

**BINDURA UNIVERSITY OF SCIENCE EDUCATION**  
**FACULTY OF SOCIAL SCIENCES AND HUMANITIES**  
**DEPARTMENT OF SOCIAL WORK**



**A FRAMEWORK TOWARDS THE EFFICACY OF PRE-TRIAL DIVERSION  
PROGRAMS IN EXTENUATING JUVENILE DELINQUENCY IN ZIMBABWE: A  
CASE STUDY OF CHITUNGWIZA DISTRICT.**

**SUBMITTED BY SALMAH TABARARA**

**B210667B**

**A DISSERTATION SUBMITTED TO BINDURA UNIVERSITY OF SCIENCE  
EDUCATION, DEPARTMENT OF SOCIAL WORK IN PARTIAL FULFILMENT OF  
THE REQUIREMENTS FOR THE BACHELOR OF SCIENCE HONOURS DEGREE IN  
SOCIAL WORK.**

**SUPERVISOR: DR. MANGWIRO**

**JUNE 2025**

## DECLARATION

I, **Salmah Tabarara**, hereby declare that this research on "A framework towards the efficacy of pre-trial diversion programs in extenuating juvenile delinquency in Zimbabwe" is my original work and has been completed under the supervision of **Dr. V.P. Mangwiro**.

I confirm that I have conducted this research in accordance with the ethical and academic standards of Bindura University of Science Education and that I have properly acknowledged all sources of information and assistance.

Signed: ..... Date: .....

## RELEASE FORM

### APPROVAL FORM

I certify that I have supervised **TABARARA SALMAH** in undertaking the research titled: **A framework towards the efficacy of pre-trial diversion programs in extenuating juvenile delinquency in Zimbabwe: A case study of Chitungwiza District**. This is in partial fulfilment of the requirements of a Bachelor of Science (Honours) Degree, in Social Work, and I hereby recommend it for acceptance by Bindura University of Science Education.

Signature.....

**Dr Mangwiro V.P.**

**(Supervisor)**

17/06/2025

**Date**

### Chairperson of the Department Board of Examiners

The Department Board of Examiners is satisfied that this dissertation report meets the examination requirements and therefore recommend Bindura University of Science Education to accept this research project by **TABARARA SALMAH** titled: **A framework towards the efficacy of pre-trial diversion programs in extenuating juvenile delinquency in Zimbabwe: A case study of Chitungwiza District**, in partial fulfilment of the Bachelor of Science, (Honours) Degree in Social work.

### Chairperson

Name.....Signature.....Date.....

# APPROVAL FORM

BINDURA UNIVERSITY OF SCIENCE EDUCATION

FACULTY OF SOCIAL SCIENCES AND HUMANITIES

DEPARTMENT OF SOCIAL WORK



*[Handwritten Signature]*

22, 08/25

Student Signature

Date

*[Handwritten Signature]*

22, 08/25

Supervisor Signature

Date

*[Handwritten Signature]*

22/08/25

Chairperson Signature

Date



## **ACKNOWLEDGEMENTS**

First and foremost, I want to convey my heartfelt appreciation to my supervisor, for her unwavering dedication to instructing and guiding me. I am truly grateful for your patience and support. Thank you for your relentless efforts in helping your students reach their full potential.

I would also like to sincerely thank the staff at the Department of Social Development and the Ministry of Justice for granting permission for my research and offering me the opportunity to gather data. I am profoundly thankful for the trust you placed in me by providing access to sensitive information.

Additionally, I wish to express my deepest gratitude to my family members who have supported and encouraged me at every step of this journey. I want to recognize my fathers for their ongoing professional support and the expertise they contributed to this research. To my siblings, I am incredibly thankful for your constant belief in my abilities. Thank you for always reminding me that I could achieve my goals. Lastly, I want to acknowledge and express my deepest appreciation for my mother. Mom, I love you dearly, and I am so grateful for having you as my greatest supporter.

Above all, I thank God for the wisdom and knowledge that guided me throughout this journey. It is through God's guidance that I was able to navigate this process. I extend my deepest and warmest gratitude to these wonderful companions. I could not have endured this time without your support.

## **DEDICATION**

This dissertation is primarily dedicated to all young offenders who are struggling with the challenges of crime and its consequences. It aims to shed light on their experiences and the systemic issues they face. Additionally, I dedicate this work to the social workers who tirelessly advocate for the best interests of these children, often going above and beyond to provide support and guidance. Furthermore, I extend this dedication to all students who are interested in exploring pre-trial diversion programs that focus on uplifting and rehabilitating young offenders, as their research is crucial for creating effective solutions. Lastly, I dedicate this dissertation to my parents, in heartfelt recognition of their unwavering love, support, and guidance throughout my life, which has been instrumental in my journey.

## PLAGIARISM REPORT

TABARARA SALMAH B210667B.docx

### ORIGINALITY REPORT

<b>3%</b>	<b>2%</b>	<b>0%</b>	<b>1%</b>
SIMILARITY INDEX	INTERNET SOURCES	PUBLICATIONS	STUDENT PAPERS

### PRIMARY SOURCES

<b>1</b>	<b>hdl.handle.net</b> Internet Source	<b>1%</b>
<b>2</b>	<b>www.coursehero.com</b> Internet Source	<b>&lt;1%</b>
<b>3</b>	<b>core.ac.uk</b> Internet Source	<b>&lt;1%</b>
<b>4</b>	<b>ir.msu.ac.zw:8080</b> Internet Source	<b>&lt;1%</b>
<b>5</b>	<b>Moody, Addam Ray. "Embracing a Broader Conception of Poverty: Strategies for School-Level Leaders.", The University of Alabama</b> Publication	<b>&lt;1%</b>
<b>6</b>	<b>www.researchsquare.com</b> Internet Source	<b>&lt;1%</b>
<b>7</b>	<b>Submitted to Regenesys Business School</b> Student Paper	<b>&lt;1%</b>
<b>8</b>	<b>scholarworks.waldenu.edu</b> Internet Source	<b>&lt;1%</b>

**elibrary.buse.ac.zw:8080**

## MARKING GUIDE

**BINDURA UNIVERSITY OF SCIENCE EDUCATION**

**DEPARTMENT OF SOCIAL WORK**

--

**Name:**

**Registration No:**

### MARKING GUIDE: UNDERGRADUATE RESEARCH PROJECT

<b>Chapter 1 INTRODUCTION</b>	<b>Possible Mark</b>	<b>Actual Mark</b>
Abstract	<b>10</b>	
Background to the study- what is it that has made you choose this particular topic? Include objectives or purpose of the study	<b>20</b>	
Statement of the problem	<b>10</b>	
Research questions	<b>15</b>	
Assumptions	<b>5</b>	
Significance of the study	<b>15</b>	
Limitations of the study	<b>5</b>	
Delimitations of the study	<b>5</b>	
Definition of terms	<b>10</b>	
Summary	<b>5</b>	
Total	<b>100</b>	
<b>Weighted Mark</b>	<b>15</b>	

**Comments.....**

.....

.....

### Chapter 2 LITERATURE REVIEW



Introduction- what do you want to write about in this chapter?	<b>5</b>	
Conceptual or theoretical framework	<b>10</b>	
Identification, interpretations and evaluation of relevant literature and citations	<b>40</b>	
Contextualisation of the literature to the problem	<b>10</b>	
Establishing gaps in knowledge and how the research will try to bridge these gaps	<b>10</b>	
Structuring and logical sequencing of ideas	<b>10</b>	
Discursive skills	<b>10</b>	
Summary	<b>5</b>	
Total	<b>100</b>	
<b>Weighted Mark</b>	<b>20</b>	

**Comments**.....  
.....  
.....

### **Chapter 3 RESEARCH METHODOLOGY**

Introduction	<b>5</b>	
Research design	<b>10</b>	
What instruments are you using to collect data?	<b>30</b>	
Population, sample and sampling techniques to be used in the study	<b>25</b>	
Procedures for collecting data	<b>15</b>	
Data presentation and analysis procedures	<b>10</b>	
Summary	<b>5</b>	
Total	<b>100</b>	
<b>Weighted Mark</b>	<b>25</b>	

**Comments**.....  
.....  
.....

#### Chapter 4 DATA PRESENTATION, ANALYSIS AND DISCUSSION

Introduction	5	
Data presentation	50	
Is there any attempt to link literature review with new findings	10	
How is the new knowledge trying to fill the gaps identified earlier	10	
Discursive and analytical skills	20	
Summary	5	
Total	100	
<b>Weighted Mark</b>	<b>30</b>	

#### Comments

.....  
.....  
.....

#### Chapter 5 SUMMARY, CONCLUSION AND RECOMMENDATIONS

Introduction- focus of the chapter	5	
Summary of the whole project including constraints	25	
Conclusions- have you come up with answers to the problem under study	30	
Recommendations(should be based on findings) Be precise	30	
References	5	
Appendices i.e. copies of instruments used and any other relevant material	5	
Total	100	
<b>Weighted mark</b>	<b>10</b>	

#### Comments

.....

.....  
.....  
**SUMMARY:-**

	<b>Actual</b>	<b>Total</b>
<b><u>Chapter 1</u></b>		
<b><u>Chapter 2</u></b>		
<b><u>Chapter 3</u></b>		
<b><u>Chapter 4</u></b>		
<b><u>Chapter 5</u></b>		
<b>Total</b>	<b>_____</b>	<b>_____</b>

## ABSTRACT

*The study sought to explore the efficacy of pre-trial diversion programs in extenuating juvenile delinquency in Zimbabwe, with a special focus on the juvenile justice system in Chitungwiza District. This study adopted an interpretivist philosophical perspective and a qualitative research approach. The study also employed a case study design to provide an in depth analysis on the efficacy of pretrial diversion programs in extenuating juvenile delinquency in Zimbabwe. Purposive, convenience and quota sampling were utilised to select 15 participants who included 4 key informants, 9 young offenders and 2 family members. This ensured that the researcher could access clients based on their geographical area, expertise and availability. Participants were 15 including 4 key informants, 9 young offenders and 2 family members. Data was collected through in-depth interviews, observations and focus group discussions. Thematic analysis was used to analyse data. The research was guided by three key objectives namely, to assess the efficacy of pre-trial diversion programs in Zimbabwe, to identify the challenges faced in implementation of pretrial diversion programs in Chitungwiza and to enhance existing pre-trial diversion programs through a model. These objectives were explored under the restorative justice theory which not only informed the evaluation of existing programs but also guided the development of evidence-based recommendations for improving these initiatives within Chitungwiza District. The study found out that restorative justice is essential for the effectiveness of pretrial diversion. With a focus on principles of accountability, rehabilitation, and repairing harm, pre-trial diversion provides young offenders with a meaningful alternative to traditional prosecution. This approach not only reduces recidivism rates but also promotes personal growth and aids in successful reintegration into society. The study also acknowledged that it is crucial to expand and strengthen these programs within the justice system. Programs particularly singled out were community service, vocational training and placement at institution. The researcher found out that contrary to literature, these programs are actually lagging behind in terms of providing service to young offenders as is the case with PTD in Chitungwiza not implementing community service due to resource constraints, similarly vocational training cannot be fully utilised while institutions are filled to capacity with an incessant lack of trained personnel. The study also concluded that while pre-trial diversion in Zimbabwe is acknowledged as a positive step towards rehabilitation of young offenders away from punishment, it is significantly hampered by these systemic challenges. Consequently, these findings underscored the need for necessary integration of interventions towards the enhancement of pre-trial diversion programs such as a comprehensive legal reform, increased resource allocation, vigorous public awareness campaigns and strengthened interagency collaboration. One can therefore conclude that ultimately for these programs to achieve maximum impact, the researcher recommends that relevant stakeholders such as pre-trial diversion officers, probation officers and the government utilise the Interstitial framework for restorative juvenile justice outlined in this research.*

## LIST OF ACRONYMS

<b>ACPF</b>	African Child Policy Forum
<b>ACRWC</b>	African Charter on the Rights and Welfare of the Child
<b>BME</b>	Black and Minority Ethnic
<b>CSO</b>	Civil Society Organisations
<b>DSD</b>	Department of Social Development
<b>DSS</b>	Department of Social Services
<b>FFT</b>	Family Functional Therapy
<b>FGD</b>	Focus Group Discussions
<b>MST</b>	Multisystemic Therapy
<b>NGO</b>	Non-governmental Organisation
<b>NICRO</b>	National Institute for Crime Prevention and Reintegration of Offenders
<b>PTD</b>	Pre-trial Diversion
<b>UNCRC</b>	United Nations Convention on the Rights of the Child
<b>UNICEF</b>	United Nations Children's Emergency Fund
<b>VFU</b>	Victim Friendly Unit
<b>VOM</b>	Victim-Offender Mediation
<b>ZNCWC</b>	Zimbabwe National Council for the Welfare of Children
<b>ZRP</b>	Zimbabwe Republic Police

## TABLE OF CONTENTS

DECLARATION .....	i
RELEASE FORM.....	ii
APPROVAL FORM .....	iii
ACKNOWLEDGEMENTS.....	iv
DEDICATION .....	v
PLAGIARISM REPORT .....	vi
MARKING GUIDE .....	vii
ABSTRACT.....	xi
LIST OF ACRONYMS .....	xii
TABLE OF CONTENTS.....	xiii
CHAPTER 1: INTRODUCTION AND BACKGROUND TO THE STUDY .....	1
1.0 INTRODUCTION .....	1
1.1 BACKGROUND TO THE STUDY .....	1
1.2 STATEMENT OF THE PROBLEM .....	4
1.3. MAIN AIM .....	5
1.4. OBJECTIVES OF THE STUDY .....	5
1.4.1.RESEARCH QUESTIONS.....	5
1.5. ASSUMPTIONS .....	6
1.6 JUSTIFICATION .....	6
1.7 SIGNIFICANCE OF THE STUDY .....	7
1.8 LIMITATIONS .....	7
1.9 DELIMITATIONS OF THE STUDY .....	8
1.10 DEFINITION OF KEY TERMS .....	8
1.11 DISSERTATION OUTLINE.....	9

1.12 CHAPTER SUMMARY .....	10
CHAPTER 2: LITERATURE REVIEW .....	11
2.0 INTRODUCTION .....	11
2.1 RESTORATIVE JUSTICE THEORY (Zehr, 1990) .....	11
2.1.1 RELEVANCE OF RESTORATIVE JUSTICE TO YOUNG OFFENDERS .....	12
2.1.2 APPLICATION OF RESTORATIVE JUSTICE THEORY TO PRE TRIAL DIVERSION PROGRAMS.....	14
2.1.3 IMPLICATIONS FOR JUVENILE JUSTICE REFORM .....	15
2.2 LITERATURE REVIEW .....	16
2.2.1 The efficacy of pre-trial diversion programs in reducing juvenile delinquency. ....	16
2.2.2 Challenges faced in implementation of pre-trial diversion programs. ....	20
2.2.3 Strategies that have been used to improve pre-trial diversion programs. ....	24
2.3 CHAPTER SUMMARY .....	28
CHAPTER 3: RESEARCH METHODOLOGY .....	29
3.0 INTRODUCTION .....	29
3.1 RESEARCH PHILOSOPHY .....	29
3.2 RESEARCH APPROACH .....	30
3.3 RESEARCH DESIGN .....	30
3.4 STUDY SETTING.....	31
3.5 TARGET POPULATION.....	31
3.6 SAMPLING TECHNIQUES AND SAMPLE SIZE .....	31
3.6.1 Sample Size.....	32
3.6.2 Sampling Techniques.....	32
3.7 DATA COLLECTION TOOLS AND INSTRUMENTS .....	33
3.7.1 Semi-Structured Interviews.....	33
3.7.2 Focus Group Discussions.....	34

3.7.3 Observation .....	35
3.7.4 Document Analysis .....	35
3.8 DATA COLLECTION TOOLS.....	35
3.8.1 Interview Guides .....	36
3.8.2 Audio Recorders .....	36
3.8.3 Note-taking .....	36
3.9 RESEARCH PROCEDURE .....	37
3.10 VALIDITY AND RELIABILITY/TRUSTWORTHINESS .....	38
3.11 DATA PRESENTATION AND ANALYSIS .....	39
3.12 ETHICAL CONSIDERATIONS .....	41
3.12.1 Informed Consent.....	41
3.12.2 Confidentiality .....	41
3.12.3 Right to Withdraw.....	42
3.12.4 Non-Maleficence.....	42
3.13 LIMITATIONS .....	42
3.13.1 Participant bias .....	43
3.13.2 Limited Generalization .....	43
3.13.3 Resource Constraints.....	44
3.13.4 Variability in Policies and Societal Attitudes .....	44
3.14 CHAPTER SUMMARY .....	45
CHAPTER 4: DATA PRESENTATION, INTERPRETATION AND ANALYSIS .....	46
4.0 INTRODUCTION .....	46
4.1 DEMOGRAPHICAL DATA OF THE PARTICIPANTS .....	46
4.2 QUALITATIVE FINDINGS .....	49
4.3 PRE-TRIAL DIVERSION PROGRAMS.....	50



4.3.1 Symbolic restitution .....	50
4.3.2 Counselling .....	51
4.3.3 Family group conferencing .....	52
4.3.4 Victim offender mediation .....	53
4.3.5 Police cautions .....	54
4.3.6 Admission into institution.....	55
4.3.7 Community service .....	56
4.3.8 Constructive use of leisure time .....	56
4.3.9 Vocational training.....	57
4.4 THE EFFICACY OF PRE-TRIAL DIVERSION PROGRAMS IN REDUCING JUVENILE DELIQUENCY .....	58
4.4.1 Reduced Recidivism Rates.....	59
4.4.2 Addressing underlying causes of delinquency .....	60
4.4.3 Personality growth .....	61
4.4.4 Social reintegration .....	62
4.4.5 Repairing harm.....	64
4.5 CHALLENGES FACED IN THE IMPLEMENTATION OF PRE-TRIAL DIVERSION PROGRAM.....	65
4.5.1 Absence of a comprehensive legal system.....	65
4.5.2 Shortage of trained personnel .....	66
4.5.3 Lack of public awareness and advocacy .....	68
4.5.4 Lack of post-diversion support .....	69
4.5.5 Resource constraints .....	70
4.5.6 Lack of coordination .....	71
4.6 STRATEGIES USED TO IMPROVE PRE-TRIAL DIVERSION PROGRAMS .....	72
4.6.1 Integration of technology and innovation .....	72

4.6.2 Implementation and enactment of legislation for PTD .....	74
4.6.3 Sustainability and long term funding strategies .....	75
4.6.4 Development of comprehensive support networks .....	76
4.6.5 Post -diversion program support services .....	77
4.7 CHAPTER SUMMARY .....	78
CHAPTER 5: SUMMARY, CONCLUSION AND RECOMMENDATIONS.....	79
5.0 INTRODUCTION .....	79
5.1 SUMMARY OF FINDINGS .....	79
5.1.1 PRE-TRIAL DIVERSION PROGRAMS IN CHITUNGWIZA .....	79
5.1.2 THE EFFICACY OF PRE-TRIAL DIVERSION PROGRAMS IN REDUCING JUVENILE DELIQUENCY IN CHITUNGWIZA .....	80
5.1.3 CHALLENGES FACED IN THE IMPLEMENTATION OF PRE-TRIAL DIVERSION PROGRAMS.....	80
5.1.4 STRATEGIES USED TO IMPROVE PRE-TRIAL DIVERSION PROGRAMS IN ZIMBABWE.....	80
5.2 CONCLUSION OF FINDINGS .....	81
5.3 RECOMMENDATIONS .....	82
5.4 IMPLICATIONS FOR SOCIAL WORK PRACTICE.....	83
5.5 AREAS FOR FURTHER STUDY .....	84
5.7 CHAPTER SUMMARY.....	87
REFERENCES .....	88
APPENDICES .....	93
APPENDIX 1: RESEARCH LETTER .....	93
APPENDIX 2: APPROVAL LETTER.....	94
APPENDIX 3: APPROVAL LETTER.....	95
APPENDIX 4: CONSENT STATEMENT.....	96
APPENDIX 5: IN-DEPTH INTERVIEW GUIDE FOR YOUNG OFFENDERS.....	97

APPENDIX 6: IN-DEPTH INTERVIEW GUIDE FOR PROBATION AND PRE-TRIAL DIVERSION OFFICERS. ....	97
APPENDIX 7: IN-DEPTH INTERVIEW GUIDE FOR FAMILIES OF YOUNG OFFENDERS. .	98
APPENDIX 8: FOCUS GROUP DISCUSSIONS WITH YOUNG OFFENDERS. ....	99
 <b>LIST OF TABLES</b>	
4.1.1 Table 1: Biographical profile of key informants.....	46
4.1.2 Table 2: Biographical profile of young offenders.....	48
4.1.3 Table 3: Demographical data of families of young offenders.....	49
 <b>LIST OF FIGURES</b>	
5.6 FIGURE 1: THE INTERSTITIAL FRAMEWORK FOR RESTORATIVE JUVENILE JUSTICE .....	85

## **CHAPTER 1: INTRODUCTION AND BACKGROUND TO THE STUDY**

### **1.0 INTRODUCTION**

Juvenile delinquency constitutes a major concern for child welfare in Zimbabwe. The existing strategies for addressing juvenile offending in the country have predominantly depended on punitive and retributive approaches. The worldwide transition towards restorative juvenile justice signifies a notable shift in this paradigm. Restorative justice emphasizes the rehabilitation of the harm inflicted by delinquent behaviour, accomplished through supportive and inclusive processes that engage all parties affected. Within this framework, Pre-trial Diversion stands out as a crucial restorative justice tool. PTD seeks to tackle the root causes of criminal behaviour in an educational rather than solely punitive fashion. This aims to transcend retribution in favour of societal reconciliation and evaluating harm from a community justice standpoint to avert future misconduct. The PTD in Zimbabwe launched in 2019 following earlier pilot programs aims to redirect children committing minor offenses from the formal criminal justice system. Despite substantial evidence indicating merits of pre-trial diversion, the viability of implementing them in societies historically dominated by retributive justice systems is faced with scrutiny. International experiences including reported successes in South Africa and across Europe suggest PTD's potential for effective application in diverse application. A critical gap however is the significant scarcity of evaluative research on juvenile justice programs. This lack of empirically grounded understanding of pre-trial diversion points to a pressing need for this research to explore the efficacy of pre-trial diversion programs in Zimbabwe. Consequently, this study aims to develop comprehensive framework for enhancing the efficacy of pre-trial diversion programs. This is crucial for guiding the implementation and refinement of PTD ensuring they are contextually relevant and contribute towards reducing juvenile delinquency.

