



The Effectiveness of Twice-Used Diversion-Mediation for Juveniles in Conflict with The Law

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Abstract

Nowadays, particular attention is paid on the introduction and the utilisation of the restorative justice measures in regards to juveniles. The measures taken by the state, should represent and symbolise effective ways of crime prevention, aligning with juveniles fundamental rights. Due to its distinct essence, the Restorative justice can be contemplated as one of the most effective, valuable and ultimate practice of crime prevention. The judicial reinstatement is regarded as one of the core values of restorative justice. However, after the detailed examination and analyse of international implementation and operation of a sole usage of the diversion, it is deduced that only one usage of diversion is genuinely insufficient for juveniles in conflict with the law to prevent recidivism. It is noteworthy, that diversion-mediation, as the principal pillar of restorative justice occupies extremely crucial role in the resocialisation-rehabilitation of juveniles, as well as in an effective prevention of recidivism. European and American models of diversion-mediation as the principle mechanisms of restorative justice system are reviewed and discussed in the following paper along with the analyses and evaluation of the judgements made by international courts, which indicates the adequacy of the usage of the diversion, in regards to the juveniles. The article represents an innovative perspective that will contribute to the development of juvenile justice system in Georgia and lead to its harmonisation with the European standards.

Keywords: Juvenile Justice; Recidivism; Rehabilitation; Resocialisation; Restorative Justice