute to public safety and to reduce the social cost of crime.

Papua New Guinea: The main agencies involved in the PNG Juvenile Justice System are the Police, the Courts, the Ministry of Justice (Community-Based Correction (CBC) – Probation, Parole and the Juvenile Justice Services Office of the Public Solicitor, which provides free legal service, the Office of the Public Prosecutor, which prosecutes heinous crimes in the National Court), the Ministry of Correctional Service and Ministry of Community Development – Juvenile Welfare. Apart from these, NGOs and churches in PNG assist in rehabilitation programmes.

Philippines: Inter-organizational cooperation among related agencies is in place. The Juvenile Justice and Welfare Council was created at the national level composed of different departments (social welfare, police, justice, education, health, etc.) to supervise the implementation of the juvenile system. The council regularly conducts meetings to review administrative policies on the juvenile system.

E. Multi-Agency Cooperation with the Community and the Private Sector

The baselines of prevention initiatives or programmes regarding the strengthened relationship between government and the private sector are necessary to carry out the objectives of the juvenile justice system. Some countries have a strong partnership with the INGOs/NGOs, and other agencies are left to their own fate. The latter system remains weaker and vulnerable to unwanted interventions.

During the discussion, it was identified that all the countries have a multi-agency framework to implement between the community and juvenile working groups including INGOs/NGOs, which work in the area of juvenile justice. In some countries, Volunteer Probation Officers (VPOs) are working closely with the government authorities to provide juvenile rehabilitation services. Moreover, it highlighted the importance of close networking among the government authorities and INGOs/NGOs.

Most of the countries under discussion are working closely with UNICEF to streamline and strengthen their juvenile justice systems. However, due to overlapping mandates of government agencies, stakeholders and INGOs/NGOs, it is difficult to work together. Most of the INGOs/NGOs have their own plans of action, which sometimes conflict with government stakeholders' mandates or action plans. Moreover, some of the INGOs/NGOs are working self-centeredly, which creates complications and hindrances to the way forward.

II. CHALLENGES, RECOMMENDATIONS AND CONCLUSIONS

A. Challenges

In line with the international standards and norms, the participants are encouraged to improve their

respective juvenile justice systems. But due to various reasons, despite having good legislation, they have not been able to achieve standardized results. To outline the hindrances and obstacles in the process of improvement, the following points have been identified:

1. Lack of community participation and mobilization of the public;
2. Juvenile justice systems in every aspect in terms of resources and capacity are lacking priority;
3. Untrained personnel;
4. For some countries, key pieces of legislation remain pending;
5. Some countries lack a systematic rehabilitation programme that clearly identifies target groups and their particular risks and needs;
6. The difficulty of implementing a successful rehabilitation scheme due to lack of arrangements, like institutional arrangements, become crucially important especially in the case of juveniles;
7. Lack of inter-agency/multi-agency cooperation and coordination;
8. Unreasonable delay in the investigation and prosecution of matters involving minors is a great concern;
9. Lack of specialized programmes and the expertise in dealing with drug offenders;
10. Lack of legal frameworks to institutionalize diversion;
11. Non-compliance with UN standards and norms to implement a minimum age of criminal responsibility.

B. Recommendations

1. Strengthen the community participation/mobilization of the public by utilizing community police and Volunteer Probation Officers (VPOs);
2. More research is required to understand the causes of juvenile offending and ways to better implement juvenile justice policies;
3. Specialization within their respective agencies and departments is vital for the successful implementation of juvenile justice policies. Competent officers would be better to comply with the laws and international guidelines concerning juvenile offenders, thereby contributing to the development of institutions;
4. Authorities need to step up efforts to pass the relevant juvenile justice bills and regulations in order to establish a comprehensive mechanism for the administration of juvenile justice in relevant countries;
5. Some countries need to devise comprehensive rehabilitation and reintegration plans for juveniles that take into account the different categories of offenders in their particular needs and risks;
6. Establishment of relevant institutions;
7. Networking with international organizations and foreign governments and institutions would be great help in improving the current situation of juvenile justice;
8. Agencies working within the juvenile justice system must enforce a concerted effort in the expeditious processing of juvenile offences at every stage. It is expected that this would provide some remedy to the problem of delayed submission of cases;
9. For some countries, establishing a child-centered drug rehabilitation facility is of utmost importance to combat drug addiction among minors, and existing structures and facilities need to be strengthened as well as compliance and monitoring mechanisms;

10. Countries should establish a legal framework to institutionalize diversion;
11. In compliance with UN standards, countries with ages of criminal responsibility below age 12 are encouraged to increase the age to this level.

C. Conclusion

The participating countries have made significant improvements in the field of juvenile justice since the ratification of the UN Convention on the Rights of the Child. Investigation, prosecution, adjudication, and treatment and supervision of juvenile offences have been streamlined according to international standards and norms.

The participating countries have also incorporated the Restorative Justice Model into their juvenile justice policies, and have had some measure of success in the implementation of rehabilitation and reintegration programmes. And still there is room for more improvement. Capacity, lack of resources and expertise stand out as the most challenging factors for further development in this area of the law. The participants aim to maintain a sustained effort towards the commitment to the development of the juvenile justice system in their countries.

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