### **1.1 BACKGROUND TO THE STUDY**

Globally, nations across continents have shifted away from punitive models toward pre-trial diversion programs, which aim to address the underlying causes of delinquent behavior without resorting to formal adjudication. These programs are grounded in principles of restorative justice, rehabilitation, and social reintegration reflecting a growing international consensus that early

intervention and community-based responses yield better long-term outcomes for young offenders and society. The introduction of the juvenile court system in the United States during the 19th century was a landmark development aiming to provide a more compassionate and protective approach for minors (Zabel & Nigro, 2007). The primary goal was to shield children from the damaging influence of adult prisons while addressing delinquency through rehabilitation. Prior, children were often subjected to the same harsh legal processes as adults (Abram et al., 2004). Early advocates, known as "child savers," campaigned against this severe treatment, arguing for a recognition of children's unique developmental vulnerabilities, though they faced resistance from a society that often viewed children as mini-adults (Abram et al., 2004). The shift towards a more humane system was gradual. By the late 19th and early 20th centuries, practices like probation began to emerge as alternatives to incarceration, yet the separation of children from adult inmates remained inconsistent and institutional conditions were often poor.

This led to the pivotal concept of pre-trial diversion, formally recommended in the U.S. in the 1960s as an alternative to formal court proceedings (Abram et al., 2004). This marked a critical transition from a purely judicial-welfare model towards a restorative justice approach, emphasizing rehabilitation and reintegration over punishment. This philosophical shift did not remain a national phenomenon, it gained significant international traction and was codified in landmark United Nations instruments. The UN Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules, 1985), the UN Guidelines for the Prevention of Juvenile Delinquency (The Riyadh Guidelines, 1990), and most importantly, the UN Convention on the Rights of the Child (UNCRC, 1989) established a global consensus. These frameworks firmly established diversion as a key principle of international child justice standards, urging countries to deal with young offenders through community-based programs, victim-offender mediation, and other restorative measures. However, the translation of these international standards into effective practice varies significantly across different regions, shaped by unique legal traditions, resource capacities and socio-cultural contexts. This is particularly evident when examining the landscape of juvenile justice in Southern Africa, where the journey of reform presents its own distinct opportunities and challenges.

Regionally, the landscape of juvenile justice in Africa is undergoing a significant transformation, moving away from inherited punitive colonial models towards restorative, rights-based approaches.

This evolution is largely driven by the principles enshrined in the African Charter on the Rights and Welfare of the Child (ACRWC), which mandates that signatory states prioritize the child's reintegration into society and handle juvenile cases in a manner that promotes their sense of dignity and worth. Central to this reform is the increasing adoption of pretrial diversion programs as a primary strategy to steer children away from the formal court system, avoid the stigma of a criminal record, and promote rehabilitation over punishment (Sloth-Nielsen, 2012). Pioneering legislative frameworks, such as South Africa's Child Justice Act, alongside reforms in countries like Kenya, Uganda, and Sierra Leone, exemplify this regional commitment to diversion.

The trajectory of pretrial diversion in South Africa offers a powerful case study in transformative justice, evolving from a punitive and fragmented system under apartheid to one of the most progressive, legislatively-grounded diversion frameworks in the world. This evolution was driven by a profound constitutional shift and a deliberate embrace of restorative justice principles. It provides a critical benchmark for neighbouring countries, including Zimbabwe, as they seek to reform their own juvenile justice systems. Under apartheid, the juvenile justice system was punitive and racially segregated, relying on institutionalization and adult court trials for children (Batley, 2005). Any existing diversionary practices were ad-hoc and largely inaccessible to black youth (Sloth-Nielsen, 2003). The adoption of the 1996 Constitution marked a revolutionary turning point. Its Bill of Rights, particularly Section 28, enshrined children's rights and established detention as a measure of last resort (Constitution of the Republic of South Africa, 1996).

This new constitutional and philosophical foundation paved the way for the development and eventual enactment of the Child Justice Act 75 of 2008, which came into force in 2010. The Act established a comprehensive legal framework for diversion, creating a mandatory preliminary inquiry process to assess every child's case and determine their suitability for diversion (Child Justice Act, 2008). It raised the minimum age of criminal capacity and created a clear hierarchy of diversion options, ranging from simple apologies and community service for minor offenses to intensive, structured programs for more serious cases (Gallinetti, 2012). This created a legal imperative for a new system, heavily influenced by the philosophy of restorative justice and the indigenous concept of Ubuntu, which prioritizes community and reconciliation over retribution (Skelton & Frank, 2013). Civil society organizations, most notably the National Institute for Crime Prevention and the Reintegration of Offenders (NICRO), played a pioneering role by developing

and implementing diversion programs long before the Act was passed, providing a practical evidence base that heavily informed the final legislation (Batley, 2005). However, the evolution is not without its challenges. The efficacy of the system is often hampered by significant resource constraints, an overburdened social work sector, and inconsistencies in application across different provinces (Zuma, 2018).

Locally, Zimbabwe has implemented a pre-trial diversion program which diverts children who commit non-serious offenses from the formal justice system through rehabilitative measures. The program, launched in 2009, aims to make young persons responsible and accountable for their actions, providing opportunities for reparation and preventing early criminal records (Ministry of Justice, 2013). The program is guided by principles that prioritize the best interest of the child, minimize detention, and ensure protection from abuse and exploitation (Protocol on the Multi-Sectoral Management of Sexual Abuse and Violence in Zimbabwe, 2012). UNICEF (2013) reports that 77% of referred children had their cases diverted from the criminal justice system through the pre-trial diversion program. This pre-trial diversion incorporates rehabilitative components such as counseling, victim-offender mediation and constructive leisure activities, to prevent recidivism. This approach has created a new field of social work, where specialist social workers serve as diversion officers, focusing on children in conflict with the law (Pre-trial Diversion Guidelines, 2012).

However, Zimbabwe's PTD programs, while advancing restorative justice, faces systemic challenges that hinder its efficacy. Sithole (2023) identifies structural issues like unequal access to services, where limited options such as counselling and community service disproportionately affect high density suburbs like Chitungwiza. UNICEF (2021) report also highlights institutional shortcomings, particularly the absence of a legal framework like the pending Child Justice Bill, which is crucial for standardizing PTD implementation. This gap exposes vulnerabilities, including a low minimum age of criminal responsibility (currently 7) and inadequate protections for children living with disabilities. This necessitates the goals of this study which is to come up with a framework towards the improvement of the efficacy of pre-trial diversion programs in Zimbabwe.

## **1.2 STATEMENT OF THE PROBLEM**

The practical efficacy of pre-trial diversion (PTD) programs in Zimbabwe in extenuating juvenile delinquency and curbing recidivism presents a significant challenge, despite their establishment as rehabilitative alternatives. A fundamental issue is that these programs, while sound in policy, often falter in consistent and effective implementation, leading to a disconnect between their intended goals and actual outcomes. Crucially, the efficacy of pre-trial diversion programs in extenuating juvenile delinquency within the Zimbabwean context remains under-explored and lacks empirical validation. This assertion is underscored by the reality that while these programs show promise in reducing juvenile crime and improving social reintegration, there is insufficient research on their true impact. This lack of empirical grounding is exacerbated by practical operational barriers. Sithole (2023) identifies critical impeding factors hindering young offenders' access to pre-trial diversion services in Zimbabwe, which collectively suggest that these programs are not being fully implemented. Moreover, the problem of re-offending persists, as recidivism rates are rising among offenders in Zimbabwe despite the implementation of westernized rehabilitation programs (Zinyemba, Maushe and Mangwiro 2020). Therefore, this study seeks to develop an empirically robust framework to address these deficiencies, enhancing the practical application and efficacy of PTD programs for juveniles in Zimbabwe.

### **1.3. MAIN AIM**

This research aims to explore the efficacy of pre-trial diversion programs in curbing juvenile delinquency in Chitungwiza District by examining their impact on recidivism rates, social reintegration, and the root causes of juvenile crime to develop a model for program enhancement.

### **1.4. OBJECTIVES OF THE STUDY**

- To assess pre-trial diversion programs in reducing juvenile delinquency in Zimbabwe.
- To identify the challenges faced in implementation of pre-trial diversion programs in Zimbabwe.
- To propose a model for enhancing existing pre-trial diversion programs aimed at reducing juvenile delinquency and promoting social reintegration in Zimbabwe.

#### **1.4.1. RESEARCH QUESTIONS**



1. What is the relationship between pre-trial diversion programs and recidivism rates among young offenders in the Chitungwiza?
2. What are the challenges faced in the implementation of pre-trial diversion programs in Zimbabwe?
3. What key components should be included in a model to enhance existing pre-trial diversion programs aimed at reducing juvenile delinquency in Zimbabwe?

## **1.5. ASSUMPTIONS**

Creswell (2014) describes assumptions as conditions that are taken for granted and are usually beyond the researcher's control. These assumptions establish the expectations of the researcher based on prior knowledge or observations. Firstly, this study assumes that juvenile delinquency is shaped by social, economic, and environmental influences. It posits that juvenile delinquency in Chitungwiza arises not merely from individual actions but is significantly shaped by a variety of influences. The study also assumes that PTD has the potential to decrease recidivism rates among juveniles. This assumption is corroborated by Lipsey's (2009), who states that diversion programs may be more effective than traditional court processing in preventing repeat offenses among young offenders. More so, this research assumes that young offenders, their families, and stakeholders will provide truthful and insightful accounts during data collection processes. This premise is reinforced by Patton (2015), who emphasizes the critical role of trust and rapport in qualitative research, especially when dealing with sensitive topics. The validity of the study's conclusions relies on the participants' readiness to share honest reflections regarding their experiences with the diversion programs.

## **1.6 JUSTIFICATION**

This research is motivated by the understanding that while pre-trial diversion programs possess significant potential, their ability to mitigate delinquency is currently hindered by the lack of a coherent, contextually relevant operational framework. The increasing issue of juvenile delinquency in Zimbabwe necessitates more than mere concern, it requires actionable solutions. Consequently, this study is focused on creating a framework aimed at enhancing the efficacy of pre-trial diversion programs in reducing juvenile delinquency in Zimbabwe. This initiative is crucial because merely having programs in place is insufficient. To genuinely impact the lives of

young offenders, interventions must be holistically designed and executed, considering the specific challenges they encounter. It aspires to transcend improvised solutions by establishing this vital framework. In so doing, the research intends not only to address a significant gap in our comprehension of juvenile justice in Zimbabwe but also to offer policymakers and practitioners a solid, evidence-based approach. The formulation of such a framework is an essential step towards building a more effective, compassionate, and ultimately successful juvenile justice system, one that actively facilitates the reintegration and protects the future opportunities of the nation's youth.

## **1.7 SIGNIFICANCE OF THE STUDY**

This study originates from a need to amply identify children in conflict with the law as products of their circumstances and not as children lost to reason and turned to crime. Juvenile delinquency follows a trajectory similar to that of normal adolescent development. In other words, children and youth tend to follow a path toward delinquent and criminal behaviour rather than engaging randomly. This research should inform futuristic model so that juvenile delinquency is addressed with serious consideration for ignored trauma and vulnerability. The better and more cost-effective place to stop the “cradle to prison pipeline” is as close to the beginning of that pipeline as possible. Early intervention prevents the onset of delinquent behaviour and supports the development of a child’s assets and resilience. It also decreases rates of recidivism by a significant percent when minors do go on to engage with the justice system. This study is going to be highlighting that more effort and brainstorming need to be directed into juvenile delinquency so that the intended model identifies vulnerability risk factors and inform program interventions.

## **1.8 LIMITATIONS**

This study may face several limitations that could impact its findings and overall validity. One significant limitation is the potential for participant bias, as young offenders and their families may have personal stakes in the outcomes of pre-trial diversion programs, potentially influencing their responses during interviews or surveys. Cohen and Crabtree (2008) note that self-reported data can often be subject to social desirability bias, where respondents provide answers they believe are more favorable rather than their true experiences. Additionally, the study's focus on a specific geographic area, Chitungwiza, may limit the generalisation of the findings to other regions in Zimbabwe or to different contexts altogether. Lastly, the dynamic nature of juvenile justice

policies and societal attitudes towards delinquency may introduce variability during the study period, complicating the interpretation of results and their applicability over time. These limitations must be acknowledged to contextualize the findings and provide a clear understanding of the study's contributions to the field

## **1.9 DELIMITATIONS OF THE STUDY**

This study is delimited to investigating the efficacy of pre-trial diversion programs in reducing juvenile delinquency in Zimbabwe, with a specific focus on the Chitungwiza District. The study's scope is limited to examining the existing pre-trial diversion programs, policies, and legislative frameworks governing juvenile justice in Zimbabwe (Mhlanga, 2019). By focusing on the Zimbabwean context and young offenders, this study aims to provide a nuanced understanding of the efficacy of pre-trial diversion programs in extenuating juvenile delinquency in Zimbabwe. Temporally, the study is delimited to analysing data from 2013 to 2024, providing a comprehensive understanding of the programs' progression, long-term effects, and adaptations to societal and policy changes (Creswell, 2014). By focusing on this specific context, population, and time frame, the study aims to provide a nuanced understanding of the efficacy of pre-trial diversion programs in extenuating juvenile delinquency in Zimbabwe.

## **1.10 DEFINITION OF KEY TERMS**

**Child:** According to the Constitution of Zimbabwe (2013) and the Amended Children's Act (2023), a child is a young person who is under the age of 18. This definition is consistent with the United Nations Convention on the Rights of the Child (1989), which defines a child as "every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier" (Article 1).

**Pre-trial Diversion:** The National Association of Pre-trial Service Agencies (2020) defines pre-trial diversion as any voluntary option that provides alternative criminal court processing for a defendant charged with a crime and ideally results in dismissal of charges. This definition is supported by the Bureau of Justice Assistance (2019), which states that pre-trial diversion programs provide an alternative to traditional prosecution and incarceration.

**Juvenile:** This United Nations Standard Minimum Rules for the Administration of Juvenile Justice (1985), which defines a juvenile as a child or young person who, under the respective legal systems, may be dealt with for an offense in a manner which is different from an adult (Rule 1).

**Restorative Justice:** Zehr (1990) defines restorative justice as a way of life that focuses on repairing the harm caused by a crime. This is in line with the Restorative Justice Institute (2019), which states that restorative justice seeks to repair the harm caused by crime by bringing together the victim, offender, and members of the community.

**Probation Officer:** According to the Bureau of Justice Assistance (2019), a probation officer is a law enforcement officer responsible for supervising and guiding individuals who have been placed on probation. Additionally, the National Institute of Justice (2019) defines a probation officer as a law enforcement officer who supervises and monitors individuals who have been convicted of a crime and are serving a sentence of probation.

## **1.11 DISSERTATION OUTLINE**

**Title: A framework towards the efficacy of pre-trial diversion programs in extenuating juvenile delinquency in Zimbabwe. A case study of Chitungwiza District.**

The study aims to establish a structured model to outline how pre-trial diversion programs can be improved in terms of their efficacy. The focus is on how well these pre-trial diversion programs work towards reducing juvenile delinquency in Zimbabwe and in preventing juvenile from entering the criminal formal justice system. The study's focus is on the shift from punitive punishments to restorative justice. Extenuating means that the study will explore factors that contribute to juvenile delinquency and how diversion programs can alleviate these issues and finally, the study has been narrowed down to Chitungwiza District to allow for an in depth analysis of local practices, challenges and successes in relation to pre-trial diversion programs.

### **➤ Chapter 1: Introduction and Background to the study**

This chapter is going to be focusing on introducing the study. This section of the dissertation will have the introduction, historical background, objectives, research questions, statement of the

problem, justification, delimitations, limitations, definition of key terms and outline of the dissertation.

## ➤ **Chapter 2 : Literature Review**

This chapter will be theoretical framework and literature review. An outline of objectives detailed under literature review and theoretical framework relevant to the study will be discussed and analysed. Literature review will be done to review the work that has been done surrounding the topic and relevant to present research. Theoretical framework will focus on who propounded the theory and when, and how it relates to the topic of research. It's relevance, strengths, weaknesses and the researcher's recommendations.

## ➤ **Chapter 3: Research Methodology**

This chapter will be the Methodology section. This will be focusing on the research approach and research design used during data collection. In this chapter all research methods and data collection tools utilized by the researcher during data collection will be introduced here.

## ➤ **Chapter 4: Data Presentation, Interpretation, Analysis and Discussion**

Chapter 4 of the dissertation will be data presentation and analysis. This means that the researcher will be analysing the data collected and analyse it using thematic analysis. Data will be presented in tables and themes and analysed in this chapter of the dissertation.

## ➤ **Chapter 5: Summary, Conclusion and Recommendations**

This chapter of the dissertation will include the summary of findings, conclusions and recommendations for future studies. The proposed model for enhancing pre-trial diversion programs will also be presented and explained in this section. Finally the chapter will have a conclusion.

## **1.12 CHAPTER SUMMARY**

This chapter provided an introduction to the research study on the efficacy of pre-trial diversion programs in extenuating juvenile delinquency in Zimbabwe. The chapter outlined the background of the study, the research problem, objectives and research questions. The significance and

justification of the study were also discussed. Furthermore, the chapter defined key terms relevant to the study. The next chapter will review the theoretical framework and literature related to pre-trial diversion programs, juvenile delinquency, and restorative justice.

## **CHAPTER 2: LITERATURE REVIEW**

### **2.0 INTRODUCTION**

This chapter provides an overview of the theoretical framework and literature review which underpin this study. It examines the Restorative Justice Theory, exploring its core principles, key components and applications in various contexts. The chapter delves into the global and regional literature on pre-trial diversion programs, with a focus on their efficacy in reducing juvenile delinquency. The chapter also reviews the existing literature on the implementation and outcomes of pre-trial diversion programs in Zimbabwe, highlighting the gaps and limitations that this study aims to address. By situating this study within the Restorative Justice Theory and reviewing the relevant literature, this chapter provides a foundation for understanding the complexities of pre-trial diversion programs and their potential to extenuate juvenile delinquency in Zimbabwe.

### **2.1 RESTORATIVE JUSTICE THEORY (Zehr, 1990)**

This study is grounded in Restorative Justice Theory, first articulated by Howard Zehr in the 1990s as a transformative alternative to traditional punitive justice systems (Zehr, 2018). Restorative justice centers on the concept of repairing harm caused by criminal behavior through a collaborative reconciliation process involving the offender, the victim, and the community. The

relevance of restorative justice is particularly pronounced in the context of young offenders, as it shifts the focus from punitive measures to rehabilitation and social reintegration, thereby aligning closely with the objectives of pre-trial diversion programs (Mlambo, 2020). The theory offers a comprehensive framework for analyzing how pre-trial diversion programs can effectively serve as rehabilitative alternatives to traditional punitive approaches. It advocates for a holistic perspective on juvenile justice reform.

To add on, the restorative justice theory underscores the importance of community involvement in the justice process, reinforcing the notion that a supportive environment can significantly enhance the reintegration of young offenders into society. The application of restorative justice principles in pre-trial diversion programs enables a deeper exploration of how these initiatives can mitigate recidivism rates among young offenders by fostering accountability and encouraging constructive relationships between offenders and their communities. This framework not only informs the evaluation of existing programs but also guides the development of evidence-based recommendations for improving pre-trial diversion within Chitungwiza District. Ultimately, this study aims to contribute to the broader discourse on juvenile justice reform by illustrating the potential of restorative justice principles to transform the experiences of young offenders and enhance community safety and cohesion. By examining the efficacy of pre-trial diversion programs through the lens of restorative justice, this research seeks to provide insights into the development of effective and sustainable juvenile justice interventions.

### **2.1.1 RELEVANCE OF RESTORATIVE JUSTICE TO YOUNG OFFENDERS**

The Restorative justice theory is particularly relevant to young offenders as it recognizes that young offenders have unique needs and circumstances which require a more nuanced and supportive response. Restorative justice is not a one size fits all approach to crime. As such, it continues to evolve and assume new forms as governments and communities implement restorative justice principles in a manner that most effectively meets the needs of crime victims, offenders and community residents (UNODOC, 2020). Punitive measures can have negative consequences for young offenders, including increased recidivism rates and decreased pro-social behavior (Fagan, 2013).

