



## Centre for health Systems Research & Development

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### Challenges facing diversion strategies in meeting the diversion objectives of the Child Justice Act (75 of 2008)

#### CITATION

Steyn F. 2012. Challenges facing diversion strategies in meeting the diversion objectives of the Child Justice Act (75 of 2008). *Acta Criminologica*, 2: 76-86.

#### ABSTRACT

One purpose of the Child Justice Act (75 of 2008) is to divert children who were found guilty of criminal behaviour, in appropriate cases, away from formal justice procedures. The objectives of diversion revolve around instilling responsibility, reintegrating the child with the family and community, involving victims in the diversion process, as well as preventing stigmatisation and the child from receiving a criminal record. An explorative study was undertaken to determine the extent to which different diversion strategies have the potential to realise the diversion objectives of the Child Justice Act. Case studies of four diversion strategies were compiled, namely life skills training, mentoring, outdoor programming and family group conferencing. It is argued that the objectives of dealing with the child outside the ambit of formal criminal procedures, encouraging accountability and preventing the child from receiving a criminal record can easily be met, provided that diverted children complete the assigned interventions. However, diversion strategies are confronted with an array of challenges, from both programme design and implementation perspectives, in meeting the objectives of diversion. Among others, group approaches may fail to address the unique needs of individual participants. Despite parents featuring as important stakeholders in diversion outcomes, some strategies do not recognise or formalise their involvement in service delivery. Community involvement appears absent across diversion strategies. Given the general absence of victim involvement in diversion strategies (except for restorative-type interventions), important questions can be raised regarding their ability to meet the reconciliatory and reintegration objectives of the Child Justice Act.