To add on, restorative justice advocates for a holistic perspective on juvenile justice reform by emphasizing the needs of both the offender and the community. It recognizes that young offenders are complex individuals with multiple identities and roles, including being members of families, communities, and society at large. By acknowledging these multiple identities, restorative justice seeks to address the root causes of delinquency, such as family dysfunction, peer pressure, and social inequality. Sherman and Strang (2011) note that restorative justice provides a way for young offenders to take responsibility for their actions and make amends in a constructive way (p. 15). This approach not only holds offenders accountable but also provides them with the support and guidance they need to desist from future offending.

In addition, the theory also acknowledges the impact of crime on victims and communities. Rather than simply punishing offenders, restorative justice seeks to repair the harm caused by crime and promote healing and reparation. Restorative justice recognizes that victims and communities have needs and concerns that must be addressed in order to promote justice and accountability. By involving victims and communities in the restorative justice process, programs can provide a safe and supportive environment for offenders to take responsibility for their actions and make amends. Ultimately, the holistic perspective of restorative justice seeks to promote justice, accountability, and healing for all parties affected by crime, including offenders, victims, and communities.

Moreover, restorative justice underscores the importance of community involvement in the justice process. A supportive environment can significantly enhance the reintegration of young offenders into society (Braithwaite, 2018). Involving community members in the restorative justice process ensures that pre-trial diversion programs can foster constructive relationships between offenders and their communities. Umbreit and Armour (2011) note that community involvement is a critical component of restorative justice, as it provides a way for offenders to make amends and reintegrate into society (p. 25). Moreover, community-based restorative justice programs have been shown to be effective in reducing recidivism rates among young offenders (Rodriguez, 2017). He also found that community-based restorative justice programs that involved family members, community leaders, and other stakeholders were more effective in reducing recidivism rates than traditional punitive approaches.

Furthermore, restorative justice theory promotes accountability and personal growth among young offenders by encouraging them to take responsibility for their actions and make amends (Zehr,



2018). This approach recognizes that young offenders must be held accountable for their actions, but also that they require support and guidance to develop the skills and competencies necessary for positive behavioral change. Through restorative justice programs, young offenders can develop important life skills, such as empathy, self-awareness, and problem-solving (Gavrielides, 2015). This is achieved through a range of practices, including victim-offender mediation, restorative circles, and community service. Restorative justice programs also encourage personal growth among young offenders by promoting self-awareness, self-reflection, and self-regulation (Zehr, 2018). This is achieved through a range of activities, including journaling, art therapy, and counseling. Additionally, restorative justice programs promote empathy and compassion among young offenders by encouraging them to consider the impact of their actions on others (Gavrielides, 2015).

### **2.1.2 APPLICATION OF RESTORATIVE JUSTICE THEORY TO PRE TRIAL DIVERSION PROGRAMS.**

To start with, restorative justice theory provides a comprehensive framework for analyzing how pre-trial diversion programs can effectively serve as rehabilitative alternatives to traditional punitive approaches. By emphasizing accountability, making amends, and reintegration, restorative justice theory guides the development of evidence-based recommendations for improving pre-trial diversion programs in Zimbabwe. This framework allows for a nuanced understanding of the complex needs and circumstances of young offenders, and provides a structure for developing evidence-based recommendations for improving pre-trial diversion programs.

To add on, the Restorative Justice Framework developed by the National Institute of Justice (2019) provides a comprehensive structure for analyzing the effectiveness of restorative justice programs. The framework includes four key components which emphasize the importance of promoting accountability, making amends, and reintegration. Restorative justice emphasizes the importance of holding offenders accountable for their actions (Braithwaite, 2018). Restorative justice encourages offenders to make amends for the harm caused by their actions (Zehr, 2018). Young offenders can make amends through actions such as apologizing to the victim, performing community service, or paying restitution.

Another principle of restorative justice is that it prioritizes the reintegration of offenders into society, rather than punishment and isolation. This principle is rooted in the idea that offenders should be provided with the support and resources needed to reintegrate into society. Braithwaite (2018) postulates that restorative justice seeks to reintegrate offenders into society, rather than excluding them. Its processes outline the key processes involved in restorative justice programs, including victim-offender mediation and restorative circles while restorative justice outcomes highlight the key outcomes of restorative justice programs, including reduced recidivism rates and improved community safety.

More so, by emphasizing accountability, making amends, and reintegration, restorative justice theory guides the development of evidence-based recommendations for improving pre-trial diversion programs in Zimbabwe. This approach recognizes that young offenders must be held accountable for their actions, but also that they require support and guidance to develop the skills and competencies necessary for positive behavioral change. Sherman and Strang (2011) note that restorative justice programs can be effective in reducing recidivism rates among young offenders when they are grounded in a theoretical framework that emphasizes accountability and reintegration.

### **2.1.3 IMPLICATIONS FOR JUVENILE JUSTICE REFORM**

This study aims to contribute to the broader discourse on juvenile justice reform by illustrating the potential of restorative justice principles to transform the experiences of young offenders and enhance community safety and cohesion. By exploring the efficacy of pre-trial diversion programs in extenuating juvenile delinquency in Zimbabwe, this study seeks to inform policy and practice reforms that prioritize restorative justice principles. Braithwaite (2018) notes that restorative justice has the potential to transform the way people think about justice and rehabilitation, and to provide a more effective and humane approach to addressing juvenile delinquency. The theory has been recognized as a key strategy for reducing recidivism rates and promoting community safety and cohesion (Sherman and Strang, 2011). By emphasizing its principles, restorative justice provides a comprehensive approach to addressing the complex needs of young offenders. It is instrumental in reducing recidivism rates among young offenders. Latimer et al. (2017) concurs

that restorative justice programs reduced recidivism rates by 20% compared to traditional punitive approaches.

To add on, restorative justice has been recognized as a key strategy for promoting community safety and cohesion. By involving community members in the restorative justice process, pre-trial diversion programs can foster constructive relationships between offenders and their communities. This can help to promote community safety and cohesion by reducing tensions and conflicts between offenders and their communities. In the context of Zimbabwe, restorative justice has the potential to play a critical role in addressing the complex needs of young offenders. Restorative justice can help to promote community safety and cohesion by reducing tensions and conflicts between offenders and their communities. This study therefore aims to explore the efficacy of pre-trial diversion programs in extenuating juvenile delinquency in Zimbabwe, with a focus on the application of restorative justice principles. By examining the impact of restorative justice on recidivism rates and community safety and cohesion, this study seeks to inform policy and practice reforms that prioritize restorative justice principles.

## **2.2 LITERATURE REVIEW**

The literature in this section is going to be reviewed under sub themes of three of the objectives in this study. These include the efficacy of pre-trial diversion programs, the role of social intervention programs in preventing juvenile delinquency in Zimbabwe and a framework for enhancing existing models towards reducing juvenile delinquency in Zimbabwe. Research will be provided under each objective on a global, regional and local frame. This chapter will also highlight gaps left by existing literature and offer recommendations for improvement.

### **2.2.1 The efficacy of pre-trial diversion programs in reducing juvenile delinquency.**

Globally, pre-trial diversion programs facilitate positive behavioral changes in young offenders through vocational training. By imparting crucial life skills, including problem-solving, conflict resolution, and anger management. Greenwood (2008) found that life skills training programs significantly improved behavioral outcomes, a finding that, while based on research in the United States, is applicable to the Zimbabwean context. These programs are crucial for fostering positive behavioral changes among young offenders. Pre-trial diversion equips young offenders with vital

life skills such as problem-solving, conflict resolution, and anger management. These programs provide targeted therapy sessions that address the specific needs of youth and their families, with therapists collaborating closely with families to tackle issues like ineffective communication and insufficient parental supervision.

To add on, pre-trial diversion supports the successful reintegration of young offenders into their communities by providing essential resources and support. Travers et al. (2014) on case management and mentoring services in the UK revealed that such services significantly improved reintegration outcomes. These initiatives offer critical resources and support, such as case management and mentoring services, to aid in this process. Marufu and Nyoni (2018) demonstrated that community-based interventions, including mentoring and case management, greatly improved reintegration success for young offenders. These programs assign case managers who collaborate with the youth and their families to create personalized reintegration strategies, provide ongoing assistance, and help access community resources. By delivering these necessary services, pre-trial diversion contributes to the successful reintegration of young offenders, reducing the risk of recidivism and encouraging positive behavioral change.

More so, pre-trial diversion programs seeks to address the complex needs of young offenders. The Multisystemic Therapy (Henggeler et al. 2009), is a family-centered approach that addresses the complex needs of young offenders. The program operates in over 30 countries worldwide, including the United States, Canada, the United Kingdom, and Australia. The program is typically implemented in community settings, such as homes, schools, and community centers and has been shown to be effective in reducing recidivism rates and improving overall well-being among young people. MST operates on the understanding that delinquent behavior is influenced by various interconnected systems, including family, peers, school, and community. The therapy involves intensive sessions tailored to the specific needs of the youth and their families, where therapists work closely with families to identify and resolve issues such as poor communication and lack of parental supervision. By addressing mental health and substance abuse issues, MST also provides strategies that help youth develop coping skills and resilience. Studies have consistently shown that MST participants have lower recidivism rates and improved outcomes in areas such as family functioning, peer relationships, and school performance. Henggeler et al. (2009) found that MST participants had a significantly lower recidivism rate (25.6%) compared to controls (67.1%).

Regionally, pre-trial diversion programs have been shown to be effective in reducing juvenile delinquency. These programs provide young people with the support and resources they need to address the underlying causes of delinquent behavior (ACPF, 2015). The African Child Policy Forum (ACPF) is a leading organization in the development and implementation of social intervention programs for young offenders in Africa. The ACPF operates in over 20 countries in Africa, including South Africa, Nigeria, Kenya, Ethiopia, Ghana, Tanzania, Uganda, Zambia, and Zimbabwe (ACPF, 2020). The organization works with local partners, including governments, NGOs, and community organizations, to implement social intervention programs for young offenders. These programs are designed to address the specific needs of young offenders, including counseling, life skills training, vocational training, education, family therapy, and community service.

To add on, ACPF programs are designed to be community-based and family-centered. The organization works with local communities to identify the specific needs of young offenders and develop programs that address these needs. ACPF programs typically involve assessment, counseling, life skills training, vocational training, family therapy, and community service. This comprehensive approach helps young people develop the skills and support they need to succeed in life. ACPF (2015) found that participants in PTD programs showed significant improvements in behavioral outcomes, including reduced recidivism rates and improved school performance. ACPF is effective in addressing the root causes of juvenile delinquency, including poverty, lack of education, and family dysfunction.

Locally, pre-trial diversion programs have been introduced as a way to address juvenile criminal behavior while mitigating the shortcomings of the traditional punitive justice system. These programs are designed to offer alternatives to detention by prioritizing rehabilitation over punishment, aligning with global trends in juvenile justice reform (UNICEF, 2013). Local courts also contribute by referring qualifying young offenders to these programs, thereby embedding diversion within the judicial process. The interventions within these programs are tailored to meet the unique needs of young offenders. They include counseling services, community service, educational initiatives, and vocational training, all of which aim to foster positive behavioral changes and support the reintegration of offenders into society.

In addition, pre-trial diversion is also essential to the reduction of recidivism rates among young offenders. Research has shown that these programs can effectively reduce recidivism rates and promote rehabilitation among young offenders (Bazemore and Walgrave, 1999). Additionally, research shows that pre-trial interventions greatly reduce recidivism rates for child offenders in Zimbabwe. A UNICEF (2017) revealed that child offenders involved in the program were forty-two percent less likely to reoffend within a year than those who went through conventional criminal justice procedures. According to Gomera (2016), these statistics imply that there is nearly a fifty percent reduction in the chances of re-offending among child offenders, highlighting the effectiveness of pre-trial diversion in decreasing recidivism in this group in Zimbabwe. This efficacy lies in the ability of PTD to successfully manoeuvre young offenders away from prisons and punishment but instead foster rehabilitation.

Furthermore, there is a focus on symbolic restitution. These are actions undertaken by the young offender such as issuing apologies and participating in actions that compensate the victims. Young offenders may be referred to community service programs before their cases go to trial, allowing them to avoid a criminal record (McWilliams, 2016). The Zimbabwean Ministry of Justice revealed that young offenders who participated in these programs were less likely to reoffend compared to those who did not (Ministry of Justice, 2018). By enabling offenders to make amends while contributing to society, it fosters rehabilitation and reduces the likelihood of re-offending (McWilliams, 2016). While further research is necessary to evaluate its long-term effectiveness, existing evidence underscores its potential as a beneficial alternative to traditional punitive approaches.

In addition, pre-trial diversion also focuses on repairing harm. Programs under this category emphasize repairing harm caused by the offense. It guides young offenders on a path to make amends for their actions. Repairing harm offers the chance to make amends to young offenders whilst also serving as a right for their victims to be compensated. According to Umbreit et al. (2003), interventions in restorative justice like victim-offender mediation can result in significant levels of satisfaction for victims and accountability for offenders (p.145). Promoting accountability through actions like apologies, restitution, and mediation, PTD encourages young offenders to recognize the human impact of their actions, turning abstract consequences into tangible emotional experiences. Offenders are urged to engage directly with victims and their communities to foster

empathy and break down the emotional barriers that often lead to re-offending. Victim-offender mediation, group conferencing, and community dialogue are common approaches that promote reconciliation and understanding (UNICEF, 2013). These practices facilitate discussions about the consequences of the offense and collaboratively develop plans to address the harm done.

In conclusion, the efficacy of pre-trial diversion programs in extenuating juvenile delinquency in Zimbabwe is evidenced by a number of factors. A critical analysis of these programs reveals that they offer a multifaceted approach to addressing juvenile delinquency while incorporating elements of rehabilitation, restorative justice, and reintegration. The adaptability and flexibility of these programs enable them to address the unique needs and circumstances of individual offenders, fostering a more holistic and supportive approach to justice. Overall, the implementation of pre-trial diversion programs in Zimbabwe presents a promising strategy for mitigating juvenile delinquency and promoting safer communities for young offenders.

### **2.2.2 Challenges faced in implementation of pre-trial diversion programs.**

Pre-trial diversion programs despite their potential, face challenges in implementation at a global level, regionally and locally. These challenges are multifaceted, spanning resource constraints, systemic biases and social and cultural factors. Globally, pre-trial diversion programs face operational inefficiencies during implementation stage. As is the case for Latin America, high levels of violence and gang activity complicate the implementation of diversion programs. Villanueva et al (2019) states that young offenders involved in organized crime often face additional barriers to diversion, as authorities may view them as irredeemable. This perception undermines the rehabilitative goals of diversion programs and perpetuates cycles of incarceration.

Furthermore, pre-trial diversion programs are also faced with lack of adequate funding and resource constraints. The Bali Community-Based Rehabilitation Program in Indonesia struggles to operate effectively due to limited financial and human resources (Purwanto, 2020). According to Carson and Sabol (2016), diversion programs require significant investment in rehabilitation services, monitoring mechanisms, and staff training, which many jurisdictions struggle to provide. The United Nations (2019) also highlight that many low- and middle-income countries lack the infrastructure to support diversion programs, exacerbating the funding constraints. This challenge is further complicated by the fact that diversion programs often require long-term funding

commitments, which can be difficult to secure, especially in countries with limited resources (Minton, 2012). As a result, many diversion programs are forced to operate with limited resources, which can undermine their effectiveness in reducing recidivism and promoting community safety.

More so, the existence of systemic biases and discrimination within diversion programs is a pressing concern. For instance, a study conducted in the United Kingdom found that Black and Minority Ethnic (BME) youth were 37% less likely to be offered diversion compared to their white counterparts (Lammy, 2017). This disparity reflects broader issues of racial and ethnic inequality within the justice system, which undermine the fairness and effectiveness of diversion programs. The over-representation of BME youth in the justice system, coupled with their under-representation in diversion programs, suggests that systemic biases and discrimination are perpetuating unequal outcomes. Research has shown that these biases can be attributed to various factors, including cultural and socioeconomic differences, as well as implicit biases among justice system professionals (Graham and McLean, 2016). A study conducted in the Netherlands further found that police officers were more likely to arrest and charge minority youth compared to majority youth, even when controlling for offense severity (Blom, 2016). This therefore shows that systemic biases and discrimination are deeply ingrained in the justice system, perpetuating unequal access to pre-trial diversion programs.

To add on, community resistance also poses a significant challenge to the implementation of diversion programs globally. In many cases, local communities are skeptical of diversion programs, viewing them as soft on crime. This skepticism is often fueled by misinformation about the goals and outcomes of diversion (Schwalbe et al., 2012). When diversion programs were introduced in Australia in the 1990s, community resistance was evident through public protests, petitions, and opposition from local leaders, who argued that diversion programs would undermine community safety (Marchetti and Daly, 2017). The resistance was also reflected in the low referral rates to diversion programs, with many police officers and prosecutors expressing skepticism about the effectiveness of these programs. Without community buy-in, programs struggle to gain the support needed for successful implementation, ultimately hindering their effectiveness in reducing recidivism and promoting community safety. This therefore shows that community resistance is a critical barrier to the successful implementation of diversion programs worldwide.



Regionally, the prevalence of poverty and weak institutional frameworks poses a challenge to implementation of pre-trial diversion initiatives. According to Skelton and Tshehla (2008), African countries lack trained personnel and infrastructure to provide diversion services, resulting in limited access for young offenders in need. The scarcity of resources also affects the quality and consistency of diversion programs, leading to distorted progress and inadequate support for young offenders (Shumba, 2018). For instance, In Kenya, the prevalence of poverty and weak institutional frameworks significantly impede the implementation of diversion programs hinder the establishment of diversion programs, particularly in rural areas where poverty is more widespread. Its weak institutional framework, including the judiciary and law enforcement agencies, makes it challenging to implement diversion programs effectively, resulting in inconsistent application and unequal access to diversion services for young offenders.

Another significant challenge faced by pre-trial diversion programs is corruption. Corruption within the legal and law enforcement sectors is apparent when officials may take advantage of diversion programs for personal benefit by soliciting bribes from offenders who wish to enter these programs (Transparency International, 2020). In South Africa, for example, corruption has been recognized as a significant barrier to justice, with officials occasionally misusing diversion programs for their own gain (Skelton and Batley, 2008). This situation can result in offenders who are able to pay bribes receiving preferential treatment, while those who cannot are excluded from diversion programs. Corruption erodes the integrity of diversion programs, complicating efforts to ensure accountability. It also leads to inequitable outcomes, where deserving individuals are barred from participation due to insufficient resources or connections. To combat this issue, SADC countries must establish strong anti-corruption initiatives, which include stringent laws, transparent oversight, and effective enforcement mechanisms (UNODC, 2019).

Locally, the absence of a comprehensive legal framework in Zimbabwe hinders the implementation of pre-trial diversion programs. Specifically, the Children's Act (Chapter 5:06), Criminal Codification and Reform Act (Chapter 9:23) and the Criminal Procedure and Evidence Act (Chapter 9:07) have gaps that limit the full implementation of diversion programs. For instance, the Criminal Procedure and Evidence Act does not provide clear guidelines on the implementation of pre-trial diversion programs, while the Children's Act lacks specific provisions for diversion programs for children in conflict with the law. Additionally, the Criminal Codification and Reform

Act does not provide for alternative measures to incarceration, such as diversion programs. These legislative gaps are further complicated by the fact that Zimbabwe's legal framework is still evolving. The government needs to continuously review and update its laws and policies to align them with international best practices. By leveraging their expertise and experience, social workers can inform policy discussions and push for legislative reforms that support the development of comprehensive pre-trial diversion .

To add on, the shortage of trained personnel is an obstacle to the implementation of pre-trial diversion programs in Zimbabwe. This shortage prevents diversion programs from providing offenders with the necessary support and services, such as counseling and rehabilitation (Chitsove, 2020). The personnel constraint not only limits the scope and quality of services provided but also affects the capacity of diversion programs to expand their services to rural areas. According to Sithole (2023), the success of diversion programs is often compromised by the lack of specialized training for personnel, primarily due to resource constraints . For instance, diversion programs may not have the necessary personnel to provide adequate supervision, monitoring, and support to offenders, which can lead to non-compliance with program requirements and increased risk of re-offending due to lack of monitoring. Consequently, the lack of trained personnel undermines the credibility and legitimacy of diversion programs in the eyes of the community and stakeholders.

Moreover, the lack of public awareness and advocacy for diversion programs interferes with the implementation of pre-trial diversion programs in Zimbabwe. Limited awareness and understanding of diversion programs contribute to stigma and skepticism. Sithole (2023) further notes that the lack of advocacy for diversion programs undermines their legitimacy and effectiveness. It is important to note that limited public awareness and advocacy limit the government's ability to mobilize resources and support for diversion programs. In light of the above evidence, it can be established that the lack of public awareness and advocacy negatively affects programs' outcomes. One can therefore argue that social workers in partnership with the government can launch nationwide awareness campaign to educate the public about the benefits of pre-trial diversion programs and establish a network of advocates and champions to promote diversion programs.

Furthermore, diversion programs often adopt a one-size-fits-all approach, neglecting the unique needs and circumstances of young offenders. According to Sithole (2023), this limitation is

exacerbated by the lack of specialized skills among probation officers, resulting in programs that are too simplistic to effectively address the complex needs of children. This generic nature of diversion programs fails to account for the distinct needs of young offenders, taking into account their individual circumstances, needs, and risk factors. It also neglects the importance of tailoring interventions to address the specific needs of young offenders. One can therefore argue that the lack of specialized diversion programs undermines the effectiveness of diversion initiatives, highlighting the need for a more nuanced approach to addressing the complex needs of young offenders.

Conclusively, post-diversion program support is a critical component of rehabilitation that is often overlooked, leaving young offenders vulnerable to recidivism. Empirical evidence underscores the critical role of aftercare services in sustaining positive behavioral change and facilitating successful community reintegration (Lipsey, 2009). In the absence of such services, young offenders are more likely to relapse into delinquent behavior, thereby undermining the progress achieved during the diversion program (Andrews and Bonta, 2011). This highlights the need for diversion programs to prioritize aftercare services and support to ensure the long-term success and rehabilitation of young offenders.

### **2.2.3 Strategies that have been used to improve pre-trial diversion programs.**

Effective pre-trial diversion programs are critical in reducing recidivism rates and promoting positive outcomes for young offenders. To achieve this goal, various strategies have been employed globally and regionally to improve pre-trial diversion programs, including the use of community-based diversion programs, restorative justice approaches and collaborative efforts between government agencies and civil society organizations. In Zimbabwe, the development and implementation of effective pre-trial diversion programs are crucial in addressing the unique needs and circumstances of young offenders.

Globally, there are several legal and social frameworks that provide guidance on the use of diversion programs to prevent juvenile delinquency and promote social reintegration. The United Nations Convention on the Rights of the Child (CRC) emphasizes the importance of diverting children from the formal justice system and promoting their social reintegration (UNICEF, 2019). The Swedish government has established a network of local child and youth courts that provide

diversion programs, including counseling, education, and community service, to young people who have committed minor offenses (Swedish National Council for Crime Prevention, 2020). Similarly, the Beijing Rules provide guidelines for the administration of juvenile justice, including the use of diversion programs to prevent juvenile delinquency (United Nations, 1985). Rule 11 of the Beijing Rules specifically states that countries should establish diversion programs to provide young people with alternatives to formal prosecution and punishment (United Nations, 1985). This is crucial in informing pre-trial diversion in Zimbabwe.

To add on, the Canadian Department of Justice found that young people who participated in restorative justice programs were less likely to reoffend than those who did not participate in such programs (Canadian Department of Justice, 2018). Community-based programs also provide young people with support and resources to address underlying causes of delinquent behavior and promote social reintegration (Altschuler, 1998). Community-based programs involve providing young people with access to counseling, education, and job training, as well as connecting them with positive role models and mentors (Altschuler, 1998). The Boys and Girls Clubs of America found that young people who participated in their programs were more likely to graduate from high school and attend college than those who did not participate in such programs (Boys and Girls Clubs of America, 2020). The Boys and Girls Clubs of America provide young people with access to counseling, education, and job training, as well as connecting them with positive role models and mentors (Boys and Girls Clubs of America, 2020).

More so, in the United Kingdom, the Youth Justice Board has established a range of diversion programs in order to enhance program implementation., including youth cautions and youth conditional cautions, to provide young people with alternatives to formal prosecution and punishment (Youth Justice Board, 2020). To improve outcomes for young people, the UK's youth justice system has implemented various strategies, including the use of Asset Plus, a risk assessment tool, and the provision of mentoring and advocacy services. Restorative justice approaches, such as victim-offender mediation, are also used to promote positive outcomes for young people (Restorative Justice Council, 2020). These strategies and programs aim to prioritize the rehabilitation and reintegration of young people, rather than punishment.

Regionally, the execution of pre-trial diversion initiatives aimed at juvenile offenders has seen significant improvements through various strategies. A prominent approach is the establishment

of community-based diversion programs, which aim to redirect young offenders towards community-focused services such as counseling, educational opportunities, and community service (Mbazima, 2017). For instance, South Africa's Child Justice Act (No. 75 of 2008) provides a framework for diverting child offenders to these community-based services. These initiatives, frequently executed by organizations such as NICRO, focus on reconciliation through victim-offender mediation, counseling, skills training, and community service. In contrast to numerous other countries in the region, diversion is applicable to any offence, including grave offenses like homicide and rape, subject to specific conditions. This is what has made pre-trial diversion in South Africa outstanding.

Moreover, pre-trial diversion programs have been enhanced through introduction of specialized task force. In 2016, the National Council on the Administration of Justice established a specialized task force focused on children's issues, which was responsible for reviewing existing laws and policies, assessing the quality of care, data, infrastructure, and coordination, as well as raising awareness among child justice stakeholders. One of the taskforce's mandates was to formulate guidelines regarding diversion. The Office of the Director of Public Prosecutions (ODPP) created the Diversion Guidelines and Explanatory Notes (2019) with assistance from the United Nations Office on Drugs and Crime and the European Union. These documents delineate the structural framework and national standards for the diversion of children aged eight years and older who find themselves in conflict with the law.

Furthermore, training and capacity building for law enforcement officials, prosecutors, and magistrates has been utilized to improve the implementation of pre-trial diversion programs for young offenders. Providing training and capacity building can help to ensure that these officials have the necessary skills and knowledge to implement diversion programs effectively (Ocheme, 2015). Malawi has invested in the police task force to guarantee equitable justice delivery, with professionals serving on the diversion committee. The establishment of police diversion guidelines has enabled community policing coordinators and child protection officers at police stations nationwide to receive orientations on diversion. Additionally, training sessions on diversion have been directed towards the Malawi Police Service, the judiciary, and the ministry responsible for children, while the Malawi Human Rights Commission has also provided training for magistrates

and prosecutors. These initiatives have garnered support for the programme within the Malawi Police Service.

More so, involvement of civil society organizations is also essential in promoting the use of pre-trial diversion programs for young offenders. Civil society organizations play a crucial role in providing support services for young offenders. In 2019, the government initiated the National Guideline on the Implementation of the Community Rehabilitation Programme in Mainland Tanzania to standardize rehabilitation services and enable a nationwide roll-out of the programme. The National Guideline sets forth a series of standards for delivering low-cost, community-based rehabilitation services aimed at both children in conflict with the law and those at risk of offending, including children who live and work on the streets. Under Tanzania's diversion programme, young offenders, as well as those at risk of offending, may be referred to the Community Rehabilitation Programme. With the exception of the case assessment phase, the National Guideline for Implementation of the Community Rehabilitation Programme (2019) does not distinctly differentiate the diversion processes and procedures applicable to the two categories of children. Nevertheless, a diversion mechanism is effectively established and actively executed for various offenses, with multiple diversion measures taking place within local communities.

In Zimbabwe, one of the most crucial strategies utilised for improving pre-trial diversion programs is the ongoing legislative and policy reform designed to create a child-specific legal framework. This involves a fundamental shift from treating juvenile offenders like adults to recognizing their unique vulnerabilities. A central element of this strategy is the Child Justice Bill, which, as noted by UNICEF (2021), aims to establish a separate juvenile justice system centered on the principles of restoration and rehabilitation. The bill's primary objective is to establish a distinct criminal justice system for dealing with children in conflict with the law and to afford such children protection in line with the Constitution and Zimbabwe's international obligations (Parliament of Zimbabwe, 2021). This reform is critical because, it seeks to consolidate scattered laws and give primacy to the best interests of the child principle in all proceedings (Veritas, 2021). By creating separate child justice courts, raising the minimum age of criminal responsibility and entrenching restorative principles in law, this strategy provides a solid legal foundation for pretrial diversion.

More so, pre-trial diversion in Zimbabwe focuses on the decentralization of services and capacity building of key stakeholders to ensure wider and more effective program implementation.

Recognizing that PTD services were initially confined to a few urban centers, there has been a concerted push to expand their reach across the country. This has led to strong recommendations that the Pre-Trial Diversion Program needs to be expanded to cover all districts and the Legal Aid Directorate need to be decentralization to expand access of children to free legal assistance (UNICEF, 2021). The Ministry of Justice, Legal and Parliamentary Affairs (2022) has itself committed to this decentralization to enhance access to justice for vulnerable populations. This strategy is vital, as analysis has shown that diversion services suffer from significant bottlenecks and require more trained diversion officers and social workers to function effectively across the nation (Justice for Children, 2020). Therefore, the strategy involves not only geographical expansion but also the continuous training of police, prosecutors, and social workers to handle juvenile cases in a child-friendly and rights-based manner.

Another critical strategy is the integration of community-based and culturally relevant approaches into the diversion process. This strategy acknowledges that formal systems alone are insufficient and that successful rehabilitation is deeply connected to the child's family and community environment. Mabovula (2011) postulates that leveraging indigenous philosophies like Ubuntu is key, as it is an ideology entrenched in communal understanding and the production of a harmonious living environment. This approach views offenses not as crimes deserving punishment but as social misunderstandings that can be corrected through communal therapeutic processes (Mabovula, 2011). This strategy is put into practice through the active involvement of community-based organizations and paralegals who serve as local watchdogs for child rights and facilitate access to justice (Justice for Children Trust, 2022). By grounding diversion in culturally resonant principles, the aim is to create a supportive ecosystem that promotes reconciliation and accountability, which are essential for long-term behavioral change

## **2.3 CHAPTER SUMMARY**

In this chapter, the researcher provided a comprehensive overview of the pre-trial diversion programs in Zimbabwe, highlighting the gaps and limitations that hinder their efficacy in extenuating juvenile delinquency. The review of literature has underscored the need for a clear and comprehensive definition of diversion, clear guidelines, adequate resources, coordination, clear objectives, and monitoring and evaluation mechanisms. By identifying these gaps and limitations,

this chapter has laid the foundation for the subsequent chapters, which will explore the research methodology, findings, and recommendations for strengthening pre-trial diversion programs in Zimbabwe, with the ultimate goal of reducing juvenile delinquency and promoting restorative justice.

## **CHAPTER 3: RESEARCH METHODOLOGY**

### **3.0 INTRODUCTION**

This chapter outlines the research methodology employed in this study to develop a framework for the efficacy of pre-trial diversion programs in extenuating juvenile delinquency in Zimbabwe. The chapter discusses the research philosophy, approach, design, setting, population, sampling techniques, data collection tools, and procedures used to collect and analyze the data. The ethical considerations and feasibility of the study are also addressed. The methodology employed in this study is designed to provide a comprehensive understanding of the experiences and perspectives of stakeholders involved in pre-trial diversion programs, including young offenders, their families and professionals working within the juvenile justice system.

### **3.1 RESEARCH PHILOSOPHY**

This study adopted an interpretivist philosophical perspective. The approach is suitable for exploring complex social phenomena, such as juvenile delinquency and the effectiveness of pre-trial diversion programs. The interpretivist philosophy recognizes that meaning and interpretation are constructed through individual interactions and experiences (Lincoln, Lynham and Guba 2018). This aligns with the study's objective of understanding the experiences and perspectives of stakeholders, including young offenders, probation officers, and social workers. This approach also acknowledges the influence of power dynamics, social relationships, and cultural contexts on social phenomena (Creswell and Poth, 2018). This is essential for developing a comprehensive framework that considers the sociocultural and economic factors affecting pre-trial diversion programs in Zimbabwe.



### **3.2 RESEARCH APPROACH**

This study employed a qualitative research approach to investigate the efficacy of pre-trial diversion programs in reducing juvenile delinquency in Zimbabwe, specifically within the Chitungwiza District Department of Social Development. Denzin and Lincoln (2011) note that qualitative research provides a nuanced understanding of complex social phenomena. This approach facilitated an in-depth exploration of the lived experiences, perceptions, and meanings surrounding juvenile delinquency and the interventions in place. According to Creswell (2014), qualitative research is particularly useful for exploring new topics or areas where little is known. Thematic analysis was employed to identify patterns and themes that influenced the effectiveness of diversion programs. By examining the contextual factors contributing to juvenile delinquency in Zimbabwe, this study provided comprehensive insights into the role of pre-trial diversion initiatives.

### **3.3 RESEARCH DESIGN**

This study employed a case study design to provide an in depth analysis on the efficacy of pre-trial diversion programs in extenuating juvenile delinquency in Zimbabwe. According to Creswell (2018), a case study design is ideal for exploring complex social phenomena in real-life contexts, allowing for an in-depth, contextual analysis. This design was chosen to achieve the study's objectives, which include developing a framework for the efficacy of pre-trial diversion programs and understanding the experiences and perspectives of stakeholders. This case study design enabled the researcher to gather data from multiple sources, including interviews with stakeholders, program documents, and court records. This approach facilitated a comprehensive understanding of how pre-trial diversion programs interact with the legal system and broader societal factors. According to Baxter and Jack (2008), by triangulating data from multiple sources, a study's validity is strengthened. The flexibility of the case study design allowed for the development of a practical, evidence-based framework that addresses the multifaceted nature of juvenile delinquency in Zimbabwe. Ultimately, this design enabled the creation of a framework grounded in real-world insights, providing a nuanced understanding of the complex issues surrounding juvenile delinquency and pre-trial diversion programs in Zimbabwe.

### **3.4 STUDY SETTING**

This research was conducted in Chitungwiza, at the Department of Social Development and the Ministry of Justice. This is justified due to the high prevalence of juvenile crime in the area. The DSD and Ministry of Justice have been implementing pre-trial diversion programs since inception in 2009, making it an ideal location for studying the efficacy of such initiatives. Moreover, Harare, where Chitungwiza is located, has a high concentration of juvenile crime, making it a suitable case study (Mudavanhu, 2021). The study setting provided a unique opportunity to explore the implementation and efficacy of these programs in a real-world context. The selection of Chitungwiza as the study setting was also influenced by the availability of relevant data and stakeholders. The researcher had access to relevant documents, personnel, and participants. This enabled the researcher to gather rich and nuanced data, providing valuable insights into the efficacy of pre-trial diversion programs in extenuating juvenile delinquency in Zimbabwe.

### **3.5 TARGET POPULATION**

Target population refers to the entire group of individuals that a researcher aims to describe or generalize findings to (Creswell, 2014). In this context, the target population consisted of young offenders who were engaged with the Chitungwiza pre-trial diversion programs. This population encompassed not only young offenders but also their families and relevant stakeholders such as probation officers and pre-trial diversion officers. By focusing on this specific demographic, the study was able to gather insights that were representative of the broader juvenile justice context in Zimbabwe.

### **3.6 SAMPLING TECHNIQUES AND SAMPLE SIZE**

The sampling process involved selecting individuals who would participate in the study. This research utilized a mixed sampling approach to ensure accuracy and representation among participants.

### **3.6.1 Sample Size**

A sample is as a subset of the population from which data is collected. According to Creswell (2014), a sample size is defined as the number of participants selected for a study from the target population. To achieve reliable and generalisable results, this study focused on a sample size of 20 participants. This included 6 male young offenders and 6 female young offenders who were currently in pre-trial diversion programs, inclusive of young offenders who had already been discharged, 3 parents or guardians, and 4 probation and pre-trial diversion officers as program coordinators and a police officer. The inclusion of both genders allowed for a comprehensive understanding of juvenile delinquency dynamics, while the participation of parents or guardians offered additional perspectives on the effectiveness of these programs. However, during data collection, the researcher found out that there was repetition of data during some interviews and therefore had to dismiss other data collection thereby applying saturation. According to Braun and Clarke (2013), saturation is the point at which no new themes or insights emerge from the data and data collection can cease. This decreased the original sample size from 20 to 15 after 2 probation officers, 1 pre-trial diversion officer, 9 young offenders, 2 family members and a police officer were interviewed.

### **3.6.2 Sampling Techniques**

The sampling process involved selecting individuals who would participate in the study. This research utilized a mixed sampling approach to ensure accuracy and representation among participants. The following sampling techniques were employed:

#### ***Purposive Sampling***

Purposive sampling was used to select 1 expert probation officers and 1 social worker from a rehabilitation institution. These professionals were chosen based on their extensive experience, with at least 5 years working experience in juvenile delinquency prevention and rehabilitation. Creswell (2014) emphasizes that purposive sampling intentionally selects information-rich participants, allowing for deeper insights into effective intervention strategies and challenges facing the juvenile justice system in Zimbabwe.

#### ***Convenience Sampling***

Convenience sampling was employed to select family members of young offenders, particularly focusing on those whose children had already been discharged from pre-trial diversion programs as well as those whose children were currently participating. This involved selecting participants who were readily available, living in close proximity to the Department of Social Development and willing to participate. This method was suitable for the study because it allowed easy access to parents or guardians, facilitating a timely collection of data. By including both families of discharged young offenders and those still in the programs, the study allowed for the comparison of their perspectives and assessment of any improvements in behavior or outcomes, offering a broader understanding of the efficacy of pre-trial diversion initiatives.

### ***Quota Sampling***

Quota sampling ensured that the participants reflected the demographics of the population being studied. For this research, young offenders in pre-trial diversion programs were selected based on specific criteria such as age, gender, and socioeconomic status. This approach guaranteed that a diverse representation of backgrounds was included in the study. Creswell noted that quota sampling was used to ensure that the sample was representative of the population, making it particularly suitable for this research.

## **3.7 DATA COLLECTION TOOLS AND INSTRUMENTS**

Research instruments are the tools used to gather and collect data in order to answer questions pertinent to the study of pre-trial diversion programs and their effectiveness in reducing juvenile delinquency in Harare, Zimbabwe. Employing suitable data collection tools was crucial to ensure accuracy, reliability and validity (Creswell, 2014). This study utilized interview guides, audio and video recordings and document analysis.

### **3.7.1 Semi-Structured Interviews**

Semi-structured interviews were used to gather qualitative data from young offenders, their families, and key stakeholders involved in the pre-trial diversion programs. The researcher interviewed the probation officer and social worker on the same day and the interviews both took 30 minutes long. These were held at the Ministry of Justice PTD Office. This approach allowed for a balance between structured questions and open-ended discussion, enabling participants to

share their experiences and insights regarding the effectiveness of these programs. Kvale (2015) emphasizes that semi-structured interviews are particularly effective for capturing the nuanced perspectives of individuals, which was crucial for understanding how diversion programs impacted juvenile delinquency in Zimbabwe. Semi-structured interviews were also used to interview the parents or guardians of children involved living in Makoni at their respective households. The interviews with parents took 45 minutes with 5-minute breaks in between. This occurred on the fourth day. The researcher used audio recordings to capture detailed verbal responses during semi-structured interviews to ensure accuracy and allow for in-depth analysis. Note-taking was employed to document non-verbal cues and key insights during these sessions, providing additional context and immediate reflections (Patton, 2018).

### **3.7.2 Focus Group Discussions**

Focus Group Discussions (FGDs) are a qualitative method used to explore diverse perspectives within a group setting. They were crucial for the study as they enabled the collection of rich, detailed insights from stakeholders involved in pre-trial diversion programs, such as social workers and community members. The researcher engaged in a focus group discussion with 8 young offenders currently in the program on the second day of the research, utilizing the first half of the day. The researcher facilitated a discussion on the pre-trial diversion program each individual was involved in, its efficacy, challenges and improvements. Discussions were held at the Ministry of Justice for an a duration of 45 minutes. On the third day of research, the researcher applied the same approach for the 5 already discharged with the interviews taking 30 minutes long. A 10-minute break was inserted for both days. By fostering interactive discussions, FGDs allowed participants to engage with each other's views, revealing deeper issues and generating new ideas for improving the framework of these programs. Nyumba (2018) notes that FGDs often produce more nuanced data than individual interviews, making them essential for understanding the program's social and cultural impact. Audio recordings were used to capture information during focus group discussions. This tool enhanced data accuracy and allowed for thorough thematic analysis of the discussions and interactions.

### **3.7.3 Observation**

Observation was pivotal in capturing the nuanced attitudes and actions of participants involved in community service or counseling programs, particularly in the context of pre-trial diversion programs aimed at mitigating juvenile delinquency in Zimbabwe. The researcher observed 8 young offenders at work as they engaged in community service and how they interacted with each other. Flick (2019) argues that observation provides an invaluable lens through which to understand behavioral changes and social dynamics within program settings. By employing systematic observation, this researcher could effectively document the efficacy of these programs, contributing to a deeper understanding of their impact on young offenders and informing future interventions. Video recordings were used to visually capture behaviors and interactions, helping to analyze the participants' actions and environmental dynamics in real-time (Heath et al., 2018).

### **3.7.4 Document Analysis**

Document analysis involved reviewing policy documents, case files, and reports related to pre-trial diversion programs. The researcher made use of this method throughout the duration of the research to come up with comprehensive findings. This method provided insights into institutional practices and the overall effectiveness of the programs in reducing recidivism among young offenders. Bowen (2009) highlights that analyzing existing documents reveal trends and patterns in juvenile cases, thus offering critical context for the research findings. Understanding these documents allowed the researcher to assess how policies translated into practice.

## **3.8 DATA COLLECTION TOOLS**

According to Creswell (2014), data collection tools refer to the instruments or methods used to collect data in a research study. These tools are designed to capture accurate and reliable data, which can then be analyzed to answer research questions. In this study, various data collection tools were employed, including video recorders, note-taking, interview guides, and observations. These tools enabled the researcher to gather comprehensive and rich data from participants, which provided valuable insights into the experiences of young offenders in contact with pre-trial diversion programs.

### **3.8.1 Interview Guides**

This study employed three distinct interview guides to collect data from various stakeholders. Each guide consisted of 15 questions carefully crafted to address the study's objectives. Specifically, one guide was designed for the probation officer, another for the social worker at the rehabilitation institution, and a third for the focus group discussions. These guides facilitated in-depth exploration of the research questions, allowing for a comprehensive understanding of the phenomena under investigation. The interview guide was designed to explore the experiences of young offenders and their perspectives on pre-trial diversion programs. The guide consisted of sections focusing on demographic information, experiences with diversion programs, perceived benefits and challenges, and the connection between these programs and their involvement in delinquent behavior. Trauma-informed interviewing techniques, active listening, and empathy were employed to ensure participants' emotional well-being during the interviews. Kvale (2015) states that semi-structured interviews provide rich qualitative data that could reveal the complexities surrounding participants' experiences, thus enhancing understanding of how diversion programs impacted juvenile delinquency.

### **3.8.2 Audio Recorders**

Audio recorders were utilized to capture in-depth interviews with young offenders and focus groups. This tool allowed for accurate recordings of sensitive information, preserving emotional nuances and tone, which could be crucial for later transcription and analysis. The researcher ensured informed consent was obtained and confidentiality was maintained. According to Galletta (2013), audio recordings enhance data quality by allowing researchers to revisit participants' insights, thus providing valuable context for understanding their experiences with pre-trial diversion programs.

### **3.8.3 Note-taking**

Note-taking was also utilized to gather data during interviews with probation officers, young offenders, and their families. Detailed observations and quotes were recorded during these interactions, allowing for a comprehensive capture of the data. According to Creswell (2014), note-taking is an essential data collection technique in qualitative research, as it enables researchers to

document valuable insights and observations that may not be captured through audio recordings alone.

### **3.9 RESEARCH PROCEDURE**

This study employed a rigorous research procedure to ensure the collection of high-quality data. The process began with obtaining permission from the Ministry of Public Service, Labour and Social Welfare, which serves as the head office for all respective departments of social development in different districts and the Ministry of Justice, Legal and Parliamentary Affairs. A formal letter was then submitted to the Chitungwiza Department of Social Development and another to Pre-trial Diversion offices in Chitungwiza and with the assistance of pre-trial diversion officers, participants were mobilized for the study. To ensure the inclusion of diverse perspectives, participants were selected from various backgrounds, including those already discharged from the program. Permission was sought from these individuals through phone calls, and arrangements were made to conduct interviews at the Department of Social Development and Ministry of Justice respectively.

The data collection process was carefully planned to ensure that each interview was conducted efficiently and effectively. The researcher allocated sufficient time for each interview, taking into account the complexity of the topics being discussed. To ensure data saturation, the researcher continued to collect data until no new themes or insights emerged from the interviews. According to Creswell (2014), data saturation is a critical aspect of qualitative research, as it ensures that the data collected is comprehensive and representative of the population being studied. The researcher's decision to apply saturation was guided by the need to collect rich and detailed data that would provide a nuanced understanding of the program's effectiveness.

In addition to interviews, the study also relied on documents as a source of data. These documents included legal frameworks that governed the program's operations, providing valuable context for understanding the program's structure and functions. Braun and Clarke (2013) note that documents can provide a wealth of information that can complement data collected through interviews and observations. Overall, the research procedure employed in this study was designed to ensure the collection of high-quality data that would provide a comprehensive understanding of the program's



effectiveness. By combining interviews, documents, and observations, the researcher was able to triangulate the data and increase the validity of the findings.

### **3.10 VALIDITY AND RELIABILITY/TRUSTWORTHINESS**

This study employed several strategies to ensure the validity, reliability and trustworthiness of the findings. According to Creswell (2018), validity refers to the extent to which a study accurately measures what it intends to measure, while reliability and trustworthiness refers to the consistency and dependability of the findings. The study utilized multiple data sources, including in-depth interviews, focus group discussions, observations and document analysis. This approach allowed for a comprehensive understanding of the research phenomenon, as it enabled the researcher to triangulate the data and identify patterns and themes that emerged across different data sources. Creswell (2018) notes that this approach is essential for validating findings in qualitative research.

The researcher also conducted member checking by sharing the findings with participants to ensure that the data accurately reflected their experiences and perspectives. Lincoln and Guba (2013) state that member checking is an essential strategy for ensuring the accuracy and validity of qualitative research findings. More so, the researcher also engaged in peer debriefing by discussing the findings with colleagues to ensure that the data was accurately interpreted and that the findings were trustworthy. Creswell (2018) postulate that peer debriefing is an essential strategy for ensuring the validity and reliability of qualitative research findings. Furthermore, the researcher provided a detailed description of the research context, participants, and data collection methods to enable readers to understand the findings in context. Lincoln and Guba (2013), argue that providing a detailed description of the research context and methods is essential for ensuring the validity and reliability of qualitative research findings. The researcher also maintained an audit trail by documenting all aspects of the research process, including data collection, analysis, and interpretation. This approach enabled readers to track the research process and ensured that the findings were transparent and accountable.

Finally, the researcher engaged in reflexivity by acknowledging their own biases and assumptions and taking steps to minimize their impact on the research process. This approach is supported by Creswell (2018), who notes that reflexivity is an essential strategy for ensuring the validity and reliability of qualitative research findings. By employing these strategies, this study ensured the

validity and reliability of the findings, providing a robust and trustworthy framework for understanding the efficacy of pre-trial diversion programs in extenuating juvenile delinquency in Zimbabwe

### **3.11 DATA PRESENTATION AND ANALYSIS**

David and Sutton (2004) define data analysis as the process of working with raw data to identify and interpret key ideas or themes. For this study, thematic analysis was used to analyze qualitative data, identifying patterns and themes related to the effectiveness of pre-trial diversion programs in reducing juvenile delinquency. Thematic analysis was relevant to this study as it helped identify patterns and themes within qualitative data, offering insights into the effectiveness of pre-trial diversion programs. According to Braun and Clarke (2019), it is useful for analyzing and reporting themes within data. The researcher applied thematic analysis by coding and categorizing responses from participants, including young offenders and their families. This process helped uncover key factors affecting juvenile delinquency and the efficacy of diversion programs, allowing for a deeper understanding of the social dynamics within the Chitungwiza pre-trial diversion programs.

#### **Familiarization**

Thematic analysis began with familiarization, where the researcher reviewed the data collected from interviews with young offenders, focus groups with program administrators, and documents related to pre-trial diversion programs in Zimbabwe. This stage allows for a deep understanding of the experiences and perspectives of stakeholders, identifying initial patterns and themes related to program effectiveness in reducing recidivism rates among young offenders (Braun and Clarke, 2019). During familiarization, the researcher examined data on program components, such as counseling, education, and community service, to identify potential factors contributing to program success. For instance, the researcher noted how often respondents mentioned family support or access to education as crucial elements in their rehabilitation.

#### **Initial Coding**

The initial coding stage involved assigning preliminary codes to data segments using an inductive approach, allowing the researcher to identify key concepts and categories related to program effectiveness (Braun and Clarke, 2019). Codes emerged related to program accessibility,

community support, or recidivism rates. Codes included barriers to program access, program staff support, or peer influence. These codes helped the researcher identify patterns in the data, such as common challenges faced by young offenders in accessing programs or the role of program staff in facilitating rehabilitation.

### **Code Development**

Code development refined and revised these codes through iterative analysis, ensuring a robust coding framework (Gibbs, 2018). This stage involved examining the relationships between codes, identifying patterns, and revising the coding framework as necessary. The researcher examined how codes related to each other, such as how family support intersected with program accessibility. This stage helped the researcher develop a nuanced understanding of the complex factors influencing program effectiveness.

### **Theme Identification**

Theme identification involved examining patterns and relationships across codes, revealing underlying themes related to program efficacy (Braun and Clarke, 2019). Themes emerged around program effectiveness in reducing recidivism, barriers to accessing programs, or stakeholder perceptions. Potential themes included "Program accessibility and engagement," "Community support and rehabilitation," and "Challenges to sustainable rehabilitation."

### **Theme Review and Refinement**

The theme review and refinement stage ensured these themes were coherent, consistent, and meaningful, with clear boundaries and definitions (Gibbs, 2018). This stage involved re-examining the data, refining theme definitions, and ensuring that themes accurately reflected the data. The researcher revisited the data to confirm that themes such as program accessibility and engagement accurately captured the experiences of young offenders and program administrators.

### **Theme Definition and Naming**

Theme definition and naming involved assigning clear, concise labels to themes, reflecting the underlying data (Braun and Clarke, 2019). Data collected was analysed and put into themes.

### **Writing Up**

Finally, the writing-up stage involves presenting these themes in a clear, coherent narrative, using quotes, tables, and figures to illustrate findings (Gibbs, 2018). This stage involved synthesizing the results, discussing implications, and identifying areas for future research. The researcher presented the findings in a clear, concise manner, highlighting the key themes and implications for policy and practice in pre-trial diversion programs in Zimbabwe.

### **3.12 ETHICAL CONSIDERATIONS**

Ethical considerations were fundamental during data collection, particularly in studies involving vulnerable populations, such as young offenders. This ensured that the rights, dignity, and welfare of participants were prioritized, fostering trust and integrity in the research process. Resnik (2018) postulates adherence to ethical standards not only protects participants but also enhances the credibility of the research findings. Ethical considerations were crucial for building rapport with participants, ensuring their safety, and producing meaningful insights into juvenile delinquency and diversion programs in Zimbabwe.

#### **3.12.1 Informed Consent**

Informed consent was obtained from all participants prior to the commencement of the study. For young offenders, consent was also sought from their legal guardians. Creswell (2018) emphasizes the importance of obtaining informed consent in research involving vulnerable populations. The researcher provided participants with clear, comprehensible information about the study's purpose, procedures, potential risks, and benefits. This transparency empowered participants to make informed decisions about their involvement, ensuring respect for their autonomy and reinforcing the ethical integrity of the research process.

#### **3.12.2 Confidentiality**

Confidentiality was maintained throughout the study to protect the identities of participants. Smith and Osborn (2018) note that confidentiality is essential for maintaining trust between the researcher and participants, particularly in sensitive research topics such as juvenile delinquency. The researcher implemented measures such as anonymizing data and securely storing all information to prevent unauthorized access. Upholding confidentiality was crucial not only for the

protection of participants but also for encouraging honest and open responses, which led to more valid and reliable research findings.

### **3.12.3 Right to Withdraw**

Participants were informed of their right to withdraw from the study at any time without any repercussions. Krueger and Casey (2018) argue that ensuring participants have the freedom to withdraw is an important ethical consideration in qualitative research. The researcher clearly communicated this right to participants during the consent process and throughout the study. Emphasizing this right fostered an environment of respect and autonomy, allowing participants to feel safe and supported in their decision-making.

### **3.12.4 Non-Maleficence**

The principle of non-maleficence was upheld by ensuring that the research did not cause harm to participants. This included both physical and psychological harm. The researcher took proactive measures to minimize any potential risks associated with participation, such as providing a safe environment for discussions and being sensitive to the emotional well-being of young offenders. Beauchamp and Childress (2019) emphasize that the ethical obligation to do no harm is fundamental in research involving vulnerable populations. Upholding non-maleficence was crucial for maintaining ethical standards and fostering trust between the researcher and participants.

## **3.13 LIMITATIONS**

This study faced limitations that impacted its findings and overall validity. One significant limitation was the potential for participant bias, as young offenders and their families had personal stakes in the outcomes of pre-trial diversion programs, potentially influencing their responses during interviews or surveys. The study's focus on a specific geographic area, Chitungwiza, limited the generalization of the findings to other regions in Zimbabwe and to other contexts. Resource constraints also impacted the scope of data collection, affecting the sample size and the comprehensiveness of the information gathered. Lastly, the dynamic nature of juvenile justice policies and societal attitudes towards delinquency introduced variability during the study period, complicating the interpretation of results and their applicability over time. These limitations were

acknowledged to contextualize the findings and provide a clear understanding of the study's contributions to the field of social work.

### **3.13.1 Participant bias**

Participant bias refers to the inclination of individuals engaged in research to modify their responses based on their perceptions, motivations, or expectations regarding the study. Cohen and Crabtree (2008) highlight social desirability bias as a prevalent type of participant bias, wherein respondents provide answers they perceive to be more socially acceptable or favorable rather than accurate. Althubaiti (2016) further emphasizes that self-reported data, frequently utilized in qualitative research, is particularly susceptible to such biases, as participants may strive to conform their responses to societal expectations or conceal unfavorable details. Young offenders and their families sometimes adjusted their responses to portray a more positive perspective on their experiences with pre-trial diversion programs. For instance, other family members minimized their difficulties or amplified positive results, with the hope that this could positively influence future dealings with the justice system. Such alterations significantly skewed the findings, resulting in overly optimistic assessments of the programs' effectiveness. Edwards and Skinner (2011) observe that even with guarantees of anonymity, participants may still modify their responses to safeguard their self-image or evade perceived scrutiny. To address this limitation, triangulated data from various sources, utilizing neutral or indirect questioning techniques, and incorporating observational methods to corroborate self-reported data.

### **3.13.2 Limited Generalization**

Generalization pertains to the extent to which research outcomes can be extended beyond the specific population, environment, or context under investigation. Polit and Beck (2010) assert that studies conducted in a singular location or involving a particular demographic may not accurately reflect broader populations. Etikan and Bala (2017) further note that variations in cultural, geographic, and economic contexts can restrict the relevance of findings, rendering them less applicable in different regions or situations. The concentration of the study on Chitungwiza confined its conclusions to the distinct social, economic, and legal framework of this urban locale. Although Chitungwiza may illustrate aspects of pre-trial diversion programs, the experiences and obstacles encountered by young offenders in rural areas or other urban centers could vary

considerably. The heterogeneity within Zimbabwe itself characterized by socioeconomic differences and diverse community standards further complicated the generalization of the findings. To mitigate this limitation, the researcher broadened literature review to the global and regional arena.

### **3.13.3 Resource Constraints**

Resource limitations are constraints related to time, financial resources, personnel, and access to necessary tools and materials, which can hinder the breadth and depth of research endeavors. Creswell and Creswell (2018) assert that such limitations can curtail the capacity to obtain varied perspectives or perform comprehensive analyses, thereby potentially undermining the reliability and validity of the research outcomes. Time restrictions inhibited application of more resource-intensive methodologies, such as longitudinal studies or repeated interviews, which could have yielded richer insights into the long-term effects of pre-trial diversion programs. The study's restricted timeline, coupled with the time-consuming nature of traveling on a daily basis to Chitungwiza using public transport made it challenging. Coordinating interviews with participants also required substantial time and effort, including making initial contact and following up on confirmations. Financial constraints posed a significant obstacle, as traveling door-to-door would have incurred substantial transportation costs, including fuel, vehicle maintenance, and accommodation expenses, as well as equipment and material costs, such as audio recorders, laptops, paper, and ink. To overcome these, the researcher considered conducting online surveys, to reduce travel costs and save time, as well as telephone interviews, which would allow for more flexibility in scheduling. The researcher partnered with local organizations, such as community centers, to access participants and conduct interviews in a more centralized location.

### **3.13.4 Variability in Policies and Societal Attitudes**

Variability in external factors includes alterations in the broader context surrounding a study, including shifts in policy, changes in societal norms, and economic variations, all of which can affect the consistency and applicability of research findings. Flick (2018) notes that such fluctuations can obscure causal relationships, complicating the task of distinguishing the effects of an intervention from external factors. The changing landscape of juvenile justice policies and societal perceptions of delinquency in Zimbabwe poses a considerable challenge. Should the

government implement new reforms or if public attitudes toward young offenders evolve during the study, these developments could significantly impact participants' experiences and responses. The introduction of stricter policies or increased societal stigma may result in less favorable outcomes for young offenders, irrespective of the diversion program's effectiveness. On the other hand, beneficial policy changes or advocacy initiatives could improve program outcomes, thereby complicating the interpretation of the study's results. Creswell and Plano Clark (2011) postulate that external variability complicates the analysis of findings, necessitating that researchers consider the effects of changing contexts. This limitation could be mitigated by conducting regular assessments of relevant policies and societal trends, as well as clearly defining the time frame and specific conditions under which the research was carried out.

### **3.14 CHAPTER SUMMARY**

In this chapter, the researcher adopted an interpretivist philosophical perspective and a qualitative approach in studying the efficacy of pre-trial diversion programs in extenuating juvenile delinquency in Zimbabwe. With a focus on the Chitungwiza District, the study utilised a case study design, employing thematic analysis to identify patterns and themes related to program efficacy. Data collection involved semi-structured interviews, focus group discussions, observations, and document analysis. The researcher ensured the validity and reliability of the findings by employing strategies such as triangulation, member checking, and peer debriefing. However, the study also acknowledged limitations including participant bias, limited generalization, resource constraints, and variability in policies and societal attitudes, to all which the researcher managed to overcome by applying various strategies.



## **CHAPTER 4: DATA PRESENTATION, INTERPRETATION AND ANALYSIS**

### **4.0 INTRODUCTION**

This chapter delves into the substantive findings of the dedicated study centered on the development of the topic, "A framework towards the efficacy of pre-trial diversion programs in extenuating juvenile delinquency in Zimbabwe," with an in-depth case study analysis of Chitungwiza District. The impetus for this study developed from a critical need to explore and enhance alternative justice mechanisms specifically tailored for young offenders within the Zimbabwean legal landscape. Pre-trial diversion programs hold significant promise for addressing root causes of juvenile offending, reducing recidivism and alleviating overburdened court systems. As such, the findings for this study were underpinned by its objectives namely, to assess pre-trial diversion programs in reducing juvenile delinquency in Zimbabwe, to identify the challenges faced in implementation of pre-trial diversion programs and to propose a model for enhancing existing pre-trial diversion programs in Zimbabwe. Data presentation is structured to directly address these objectives. The data was subjected to thematic analysis, which allowed for the extraction and definition of significant themes and their corresponding sub-themes. This evidence forms the critical bedrock upon which the proposed enhancement model, discussed in a subsequent chapter, will be built.

### **4.1 DEMOGRAPHICAL DATA OF THE PARTICIPANTS**

This section starts by presenting the demographical information of all the participants in this study starting with first the key informants followed by young offenders. Data in this section will be presented according to expertise and position for key informants, age and offense involved in for young offenders.

#### **4.1.1 Table 1: Biographical profile of key informants**

<b>Key Informant Codes</b>	<b>Gender</b>	<b>Role relevant to study</b>	<b>Years of expertise</b>	<b>Designation</b>

KI 001	M	PTD Officer	12	Ministry Of Justice
KI 002	M	Probation Officer	20+	DSD
KI 003	F	Probation Officer	8	DSD
KI 004	F	Police Officer	5	ZRP

The table above shows 4 key informants who participated in this study. The participants were identified according to their expertise and organisations. Key Informant Codes used above are for confidentiality purposes in order to protect the identities of all participants. The participants included 2 males and 2 females. Gender was not a prerequisite considered to qualify for being a participant. The researcher main condition when selecting key informants was their professional working experience. Participants in this respect are evidently have 5+ years of experience in their work.

The implementing agency in this respect was the pre-trial diversion officer KI 001. The pre-trial diversion officer was the implementing personnel under the Ministry of Justice. His experience of 12 years as a pre-trial diversion officer justified him being a key informant. The second key informant was a probation officer with the Department of Social Development under the Ministry of Public Service, Labour and Social Welfare. This was the first probation officer who had 20 years of experience as a child protection officer. Similarly, KI 003, had 8 years of experience as a probation officer with the department meaning that all of them had the expertise to offer valuable information. The last participant, being KI 004, was a police officer of 5 years. The views of police officers with the Victim Friendly Unit were necessary because they are the ones who have the first contact with young offenders and their victims.

**4.1.2 Table 2: Biographical profile of young offenders**

<b>Participant</b>	<b>Age</b>	<b>Gender</b>	<b>Nature of Offense</b>	<b>Offense Number</b>	<b>Duration of Programs</b>
Participant 1	15	M	Theft	1st	5 sessions
Participant 2	17	M	Theft	1st	8 sessions
Participant 3	16	F	Assault	1st	7 sessions
Participant 4	16	M	Unlawful entry	1st	8 sessions
Participant 5	18	F	Assault	1st	6 sessions
Participant 6	15	F	Theft	1st	9 sessions
Participant 7	17	M	Unlawful entry	1st	7 sessions
Participant 8	18	M	Theft	1st	7 sessions
Participant 9	16	M	Assault	1st	5 sessions

The table above shows the biographical information of the second order of participants, being young offenders. They are labeled as Participant 1 to Participant 9. The ages of these participants ranged from 15 to 18. This was the case because one of the prerequisites for being accepted into pre-trial diversion programs is that one should be 18 years and below. According to Steffensmeier and Allan (2018), the gender gap in crime can largely be attributed to socialization processes that encourage males to exhibit more risk-taking and aggressive behaviors. This concurs with the study's findings of why there were more young male offenders than female young offenders. 2 participants were legally of age to voluntarily participate in the study. For the other 7 participants ranging from 15 to 17, consent had to be first from the government and their guardians. This age

range ensured that all participants were able to objectively identify their roles in the pre-trial diversion programs and how they were affected.

The table above is also reflecting the nature of offenses in which brought the young offenders in conflict with the law. According to Pre-trial Diversion Guidelines (2019), a young person can only be admitted into the program on condition that the crime committed is determined by the diversion committee as a non-serious offense and a petty crime. This includes offenses which necessitates a sentence of not more than 12 months. Participation in the study was on the premise of the non-severity of their crimes and being first time offenders. PTD is only concerned with first time offenders. Although key informants such as the pre-trial diversion officer and the probation officers mentioned that there was not a specific timeline for participating in PTD, participants' responses indicated that for maximum effect, the number of sessions had to be a minimum of 5 sessions. From a minimum of 5 sessions going up, sessions could be terminated once goals of program had been achieved. The participants with the most number of sessions were selected, reasoning that they would have more data to offer because of their exposure.

**4.1.3 Table 3: Demographical data of families of young offenders**

<b>Family ID</b>	<b>Relationship</b>	<b>Age</b>	<b>Sessions Attended</b>
F001	Mother	46	3
F002	Mother	52	1

The data presented in Table 3 shows the biographical information relating to the parents and/or guardians of the young offenders interviewed during data collection. It was crucial to note the relationship of the participants to the young offenders because familial ties play an important role in the behaviors of children. Their role as participants they also attended sessions. This allowed the researcher to gather insights into the experiences of parents and guardians who have to compensate for their children's crimes. The sessions attended were also noted as it indicates at which points of PTD the parents or guardians became involved.

## **4.2 QUALITATIVE FINDINGS**

The findings of this study are organised according to its objectives. They focus on the the efficacy of pre-trial diversion programs in extenuating juvenile delinquency in Zimbabwe. Findings are going to be presented in the form of objectives as the main themes which also have their sub-themes.

### **4.3 PRE-TRIAL DIVERSION PROGRAMS**

The study found out that pre-trial diversion programs are diverse and meant to address specific issues in young offenders. Participants brought out that there is a Diversion Committee which determines which program/or programs a young offender a young offender should participate in. The Diversion Committee comprises of a resident magistrate, senior public prosecutor, senior police officer, representative from the Civil Society Organisations and a diversion officer. The diversion officer in this case is the one directly involved with the young offenders. This process includes assessment, case in take, interviews, assessment of qualities to match young offender to specific programs. Participants revealed that interviews are for finding out the circumstances of the young offender and the nature of offense. After a report on those features is done, at the end, the diversion officer, who is a social worker proposes matched solutions. According to the PTD Consolidated Guidelines (2017), it is essential that pre-trial diversion programs provide valuable life skills and educational opportunities that are tailored to the age and profile of the juvenile offender, thereby enhancing their effectiveness. The pre-trial diversion options outlined in the Pre-trial Diversion Consolidated Guidelines (2017:26) include counselling, victim offender mediation, vocational training, to mention a few.

#### **4.3.1 Symbolic restitution**

Participants brought out that symbolic restitution involves actions like apologies or community service carried out by an offender to recognize and atone for the damage inflicted on a victim or the community, emphasizing the reparative and symbolic elements of justice. The pre-trial diversion officer revealed that if an apology is deemed inadequate by the victim, both parties have to agree on an alternative. Should monetary compensation be desired and unaffordable for the young offender's family, it can be addressed through labour. The victim determines the nature of this labour in the consultation of the diversion officer to ensure that all actions are for the best interests of the child. The pre-trial diversion officer emphasised that:

*"Symbolic restitution includes young offenders having to make amends for their actions to the victims. This usually involves an apology. However, in the case that the victim wishes to be compensated for the goods stolen from them and offender's family cannot afford, young offenders can work it off."*

The findings of the study brought out that symbolic restitution in pre-trial diversion effectively promotes accountability and healing by incorporating non-monetary actions like apologies and labour. The program's flexibility in accommodating different forms of restitution ensures that young offenders can make amends in a feasible way, prioritizing the best interests of the child. This aligns with Wemmers and Cyr's (2023) framework of restorative justice, which shows how symbolic restitution often encompasses non-monetary actions aimed at mending the harm inflicted. Although literature indicates that it is a non-monetary concept, the researcher notes that symbolic restitution replaces monetary or goods compensation with labour or replacement of goods. Graso, Piggott, and Wood (2024), also emphasize the importance of symbolic actions and restorative justice. The study also noted a victim-centered whereby victims determine the nature of restitution, promoting a sense of justice and closure. There is also emphasis of the theory of restorative justice principles in pre-trial diversion programs, prioritizing healing and accountability over punishment, and promoting rehabilitation and positive behavioral change among young offenders, with implications for policy development and practice. One can therefore argue that pre-trial diversion is a unique program which seeks to not only ensure the well-being of young offenders but also maintain peace of mind of those victimized.

#### **4.3.2 Counselling**

The study found out that counseling serves as a fundamental component of numerous Pre-Trial Diversion (PTD) initiatives aimed at young offenders. The findings indicate that counseling is essential at an individual level, as it enables young offenders to uncover the underlying reasons for their delinquent behavior while simultaneously formulating strategies to address these core issues. This therapeutic approach offers a nurturing environment for young individuals to confront personal obstacles, emotional struggles, and harmful behavioral patterns that may have led to their offenses.

The probation officer in an in-depth interview said:

*"Counseling plays an essential role in our PTD program, enabling young offenders to examine the underlying causes contributing to their delinquency. Sessions bring young offenders to a point where they realize the problem and desire to change. It lays the groundwork for their PTD journey, serving as the initial step in addressing behavioral issues."*

The study revealed that counselling is considered the foundation of successful rehabilitation within programs for young offenders because it efficiently addresses the underlying causes of delinquent behaviour, fostering accountability and empathy. This is supported by Curley et al. (2016:10) who emphasizes the importance of initiating all interventions for juveniles with a counseling foundation to ensure that they feel at ease. Emphasising the fundamental relevance of counselling demonstrates that it is not only an adjunct but a necessary component of the rehabilitative framework. The personalized character of counselling enables young offenders to break the cycle of delinquency, emphasising its critical role in developing a law-abiding future.

#### **4.3.3 Family group conferencing**

Participant revealed that family group conferencing in pre-trial diversion involves structured discussions among the young offender, their family, and relevant stakeholders to address the offense and its consequences. The pre-trial diversion officer added that:

*"Family group conferences are for and involve family members from both the victim's and offender's side. During these sessions, we identify the victim or victims, the offender, identifiable stolen property. I act as a facilitator to ensure that demands are met for the victims and plan on how compensation will be carried out. For example, for assault cases, victims usually ask for medical compensation and that demand must be met."*

The study found out that family group conferencing is an essential restorative justice approach in pre-trial diversion, promoting accountability and restitution. By bringing together the young offender, their family, and relevant parties, including victims, these conferences facilitate discussions to examine the crime and its effects. This concurs with Burford et al. (2022) who states that family group conferencing is an effective approach in promoting restorative justice and

accountability among young offenders, which aligns with my analysis that this approach facilitates meaningful reparation and healing. This is also supported by Hayes and Daly (2023) who argue that family group conferences significantly reduce re-offending rates and delay time to first re-offense. This therefore shows that family group conferencing should be maintained and enhanced as a pre-trial diversion program because it plays a role in ensuring restorative justice for all parties involved through identification of specific needs and requests by victims, while also encouraging cooperative problem-solving.

#### **4.3.4 Victim offender mediation**

The study revealed that victim-offender mediation within Pre-Trial Diversion aims to resolve disputes between victims and juvenile offenders. Participants highlighted that this constructive method involves a neutral mediator who guides discussions between both parties to achieve an agreement. The pre-trial diversion officer reported that:

*"Victim-offender mediation during pre-trial diversion (PTD) consists of discussions between the offender and the victim, with the goal of achieving a resolution that is acceptable to both parties in a cooperative way. We offer facilitation to maintain a peaceful process."*

The study brought out that victim-offender mediation within pre-trial diversion focuses on dispute resolution through facilitated dialogue between young offenders and victims. It provides a neutral platform for dialogue, fostering mutual understanding and voluntary agreements rather than punitive measures. Participants emphasized its role in repairing harm with the mediator ensuring a balanced non-adversarial process which aligns with principles of restorative justice. This aligns with Umbreit and Armour (2011) who found that VOM increases victim satisfaction and offender empathy, corroborating the study's emphasis on cooperative resolution. The researcher however notes that self-selection bias may inflate positive outcomes, as participants are often willing offenders. The researcher thus calls for further research on contextual moderators to optimize implementation.



#### 4.3.5 Police cautions

The study found out that police cautions serve as alternative to formal charges, allowing law enforcement to address minor offenses through educational and rehabilitative measures rather than punitive actions. The findings suggest that when the police utilise police cautions effectively, they can prevent the escalation of delinquent behaviours, promote accountability and encourage young offenders to engage positively with their communities. *The pre-trial diversion officer emphasised that:*

*"In my experience, effective use of police cautions can significantly reduce the risk of re-offending. When young people receive guidance instead of punishment, it not only aids their development but also fosters a sense of responsibility and connection to their communities."*

A police officer in an in-depth interview also added:

*"The police upon coming across a young person committing a minor offense, can issue an informal caution on the spot. This immediate response addresses the behavior directly. However, if they receive a formal caution later at the police station, it carries more serious implications. Both types of cautions aim to deter future offenses while addressing community concerns about crime."*

The findings of this study brought out that police cautions as an effective measure in instilling discipline in young offenders. Due to the nature of children fearing the police, when a warning is delivered from that angle, it ensures compliance. This concurs with Youngs et al. (2018) who argue that police cautions are an effective intervention for addressing early delinquency, particularly in minor offenses often influenced by peer pressure. Delivered promptly, either on the spot by police officers or formally at a station with a diversion officer and the juvenile's parents present, these cautions serve as a timely reprimand. This approach offers an opportunity for early intervention, potentially preventing further delinquent behavior before it escalates. By incorporating restorative justice principles and implementing police cautions, Chitungwiza Pre-trial Diversion programs not only address the immediate offense but also promote accountability and aim to deter future criminal activity.

#### 4.3.6 Admission into institution

The study found out that admission into institution is one the key components pre-trial diversion. The findings indicate that there are severe cases where child needs to be removed from their communities for rehabilitation and moved to rehabilitation homes. Key informant 001 being the PTD officer said:

*"Admission into institution becomes crucial when pre-trial diversion officer determines that there is need to admit child to an institution. We talk of North Cot Training Institute, it's the only one we have access to at the moment. We cannot fully utilise this because the institution is filled to capacity. Besides that, there is also the danger that child upon admission will be influenced by other more promiscuous kids since North Cot houses even street kids."*

The study brought out that while institutional admission is deemed essential for severe cases necessitating rehabilitation, systemic inequalities such as overcrowding and detrimental peer influence compromise its effectiveness. The researcher contends that institutionalization, although intended as a rehabilitative strategy, may inadvertently become counterproductive in the face of capacity limitations and negative social dynamics. The North Cot represents both a crucial intervention and a potential source of additional harm. Dependence on a singular institution (North Cot) highlights fragmented policy approaches. However, there has not been much discussion in this respect on a national forum. This absence of literature on this count shows how blind the system is to the effects of institutionalization as rehabilitation. Similarly, Goffman (1961) would critique North Cot as a 'total institution' where the process of institutionalization diminishes individuality, thereby intensifying deviance. Braithwaite's (1989) theory of reintegrative shaming resonates with the researcher's advocacy for community-focused models to prevent stigmatization. The researcher recommends that stakeholders in the PTD strive to expand diversion centers and invest in trauma-informed community initiatives to lessen dependence on overcrowded institutions, alongside the integration of restorative practices and stringent monitoring to reduce peer contamination.

#### **4.3.7 Community service**

Community service is essential in pre-trial diversion programs because it upholds restorative justice principles, promotes rehabilitation, and holds offenders accountable, while also encouraging personal growth and reducing the chances of re-offending. The pre-trial diversion officer further emphasised that:

*"Although community service is a fundamental aspect of pre-trial diversion in PTD guidelines, our jurisdiction is presently unable to implement it due to logistical limitations, insufficient partnerships with service organizations, and challenges in resource allocation. Initiatives are in progress to find out possible collaborations that may enable us to integrate community service in the future."*

The study brought out that community service is not being implemented as a pre-trial diversion measure of reducing juvenile delinquency in Zimbabwe. The researcher argues that Zimbabwe's inability to effectively incorporate community service into its pre-trial diversion (PTD) initiatives is indicative of systemic inertia rather than a lack of capability. This researcher therefore proposes that Zimbabwe could benefit from South Africa's approach of engaging civil society organizations to address state deficiencies. The Child Justice Act of South Africa (2008) explicitly recognizes community service as a diversionary strategy, even in contexts with limited resources. By utilizing non-governmental organizations, local authorities, and faith-based groups, South Africa illustrates how collaborative institutional efforts can mitigate state capacity limitations. In a similar vein, Nicaragua's Nicro, an innovative rehabilitation NGO, partners with judicial systems to implement community service, demonstrating that with sufficient political will, civil society can effectively address resource deficiencies. This provides a valuable framework for Zimbabwe, highlighting that the issue lies not in its capabilities but in its willingness. Consequently, the researcher contends that it is imperative for policymakers and program implementers to be sufficiently motivated and committed to revitalizing community service.

#### **4.3.8 Constructive use of leisure time**

The pre-trial diversion officer brought out that constructive use of leisure time is an important aspect of diverting young offender's thoughts away from crime by engaging them in more

meaningful activities. It includes activities such as sports, and gardening and participating in church activities. The key informant in an in-depth interview further added:

*"This pre-trial diversion program aims to involve young offenders in meaningful activities during their free time, which can help decrease the chances of criminal behavior arising from boredom. This pre-trial alternative aims to involve juvenile offenders in constructive leisure pursuits, including sports, gardening, or church activities."*

The findings of the study found out that constructive use of leisure time is an essential component in occupying young offenders with meaningful things to do whilst steering them away from thoughts of re-offending. Pre-trial diversion programs designed to involve young offenders in constructive leisure activities effectively address idleness and deal with criminal ideas. This is in line with the Routine Activity Theory (Cohen and Felson, 1979) which posits that crimes occur when a motivated offender encounters a suitable target in the absence of capable guardians. By providing engaging activities like sports, gardening, or church participation during offenders' free time, these initiatives effectively alter the daily routines of at-risk youth, reducing both the chances and motivations for delinquent behavior.

#### **4.3.9 Vocational training**

The findings of the study brought out that vocational training is key for capacity building with young offenders. This program ensures that young offenders are taught skills. The study revealed that vocational training is meant to create better job prospects and lower rates of re-offending while fostering self-sufficiency and accountability among participants. The pre-trial diversion officer in an in-depth interview emphasised that:

*"Vocational training is meant to equip young offenders with skills for life such as carpentry, sewing, cooking and other relevant skills. It is a program with a great potential for educating young offenders while also diverting them from the system. Unfortunately, the program is no longer as functional due to financial constraints and lack of partners willing to collaborate with PTD. Childline used to give start up kits for sewing but program was discontinued."*

*"We have met many hurdles over implementation of vocational training especially because no Civil Society Organisation is willing to work with young offenders as they advocate for victims. There is also no money from UNICEF which means that there PTD has no funding."*

The study brought out that while vocational training holds significant promise as a pre-trial diversion program, it is undermined by insufficient resources and other unfavorable conditions. Despite its potential, the program remains critically underused. Systemic neglect, fueled by persistent funding shortages, institutional biases, and a lack of political commitment, leads to severe repercussions. Similarly to this, Calleja (2019) asserts that neglecting investment in vocational training for youth involved in the justice system not only hinders individual rehabilitation but also escalates societal costs, such as heightened policing demands and overburdened social services. The researcher therefore advocates for pre-trial diversion programs to utilize public-private partnerships to engage with industries for skill development. It is imperative for governments and NGOs to allocate resources specifically for juvenile vocational training. Additionally, addressing the hesitance of civil society organizations is crucial by emphasizing the dual advantage of rehabilitation, as reducing recidivism directly mitigates future victimization, aligning with the objectives of victim advocacy. This is also in line with Henggeler et al. (2009) who cautions that interventions that overlook ecological supports, such as vocational pathways, fail to alter the patterns of chronic offending.

#### **4.4 THE EFFICACY OF PRE-TRIAL DIVERSION PROGRAMS IN REDUCING JUVENILE DELIQUENCY**

On this objective, the study found out that pre-trial diversion programs are effective in reducing juvenile delinquency and recidivism. The study brought out that pre-trial diversion programs showed improvement in behavioral change. The sub-themes which obtained from their experiences were, reduced recidivism rates, skills development and personal growth and social reintegration.

#### 4.4.1 Reduced Recidivism Rates

Key informants and other participants provided valuable insights based on their experiences and roles in these programs. Participants such as the key informants being the pre-trial diversion officers and probation officers, noted that they had not encountered the same young offenders being convicted for the same or different crimes, demonstrating the efficacy of pre-trial diversion programs in curbing juvenile delinquency in Zimbabwe.

The pre-trial diversion officer in an in-depth interview said:

*"As a pre-trial diversion officer, I emphasize to each child entering our program that this is their only opportunity to change their path without facing criminal charges. We clearly communicate that re-offending means prosecution. This focus on a singular chance is crucial, highlighting the seriousness of their situation."*

Another participant being the probation officer also expressed the same view in an in-depth interview:

*"We do not accept second time offenders at the Department as per pre-trial diversion guidelines. In fact, we have never encountered a second-time offender from our pre-trial diversion program. This trend illustrates that whatever is being done at PTD is effective. The emphasis we place on making children understand the gravity of their actions and the importance of seizing this opportunity has yielded positive results."*

The pre-trial diversion officer also highlighted that the program did not divert from their guidelines in not accepting second time offenders:

*"While it is rare, some children do return to our program after previous admission. Recently, parents pleaded for their child's readmission. However, as pre-trial diversion officers, we must uphold the law. Our guidelines are strict, and while we strive to assist every child, we must adhere to the principles that govern our program."*

The study revealed that pre-trial diversion programs significantly reduce recidivism rates among young offenders. The policy, characterized as a stringent yet rehabilitative measure, aims to instill accountability while diverting young offenders from formal legal proceedings. Nevertheless, the

lack of recidivism data beyond participant self-reports raises significant concerns. Is recidivism genuinely absent, or are cases being overlooked due to inadequate tracking? Furthermore, does the rigid 'no second chance' policy inadvertently drive re-offenders into hiding rather than addressing the underlying issues? The Risk-Need-Responsivity (RNR) model presents an evidence-based improvement that could elevate a commendable program into a benchmark for juvenile justice worldwide. This is supported by Andrews and Bonta (2010), who with their Risk Need Responsivity (RNR) model, argue that matching the level of service to the offender's risk, targeting criminogenic needs, and tailoring interventions to individual learning styles are key to reducing re-offending.

#### **4.4.2 Addressing underlying causes of delinquency**

The research indicated that pre-trial diversion programs are successful in tackling the fundamental issues related to delinquency by integrating counseling and other support services. Participants noted that counseling is vital in recognizing and dealing with underlying problems, such as family disputes, substance dependency, or mental health issues, that lead to delinquent conduct. Through counseling, young offenders can acquire important skills and techniques to control their behavior, make constructive life decisions, and lower the likelihood of re-offending. By confronting the core causes of delinquency, pre-trial diversion programs can encourage positive behavioral transformation and foster rehabilitation.

One probation officer in an in-depth interview noted that:

*“Based on my experience, counseling is crucial for tackling the underlying issues that lead to delinquent behavior. Application of evidence-based methods, such as cognitive-behavioral therapy (CBT), helps young offenders in recognizing and changing negative thought patterns.”*

The pre-trial diversion officer in an in-depth interview also shared insights on how they utilise counselling as an important tool in pre-trial diversion:

*“In my role as a pre-trial diversion officer, I utilise therapeutic methods, including trauma-informed care and social skills training, to aid participants in their rehabilitation*

*and reintegration. These strategies help participants cultivate healthier coping mechanisms, manage their anger, and enhance their functional skills."*

The findings brought out that the success of PTD stems from its emphasis on addressing underlying issues rather than merely imposing punitive measures. These findings highlight that the incorporation of therapeutic interventions signifies a pivotal transition towards rehabilitation instead of retribution. This is supported by Vorenberg and Vorenberg (1973), who argue that diversion programs are designed to be humanitarian, rehabilitative, and cost-effective for society. Testimonials from practitioners further assert that PTD fosters significant behavioral transformation by providing participants with essential coping strategies and problem-solving abilities. One can therefore argue that by addressing issues such as familial discord, substance dependency, and mental health challenges, diversion programs not only diminish recidivism rates but also facilitate long-term reintegration into society.

#### **4.4.3 Personality growth**

Parents and guardians of the young offenders also reported noticeable changes following admission into pre-trial diversion programs. A young offender in an in-depth interview highlighted how he experienced personality change during participation in pre-trial diversion:

*"Macounselling sessions andaitiswa akatondibatsira ndaimboita mazihasha ndichizviti ndine mangoromera ekurova. Pandakazouya kuno ndichitaura nasir ndopandakadzidziswa kuzvidzora nekuipa kwakaita kukuvdza vamwe. Ndakazonokumbira ruregerero. Ndakuda kudzokera kuchikoro. The counselling sessions with probation officers help me with maturity and to control my emotions better. I regret my past actions and want to make better choices. I even apologised to the person I assaulted. Most importantly, I am now excited to return to school."*

Participant 7 also shared his experience on how he unlawfully broke into a neighbor's home but reached a breakthrough in his attitude during time of participation in the program:

*"This program has made me more aware of how my actions affect others. I've been working on improving my relationships with my family and community. It has helped me see my strengths and motivated me to build a better future through education."*



Participant 9 charged with assault also echoed the views of the other two participants and said:

*"Ndakadzidza kuno kutanga ndafunga ndisati ndaita chinhu. Zvinhu hazvimhanyirwe. Ndakakwaniswa kubatisrwa kuona kuti ndinofana kuchinja vanhu vandaitamba navo. This program has changed how I handle conflicts. I learned to pause and think before I act. I have distanced myself from bad influences and focused on positive friends."*

The study found out that that pre-trial diversion is highly effective in rehabilitating offenders, as shown by significant behavioral changes and renewed commitment to societal reintegration. Its success stems from fostering crucial cognitive shifts, moving from impulsive aggression to emotional control, denial to accountability, and antisocial behaviors to educational goals. These outcomes validate the program's cognitive-behavioral foundation and suggest potential for even greater impact. This concurs with Koehler et al. (2013) who establishes that effective therapies with offenders frequently involve cognitive-behavioral strategies that address thought processes, emotional regulation, and interpersonal skills. The researcher further notes that PTD's core approach is effective, with participants learning to 'pause and reflect before acting' and actively working to repair the harm they have caused. This positions PTD as not just an intervention, but a validated framework that can be refined to address deeper systemic issues while maintaining its transformative nature.

#### **4.4.4 Social reintegration**

Participant experiences brought out the processes and outcomes associated with the successful reintegration of young offenders into their communities after crime and participating in pre-trial diversion programs. The study emphasised the importance of support systems including family involvement and community resources in facilitating a smooth transition. Young offenders highlighted that forgiveness from the family and acceptance from the the community went a long way in encouraging them to build constructive futures.

One participant who committed theft emotionally recalled how his parents were able to forgive him although he had caused them to suffer shame and loss:

*"Mhamha nadaddy vakamira neni. Kunyangwe vakandiripira fon yandakaba vakakwanisa kundiregerera zvakandionesa kuti zveshuwa ndaitokwanisawo kuchinja."*

My family stood by me during my toughest times. Although they had to replace the cell phone and laptop I had stolen, they found it in their hearts to forgive me. Their forgiveness gave me hope and helped me believe I could change. Although it took time for our neighbours to talk to me, I could hold on because of the support I had from the program."

Another participant in appreciation of the program further commented:

*"Nanhasi ndikubatikana kuti kunyangwe ndanga ndambodzimwa pamba ndaendeswa kwagogo, vabereki vangu vakandiregerra mushure making taitwa counselling tese. Dai vakaramba vakandiramba hameno ndaiitasei.* After everything, my parents welcomed me back home. When my mother supported me and did not remove me from the family, I felt ashamed but also more motivated to change."

One young offender's mother also shared how she was able to reconnect with her child through social reintegration:

*"Ino program ndiyo yakaita kuti ndisaramwe mwana wangu Tino(acronym). Ndanga ndakatsamwa hongu asi takabatsiewa tese semhuri kuti tiwane kuenda mberi.* The pre-trial diversion officer urged me not to give up on Tino. I was very angry. Nevertheless together with our community and the officer to ensure he felt accepted. The officer helped us through counseling together, letting us come to terms with what had happened and supporting our child."

These findings highlighted the crucial importance of familial and community support in the successful rehabilitation of offenders. The researcher argues that although structured diversion programs offer vital corrective frameworks, it is the genuine encouragement from family and friends, illustrated through compelling stories of forgiveness and a sense of belonging, that fundamentally supports behavioral transformation. This is supported by Braithwaite (2002) who emphasises the significance of reintegrative shame in encouraging forgiveness and reintegration into society. Bergseth and Bouffard (2013) also discovered that community-based initiatives that offer assistance and resources help young offenders effectively reintegrate and minimise recidivism. The researcher suggests that pre-trial interventions should intentionally foster these natural support networks, as participants' accounts demonstrate that acceptance from family and

reintegration into the community act as both emotional safety nets and motivating forces for lasting change.

#### **4.4.5 Repairing harm**

Participants brought out that these programs emphasised accountability, urging young offenders to accept responsibility for their actions and actively seek to repair the harm they did to victims and the community. Participants revealed that repairing harm allowed for real connections between offenders, victims, and community members, which aided in healing and rebuilding trust. All participants in this were key informants in in-depth interviews:

*"Repairing harm emphasizes young offenders actively making amends for the harm done. This is for when a young offender has committed an offense like theft and the victim requires tangible compensation or restitution. This process is not just about financial settlement, but mending damaged relationships."*

Another pre-trial diversion concurred with the above view and expressed how repairing harm redirects focus from offender and punishment to addressing offense and mending relationships:

*"Accountability extends beyond a mere apology and requires engagement in other significant actions tailored to their specific situation. This often includes counseling sessions to address underlying issues and where appropriate, making direct restitution to the victim."*

One young offender further commented that repairing harm has a special focus on relationship building rather than only punishing individuals:

*"Vabereki vangu vakanzi vabhadhare window ranga ndapwanya kuti manext door asazondivenge. My parents were made to pay for the window I broke so that we maintained the relationship with our neighbours."*

The study found out that addressing harm goes beyond a simple procedural step, it is vital for genuine behavioral change. It guides young offenders on a path to make amends for their actions. Repairing harm offers the chance to make amends to young offenders whilst also serving as a right

for their victims to be compensated. Similarly to this, Umbreit et al. (2003) argues that interventions in restorative justice like victim-offender mediation can result in significant levels of satisfaction for victims and accountability for offenders (p.145). Offenders are urged to engage directly with victims and their communities to foster empathy and break down the emotional barriers that often lead to re-offending. This emphasis ensures that accountability is meaningful rather than superficial and rebuilds trust not only between the offender and the victim but also within the broader community. One can therefore argue that this process transcends mere rehabilitation, it signifies a validated shift in moral reasoning.

#### **4.5 CHALLENGES FACED IN THE IMPLEMENTATION OF PRE-TRIAL DIVERSION PROGRAM**

The findings of the study brought out that the implementation of pre-trial diversion programs in Zimbabwe is often obscured by several challenges. These created the sub-themes which include the absence of a comprehensive legal system, shortage of trained personnel, lack of public awareness and advocacy, a one size fits all approach, insufficient post-diversion support, resource constraints and lack of coordination between stakeholders.

##### **4.5.1 Absence of a comprehensive legal system**

Participants brought out that the absence of clear legislation which deals directly with young offenders and pre-trial diversion makes it difficult to control the proceedings vigorously. One of the pre-trial diversion officers in question noted gaps in key legislation such as the Children's Act Chapter 5:06, Criminal Codification and Reform Act, Criminal Procedure and Evidence Act which limit clear guidelines and alternative measures for diversion.

The pre-trial diversion officer expressed frustration with the system mainly because of the absence of legislation which speaks directly to pre-trial diversion as a whole:

*"The lack of a comprehensive legal framework poses a significant challenge for pre-trial diversion. At least the Child Justice Bill, introduced in 2020, expected to take effect in 2025 will provide essential guidelines for managing young offenders, addressing the current reliance on fragmented laws like the Children's Act and the Criminal Codification and Reform Act."*

One probation officer in an in-depth interview also echoed the same frustration:

*"The absence of clear legislation for young offenders hampers effective diversion program implementation. We often must adapt provisions from various acts, which do not adequately address juvenile justice. This inconsistency limits our ability to offer alternative pathways for young offenders."*

Another probation officer in an in-depth interview expressed concern over the absence of legislation:

*"Without proper legislation for pre-trial diversion, we operate in a system rife with gaps. There are no unified guidelines to ensure consistent and effective handling of diversion, resulting in young offenders being treated like adults, which undermines rehabilitation and alternative measures."*

The study found out that the absence of a comprehensive legal system which speaks to pre-trial diversion hinders maximum benefits of the program. The Child Justice Bill which has not been passed since its inception leaves young offenders at the mercy of vague acts. It is important to note that limited public awareness and advocacy limit the government's ability to mobilize resources and support for diversion programs. This is in line with the study therefore recommends that the government expedite the process of passing the Child Justice Bill into law as soon as possible. It is also imperative under the same law that adjustments should be made to include issues of post-diversion support services in the Bill and also rigorous regulations in place to constantly assess pre-trial diversion officers.

#### **4.5.2 Shortage of trained personnel**

The study brought out that the shortage of trained personnel is a significant obstacle in the implementation of pre-trial diversion programs in Zimbabwe. This lack of staffing limits the quality and scope of support services. Inadequate supervision and training compromise the effectiveness of pre-trial diversion, increase the risk of recidivism, and ultimately undermine their credibility in the community.

The pre-trial diversion officer in an depth interview showed great concern in how him being the only officer employed at the department was detrimental to the outcomes of pre-trial diversion programs:

*“There is a limited number of specialized pre-trial diversion workers. I am currently the only social worker and pre-trial diversion officer here. When I am absent, the office is forced to close. Clients are directed to the pp at the court where they obviously receive unmatched services. There is the conflict of role of service giver verses young offenders receiving the wrong services. They can go to the DSD but it is not the same as they are not specialised in implementation of diversion programs.”*

Another probation officer expressed his frustration with the government for giving access to unskilled officers and demeaning program outcomes:

*“The government has taken to opening positions for probation officers and pre-trial diversion officers and opening then to people without necessary qualifications for example holders of sociology and psychology degrees. This leads to a situation where we have in untrained professional and a vulnerable child in need of services, a recipe for disaster. ”*

A probation officer also spoke on the detrimental effects of brain drain to the implementation of pre-trial diversion nationwide:

*“Brain drain is a very troubling concern when it comes to effective service delivery. A lot of experienced social workers are leaving the country for greener pastures which leaves behind a knowledge gap when it comes to knowledge and implementation of pre-trial diversion programs. This causes inexperienced persons like the graduate trainees who only have the basic know hows to operate in a role where they are clueless .”*

The findings of the study brought out that pre-trial diversion is often compromised by a shortage of personnel. This refers to the shortage of manpower and the availability but unskilled form of personnel. Shortage of trained personnel means a direct negative effect for program outcomes since services will be directed by an unskilled workforce. This concurs with Chitsove (2020) who argues that lack of trained personnel prevents diversion programs from providing offenders with

the necessary support and services, such as counseling and rehabilitation. The researcher therefore recommends that the respective agencies of pre-trial diversion programs put in place strict regulations on qualifications of professionals allowed to practice. It compromises all outcomes. The researcher therefore recommends that the Pre-trial Diversion Committee create a board specific to PTD which manages and regulates qualifications of all stakeholders.

#### **4.5.3 Lack of public awareness and advocacy**

The findings of the study found out that limited understanding and comprehension of pre-trial diversion contributes to skepticism, undermining the program's legitimacy. Findings suggest that this gap significantly hinders effective implementation of program implementation.

A probation officer in an in-depth interview highlighted how lack of public awareness challenges program outcomes when community members are unable and unwilling to adjust to pre-trial diversion:

*"Raising awareness about pre-trial diversion is essential. Even those within the system, like police officers on diversion committees, often operate with biases. They tend to see children primarily as offenders, which can lead to poor case handling. In some instances, kids are pressured to sign consent forms without the presence of a social worker, all in an effort to expedite the process."*

A parent in a focus group discussion highlighted how the community is hesitant when it comes to accepting young offenders:

*"Many people in the community are hesitant to accept young offenders, viewing them as outcasts. They often do not understand that pre-trial diversion focuses on behavior modification. This poses a threat to the program, as children may feel alienated and fall back into negative behaviors out of spite for not being acknowledged."*

Another parent officer in an in-depth interview also echoed the same view:

*"Some community members believe that accepting our children undermines public safety. This fear and stigma can lead to a lack of support for them, making reintegration difficult ."*

The study brought out that public perception is crucial for the success of diversion programs for juvenile offenders. Without awareness, stigma and doubt can hinder rehabilitation efforts. This aligns with Corrigan et al (2006) who states that the belief that one's group is devalued by the public is thought to negatively affect self-esteem and self-efficacy, which ultimately affect expectations about future interactions, coping, mental health, and behavior. When communities lack understanding of these initiatives, their support wanes, undermining reintegration efforts. The researcher also emphasizes the need for advocacy to legitimize diversion programs and that without it, these programs risk under-funding and devaluation. This is also in line with Sithole (2023) who notes that weak advocacy can undermine the legitimacy and effectiveness of these programs. The researcher therefore recommends including targeted community engagement initiatives like discussions among law enforcement, social workers, and community members to clear up misunderstandings. Mandatory training for diversion committee members on child rights and fair case management is essential, as is ensuring social workers are present during consent processes. Finally, the investigator highlights the need for community-led reintegration initiatives that share success stories to reduce stigma and build public trust in diversion programs.

#### **4.5.4 Lack of post-diversion support**

Participants brought out that post-diversion support is crucial for rehabilitation but is often overlooked. Without aftercare services, pre-trial diversion officers and families of young offenders highlighted that young offenders are more vulnerable to recidivism, jeopardizing the positive changes achieved during the diversion program.

The pre-trial diversion officer expressed his concern during an in-depth interview on how absence of aftercare due to resource constraints has a direct impact on program efficacy:

*"The absence of aftercare means our diversion efforts are frequently wasted. We observe progress, but without follow-up support, young people are more likely to reoffend."*

One parent in a focus group discussion shared her frustrations on how she feels that young offenders are at some point abandoned to fend for themselves:

*"It is heartbreaking. Our children change during the diversion program, and then they are left alone to face old problems. Without ongoing support, they can easily slip back*



*into previous behaviors. We need assistance to help them remain on the correct path after the program concludes."*

Another probation officer shared the same view and commented on the dire situation:

*"Diversion programs are effective, but only when accompanied by aftercare. Without it, recidivism rates are high because young offenders cannot sustain the changes independently. Post-diversion support must be a standard component for rehabilitation to achieve success."*

The study found out that public perception is vital for the success of juvenile diversion programs. Lack of awareness can lead to stigma and skepticism, which hinder rehabilitation efforts, echoing Mawodza's (2022) assertion that ignorance breeds these issues. When communities do not understand these programs, their support diminishes, affecting reintegration. The researcher stresses the importance of advocacy to validate diversion program. Sithole (2023) points out that weak advocacy can compromise the legitimacy and effectiveness of these initiatives. If policymakers and the public are uninformed, even well-structured programs may struggle for acceptance. To tackle these issues, the researcher suggests a comprehensive strategy, including targeted community engagement, discussions among law enforcement, social workers, and community members to dispel misunderstandings.

#### **4.5.5 Resource constraints**

The findings of the study brought out that resources are key to successful implementation of PTD. Limited funding affects also the availability of skilled personnel, necessary support services aftercare resources. Participants emphasised how this could be could be considered the determining factors of program outcomes.

The pre-trial diversion officer observed that they are unable to access other young offenders in remote areas due to transport challenges, negatively affecting program accessibility:

*"This office covers many areas and districts, but there is no sustainable way of implementing this. We often cannot travel as much as it requires to those other areas*

*because of transport issues. Non-governmental organisations are not willing to work with young offenders. This means we cannot reach all young people on time."*

The probation officer further expressed concern on how this leads to inability to hire skilled personnel which has a detrimental effect on program outcomes:

*"Limited funding means we struggle to hire and keep staff with the right skills. Without specialized personnel, our interventions are less effective, and program outcomes suffer. Adequate investment in skilled staff is crucial for diversion success."*

Another probation officer also expressed the same view in an in-depth interview:

*"Young people do well in the program, but then there is no support to help them stay on track. Without funded follow-up services, we are setting them up to fail."*

The study found out that resources are pivotal to the successful implementation of pre-trial diversion programs. Availability of resources, be it human resources, financial and material resources, forms the backbone of PTD. Poor finances mean that skilled staff leave respective departments for greener pastures which leaves behind a knowledge gap filled by an unskilled workforce. This therefore leads to poor service delivery and obviously poor program outcomes, meaning recidivism and high crime rates among young offenders. This is in line with Muyobela (2018:104) who is of the view that organisational resources have a huge impact in the quality of service delivery rendered by practitioners to their clients. It jeopardizes the quality of assistance and interventions provided to adolescent offenders. Departments cannot afford follow up house calls which means young offenders will be as good as abandoned. These findings bring the researcher to a point of realization that measures need to be put in place to manage before challenges corrode the whole system.

#### **4.5.6 Lack of coordination**

The study found out that poor collaboration between agencies, such as social services, law enforcement, civil society organisations and non governmental organisations leads to fragmented support for young offenders. Participants noted that this disconnection hinders comprehensive implementation of pre-trial diversion programs and diminishes their overall impact.

The pre-trial diversion officer commented on the lack of collaboration between agencies causing massive isolation of pre-trial diversion office from other agencies:

*"The pre-trial diversion office is the only one working with young offenders. Civil society organisations and non-governmental organisations focus solely on victims, not perpetrators. This isolates the PTD office, which cannot function effectively on its own."*

One probation officer further highlighted that pre-trial diversion programs fall prey to service fragmentation brought on by lack of collaboration:

*"Service fragmentation is a major issue since the police, Department of Social Development, and pre-trial diversion are not housed together. Often, young offenders are referred to PTD but do not follow through because they see it as a waste of time and feel they are being shuffled around. As a result, they miss the opportunity to receive the help they need."*

The study found out that lack of cooperation between stakeholders cripples implementation of pre-trial diversion programs in reducing juvenile delinquency. This is compounded by the fact that the two departments, DSD and the Pre-trial Diversion are on different premises which means service fragmentation. The study also highlighted that there are no other organisations willing to work young offenders which points to an error as no organisations can run effectively without partners.

## **4.6 STRATEGIES USED TO IMPROVE PRE-TRIAL DIVERSION PROGRAMS**

The findings of the study brought out that with the challenges acting against efficacy of pre-trial diversion programs in extenuating juvenile delinquency, it is imperative that countermeasures be made. Key areas identified by participants in this study for development include the integration of technology and innovation, sustainability and long term funding strategies, development of comprehensive support networks, ensuring evidence-based practices and monitoring and evaluation framework for continuous improvement.

### **4.6.1 Integration of technology and innovation**

Participants brought out there is a critical need technology and innovation into pre-trial diversion programs. They noted that miscommunication often leads to missed sessions which can hinder

progress of programs. Specific innovations could include online platforms to enhance activity and monitor updates.

One probation officer revealed that all innovations and technology need to be tailor made for unique circumstances of young offenders for maximum program effect:

*"Integrating technology into diversion programs can improve accessibility and compliance, particularly through automated reminders and virtual case management. These tools are inclusive, accounting for disparities in digital literacy and access. A hybrid approach, combining technology with in-person support, may offer the most sustainable solution."*

Another key informant echoed the same view in an in-depth interview on how the advent of technology can reduce burden of officers and improve program outcomes:

*"Practical technology applications, like secure messaging and digital reporting, can reduce administrative burdens and enhance participant accountability. Its implementation requires training for both staff and clients to ensure usability."*

The findings of the study brought out that the incorporation of technology within criminal justice and diversion initiatives significantly improves efficiency and accessibility, especially for marginalized groups. Introduction of technology based system will make it easier to reach a more broader population. This is supported by Andrews (2015) who states that digital solutions like automated reminders and virtual case management can alleviate logistical challenges, thereby increasing participation rates. A digital diversion passport is recommended to provide continuous support through block chain-verified progress. Furthermore, secure digital platforms such as encrypted messaging and electronic reporting systems should be emphasized to enhance transparency and compliance among program participants. Similarly, Belenko et al. (2015) supports that digital tools facilitate administrative processes while ensuring accountability, thus minimizing the likelihood of procedural delays or miscommunication. Belenko et al. (2015) further warn that both staff and participants need to be sufficiently equipped to utilize these systems effectively. Consequently, investing in digital literacy initiatives and technical support is crucial for equitable implementation.

#### 4.6.2 Implementation and enactment of legislation for PTD

The study brought out that proper legislation forms the backbone of effective pre-trial diversion programs. Participants revealed that without clear legal frameworks, these programs face inconsistent implementation, as legal professionals hesitate to utilize options lacking statutory authority. Participants legislative mandates not only ensure accountability but also facilitate better coordination between courts, law enforcement, and social services. Participants revealed that statutory backing protects initiatives from budget cuts during administrative changes, while regular legal updates help maintain relevance with evolving justice needs.

One key informant commented that pre-trial diversion programs will achieve maximum efficacy with the utility of the Child Justice Bill:

*“I believe things can and will get better once the Child Justice Bill is passed into law. What's making things so uncertain is that there is no legislation to stand up for young offenders rights. The government should definitely see to accelerating the process.”*

Another key informant in an in-depth interview also echoed the same view:

*“For us, a key recommendation to make things better is getting the Child Justice Bill passed and put into action quickly. We strongly agree that speeding up this process is critical, as waiting any longer means more young individuals miss out on the chance for a fairer and more supportive legal system.”*

The study found out that strong legislative measures underscore for the efficacy and sustainability of pre-trial diversion programs. The absence of clear legal frameworks means that these initiatives suffer from inconsistent application, as legal professionals hesitate to act without formal endorsement. Legislative support also provides political legitimacy and stability, protecting diversion programs from financial instability during administrative changes and ensuring they meet current justice needs. Participant testimonies, including calls to expedite the Child Justice Bill, highlight the connection between legislative action and systemic improvement. The push for quick approval of the bill reflects a consensus that delays in legal reforms exacerbate disparities, limiting young offenders' access to rehabilitation. The researcher therefore advocates for

prioritizing legislative action to drive transformative changes in pre-trial diversion frameworks, emphasizing that legal structures are vital for the legitimacy.

#### **4.6.3 Sustainability and long term funding strategies**

The findings of the study revealed that sustainability and long term funding strategies are crucial for the success of pre-trial diversion programs. Pre-trial diversion officers highlighted the need for stable financial support to ensure that these programs can operate effectively over time. Without consistent funding from the government and stakeholders, resources are limited, jeopardizing the quality of resources. Participants further emphasised that establishing diversified funding sources is essential for promoting program viability and supporting ongoing improvements.

One probation officer at the DSD reported on the futility of reliance on one funding source and encouraged diversification of funding sources and partnering with NGOs:

*"Diversifying funding sources is key. We can't rely solely on government funding, especially with changing administrations. Trump's cuts have shown us how unstable that can be. We should explore partnerships with private organizations and community groups to broaden our financial base. There is need to engage those civil society organisations such as Childline and Justice for Children."*

Another probation officer expressed how program implementation also hinges on budget planning and resource allocation:

*"For pre-trial diversion programs to thrive, we need to prioritize budget planning and resource allocation. This means being strategic about how we use our funds, focusing on evidence-based practices, and continually assessing our program's effectiveness."*

The study brought out that an excessive dependency on a singular funding source, especially government grants, leads to precarious conditions for the ongoing viability of programs. Given that fluctuating political priorities can suddenly undermine even the most established initiatives, the researcher underscores the urgent necessity for proactive financial diversification. This strategy transcends mere risk management, representing a profound reevaluation of institutional sustainability. This is supported by Rudes (2017) who notes that reliance on single source funding

jeopardizes program continuity, particularly during political shifts, underscoring the risks of depending solely on government grants, which may fluctuate with changing administrations. The researcher thus recommends the development of hybrid funding models. The researcher also recommends enhancing institutional capacity for fund-raising. Instead of viewing fund-raising as a sporadic endeavor, organizations must employ dedicated personnel skilled in grant writing, donor engagement, and alternative financing strategies.

#### **4.6.4 Development of comprehensive support networks**

The study revealed that establishing comprehensive support networks is crucial for the success of pre-trial diversion programs. Participants noted the lack of support from civil society organizations and non-governmental organizations specifically focused on this issue. Strengthening partnerships with these stakeholders is essential to provide holistic assistance to young offenders, addressing their legal, social and personal needs.

The pre-trial diversion officer commented on how collaboration will enhance the efficacy of programs and improve outcomes for participants:

*"Effective pre-trial diversion requires more than just legal oversight, it demands a network of social services, mental health support, and community resources. Strengthening these collaborations will ensure young offenders receive holistic support."*

Another key informant expressed the same view on how partnerships are key to program outcomes:

*"A coordinated approach with NGOs, mentorship programs, and social services is essential to provide stability and guidance in addressing young offender's interconnected issues. Without these partnerships, we risk setting participants up for failure by neglecting their broader needs beyond the courtroom."*

The findings of the study brought out that a transformative approach to pre-trial diversion by introducing diversion ecosystem hubs, which are integrated facilities that combine legal, social, and mental health services are crucial to addressing systemic fragmentation. The researcher advocates for adopt-a-youth corporate sponsorships, which re-frame rehabilitation as a collective societal duty, and diversion impact bonds, which link funding to quantifiable decreases in

recidivism rates. The researcher also suggests survivor-led. The researcher introduces the concept of reverse diversion, which prioritizes community justice circles over judicial systems, and ultimately argues for the obsolescence of diversion by tackling fundamental issues such as poverty and mental health. This is in line with Rossman et al. (2020) who states that effective diversion programs require partnerships with community organizations, social services and mental health providers to address the complex needs of participants. In this context, the study goes beyond mere incremental changes, advocating for a profound systemic transformation through market-oriented, community-driven, and technology-enhanced solutions.

#### **4.6.5 Post -diversion program support services**

The study brought out the need for structured post-diversion support services to sustain the positive outcomes of pre-trial diversion programs. Key informants highlighted that without continued support, young offenders often return to the same high-risk environments, increasing the likelihood of re-offending. Effective post-diversion services such as mentorship, counseling, vocational training, and community reintegration programs are critical in ensuring long-term success.

One key informant observed that feedback mechanisms should be integrated to identify gaps in post-diversion services to ensure continuous program improvement:

*“Continuous monitoring is essential because many young offenders return to communities with the same risk factors that initially led to their offending. Post-diversion check-ins are critical because many young offenders return to the same high-risk environments. Without consistent follow-up, they may fall back into old patterns.”*

Another key informant echoed this view in an in-depth interview on the importance of post-diversion support:

*“Post-diversion support should extend beyond formal supervision and include community-driven interventions. There is need to educate community and family members so that they know how to act around young offenders and reduce risk of re-offending.”*



The study found out that support services following diversion are essential for maintaining the favorable results of pre-trial diversion initiatives. The absence of ongoing support often leads young offenders back to high-risk settings, which considerably heightens the chances of re-offending. This is supported by Mangwiro et al. (2024), who states that post-diversion support services are crucial in sustaining the positive outcomes of pre-trial diversion programs. The researcher recommends that a well-rounded selection of post-diversion services is imperative. It is advisable to implement targeted services such as counseling and mental health assistance to tackle underlying challenges, educational and vocational training to improve job prospects, substance abuse rehabilitation for individuals facing addiction issues, family support services to foster a stable home environment, community mentoring initiatives to link young offenders with positive role models, and regular follow-ups to guarantee timely and effective interventions. By emphasizing these particular post-diversion services, the efficacy of pre-trial diversion programs can be significantly improved, ensuring that the progress made is not only preserved but also expanded upon, ultimately resulting in more successful rehabilitation outcomes for young offenders.

#### **4.7 CHAPTER SUMMARY**

This chapter discussed the findings gathered from seasoned pre-trial diversion officers, probation officers, police officers, young offenders and their respective families. Findings were presented using thematic analysis and responses from participants exhibited unique and diverse components of pre-trial diversion. The findings in this chapter led to an understanding of the pre-trial diversion programs in Chitungwiza District. The key informants revealed key insights and expertise in answering questions on the efficacy of pre-trial diversion programs in their respective roles as pre-trial diversion officers, probation officers and police officers. Young offenders also brought out that PTD is in fact vital and instrumental to the extenuation of juvenile delinquency through targeted programs. Their families had interesting views to offer too. The study brought out that pre-trial diversion programs are effective in reducing recidivism rates, social reintegration of young offenders, skills development and personality growth. The study also found out that although there are challenges which threaten pre-trial diversion programs, they do not in any way undermine the progress by PTD.

## **CHAPTER 5: SUMMARY, CONCLUSION AND RECOMMENDATIONS.**

### **5.0 INTRODUCTION**

The study sought to explore the efficacy of pre-trial diversion (PTD) programs in extenuating juvenile delinquency in Zimbabwe. The topic focused on pre-trial diversion programs (PTD) in Chitungwiza District. The objectives utilized for this study included, to assess the efficacy of pre-trial diversion programs, to identify the challenges faced in implementation of pre-trial diversion programs and to enhance existing model of pre-trial diversion programs. Subsequently, this chapter is going to summarize the findings of the study in the previous chapter and emphasize the key findings and their implication for social work practice.

### **5.1 SUMMARY OF FINDINGS**

The study brought out that pre-trial diversion programs show notable success in reducing juvenile delinquency in Zimbabwe. This is evidenced by many aspects such as reduced recidivism rates and skills development and personal growth. These findings also found challenges faced by diversion officers and young offenders during implementation. The summary of strategies discussed in order to enhance pre-trial diversion programs in extenuating juvenile delinquency will also be presented here. This is going to look at the summary of findings in the order of their objectives and also compare with other literature.

#### **5.1.1 PRE-TRIAL DIVERSION PROGRAMS IN CHITUNGWIZA**

The findings of the study brought out that there are a number of pre-trial diversion programs being implemented in Zimbabwe. The Pre-trial diversion guidelines (2017), PTD programs include counselling, mediation, family group conferencing, placement at institution, vocational training, community service and police cautions. These programs are being used to effectively rehabilitate young offenders. The researcher however noted that not all of these programs are being implemented. Due to factors such as system neglect, resource constraints and absence of partners, vocational training, community service and placement at institution are not being utilized to their

full capacity. One can therefore argue that although they have made significant impact, stakeholders should strive to revive the other dormant programs for improved efficacy.

### **5.1.2 THE EFFICACY OF PRE-TRIAL DIVERSION PROGRAMS IN REDUCING JUVENILE DELIQUENCY IN CHITUNGWIZA**

The research findings indicate that while the foundational principles of restorative justice in pre-trial diversion programs demonstrate efficacy, the programs themselves lack full efficacy. Although restorative justice initiatives provide young offenders with a significant alternative to formal charges and notably lower recidivism rates by emphasizing harm repair through dialogue and responsibility, the overall success of these initiatives is compromised due to the absence of other essential components such as vocational training, community service and institutional placement. Nonetheless, the restorative justice component promotes essential skill enhancement and personal development, mitigates the stigma associated with a criminal record, and encourages social reintegration, aligning with the goals of pre-trial diversion by shifting the focus from punitive approaches to rehabilitation for young offenders.

### **5.1.3 CHALLENGES FACED IN THE IMPLEMENTATION OF PRE-TRIAL DIVERSION PROGRAMS**

The research outcomes indicated that the execution of pre-trial diversion initiatives in Zimbabwe encounters considerable obstacles. Principal challenges encompass the absence of a thorough legal framework, a shortage of adequately trained staff, limited public awareness, a rigid uniform approach, insufficient post-diversion assistance, resource constraints, and inadequate coordination among stakeholders. The lack of advocacy for diversion programs undermines their legitimacy and efficacy. These barriers pose a risk to the efficacy and anticipated advantages of the programs.

### **5.1.4 STRATEGIES USED TO IMPROVE PRE-TRIAL DIVERSION PROGRAMS IN ZIMBABWE**

The results of the study underscore the necessity for strategic interventions aimed at improving the efficacy of pre-trial diversion programs in tackling juvenile delinquency. Post-diversion support services are important in sustaining the positive outcomes of pre-trial diversion programs. Critical

areas for enhancement encompass the incorporation of technology and innovation, ensuring sustainable financial support, creating extensive support networks, applying evidence-based methodologies, and instituting strong monitoring and evaluation systems. Addressing these elements is crucial for closing current gaps and bolstering the overall success of the programs.

## **5.2 CONCLUSION OF FINDINGS**

One can therefore conclude that although Zimbabwe has implemented a framework for pre-trial diversion (PTD) programs designed to rehabilitate young offenders, their efficacy remains largely untapped. The insufficient use of essential programs, including vocational training, community service, and institutional placement, is primarily due to systemic neglect, limited resources, and a deficiency in collaborative partnerships, which severely diminishes the overall efficacy of the PTD strategy. Consequently, it is imperative for stakeholders to undertake a unified initiative to reinvigorate these neglected elements in order to enhance the rehabilitative outcomes and fulfill the intended goals of the pre-trial diversion system.

Additionally, the study found out that restorative justice is essential for the efficacy of pre-trial diversion programs. By focusing on accountability, rehabilitation, and repairing harm, these programs provide young offenders with a meaningful alternative to traditional prosecution. This approach not only reduces recidivism rates but also promotes personal growth and aids in successful reintegration into society. To enhance these benefits, one can therefore argue that it is crucial to expand and strengthen these programs within the justice system.

The researcher also concluded that pre-trial diversion in Zimbabwe although acknowledged as a positive step towards rehabilitation of young offenders away from punishment, is significantly hampered by a range of systemic challenges. Despite these challenges, PTD still continues to make change towards the well-being of young offenders. However, the successful implementation nationwide and realization of the benefits of pre-trial diversion hinges directly on addressing those challenges.

Furthermore, the findings also underscore the need for necessary integration of interventions towards the enhancement of pre-trial diversion programs. Their full capacity can only be realized once there is a comprehensive legal reform, increased resource allocation, vigorous public

awareness campaigns and strengthened interagency collaboration. One can therefore conclude that ultimately for these programs to have a greater impact, addressing these challenges is crucial.

### **5.3 RECOMMENDATIONS**

#### ***The Government of Zimbabwe***

The government must prioritize the swift enactment of the Child Justice Bill and the alignment of existing legislation to ensure a robust, enduring program. The researcher also recommends the implementation of stringent regulations for Civil Society Organizations (CSO's) and NGOs to make involvement mandatory.

#### ***Ministry of Justice, Legal and Parliamentary Affairs***

The researcher strongly recommends the ministry adopt South Africa's best practices in improving pre-trial diversion. By utilizing non-governmental organizations, local authorities, and faith-based groups, Zimbabwe can utilise collaborative institutional efforts to mitigate state capacity limitations. In a similar vein, Nicaragua's Nicro, an innovative rehabilitation NGO, partners with judicial systems to implement community service. Zimbabwe can learn to implement programs even in resource constraint areas.

#### ***The Pre-trial Diversion Committee***

The researcher recommends to the committee that it put in place strict regulations on qualifications of professionals allowed to practice. The committee should create a board specific to PTD for regulating qualifications of all stakeholders. Strengthening of advocacy and awareness to legitimize diversion programs in the community is also recommended. The committee should broaden funding avenues by utilizing hybrid approaches that integrate government contracts, private donations, and revenue-generating methods while strengthening institutional capabilities for fundraising by hiring specialized staff proficient in grant writing, donor relations, and alternative funding techniques.

The researcher strongly recommends the incorporation of technology within criminal justice and diversion initiative to improve efficiency and accessibility, especially for marginalized groups. All stakeholders should be trained in digital literacy. The researcher also recommends revolutionary

strategy in pre-trial diversion by establishing diversion ecosystem hubs that amalgamate legal, social, and mental health services to mitigate systemic fragmentation. Corporate sponsorship aimed at young offenders can redefine rehabilitation as a shared societal responsibility. Mentorship led by survivors, which with digital diversion passports that utilize block chain technology to verify progress. Furthermore, the researcher proposes the investigation of reverse diversion, emphasizing community justice circles in place of traditional judicial. The researcher recommends for the establishment of extensive post-diversion support services,

### ***Universities***

The researcher recommends that universities add a foundational PTD course to the undergraduate social work curriculum, developing a specialized PTD module for the honors degree, and offering a postgraduate short course or diploma in PTD programs. Additionally, organizing workshops centered on PTD programs and interventions for various stakeholders would help share the latest advancements in the field.

## **5.4 IMPLICATIONS FOR SOCIAL WORK PRACTICE**

The findings of this research will significantly impact social work practices, particularly in areas such as trauma-informed care, holistic and personalized methods, and community-focused initiatives, while working with young offenders. Emphasizing trauma-informed care requires social workers to develop new skills and approaches for interacting with young offenders who have experienced trauma. This involves creating safe and supportive environments that acknowledge their backgrounds and promote their overall well-being. As a result, social workers need to prioritize building trust and rapport with young offenders while applying evidence-based interventions that specifically target trauma.

In addition, the emphasis on holistic and individualized practices calls for social workers to adopt a more comprehensive approach when supporting young offenders. This means assessing their varied needs, including mental health, educational support, and social situations, and designing tailored interventions that address these factors. Collaborating with a range of stakeholders, such as healthcare providers and educators, will be crucial to ensure that young offenders receive well-rounded support.

Additionally, the research's focus on community-based initiatives will drive social workers to establish new partnerships with community organizations and stakeholders. This collaboration will involve working with community members to develop programs and services that produce positive outcomes for young offenders, while also empowering them to take control of their lives and engage actively in their communities. Social workers should prioritize community engagement and empowerment, utilizing strength-based strategies that harness the inherent strengths and resilience of young offenders.

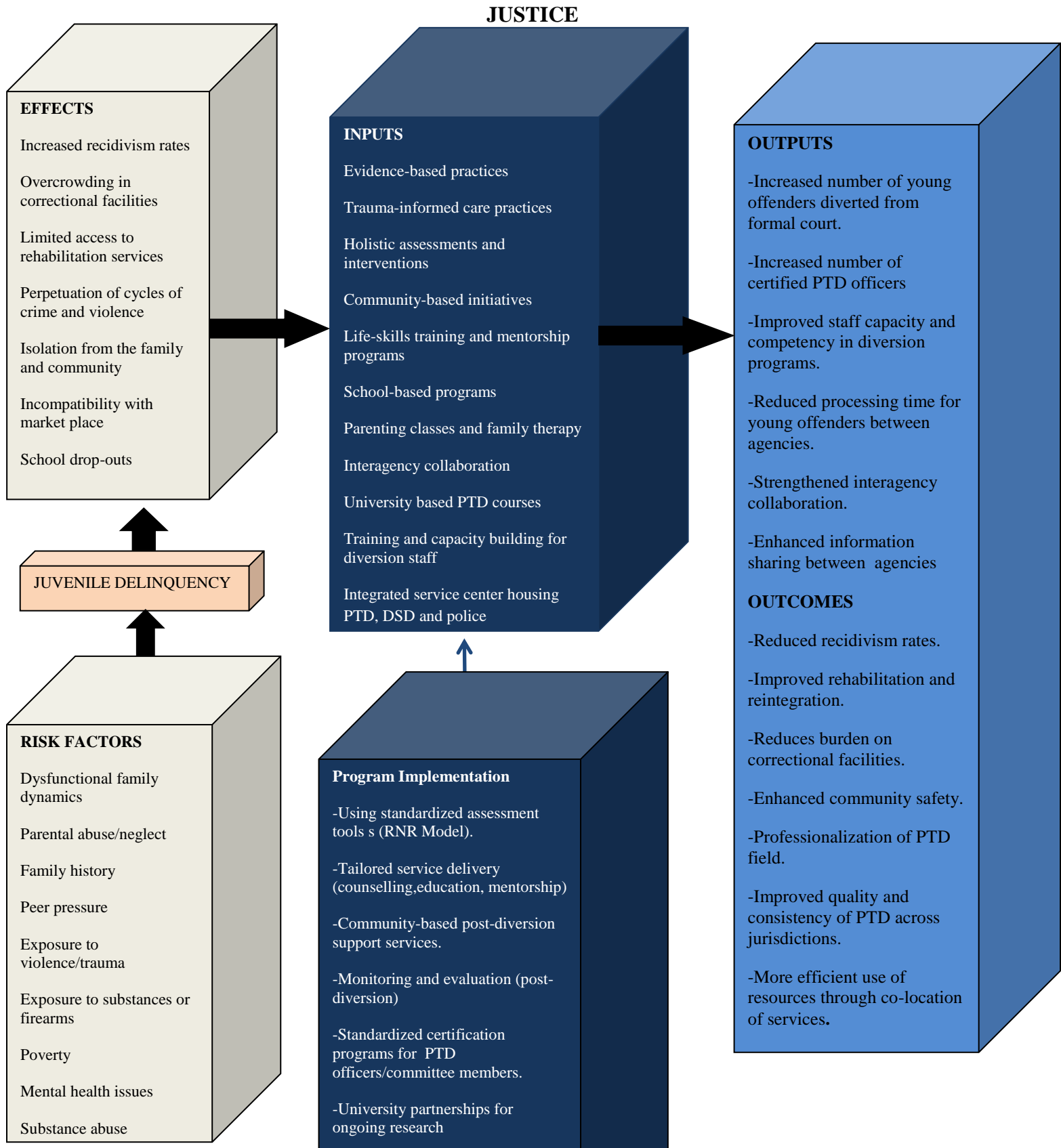
In conclusion, the findings of this study hold great importance for social work, highlighting the need for trauma-informed care, tailored and holistic approaches, community-focused initiatives, inter-agency collaboration, empowerment techniques, and the use of evidence-based practices. By adopting these strategies, social workers can achieve positive outcomes for young offenders, reduce recidivism, and promote a fairer and more equitable society.

## **5.5 AREAS FOR FURTHER STUDY**

- The role of Civil Society Organisations in reducing juvenile delinquency.

The role of civil society organizations (CSOs) in reducing juvenile delinquency and supporting pre-trial diversion programs is multifaceted and crucial, yet often undervalued. By developing and implementing community-based programs, providing family support services, and offering alternative dispute resolution and rehabilitation services, CSOs can effectively prevent and address delinquent behavior. This area is of paramount importance to social work, as it highlights the need for holistic, community-based approaches to address the complex needs of young people and their families. Despite its relevance, the contribution of CSOs to pre-trial diversion is frequently overlooked, underscoring the need for further research and recognition of their impact. By exploring this critical area, researchers and practitioners can develop evidence-based strategies to prevent and address delinquent behavior, ultimately promoting positive outcomes for young people and their communities.

**5.6 FIGURE 1: THE INTERSTITIAL FRAMEWORK FOR RESTORATIVE JUVENILE**





The Interstitial Framework for Restorative Juvenile Justice is designed to address the pressing issue of ineffective diversion programs exacerbating juvenile delinquency in Zimbabwe. At the heart of this framework is the recognition that identifying and targeting risk factors is crucial in reducing juvenile delinquency. Risk factors increase the likelihood of young people engaging in delinquent behaviour. It is therefore essential to develop a comprehensive trauma-informed approach that addresses these.

To start with, this model is designed to address juvenile delinquency by first understanding its effects, which informs the creation of effective pretrial diversion (PTD) programs tailored to the specific needs of young offenders. The model's foundation rests on two core principles, evidence-based practices (EBP) and trauma-informed care. EBP ensures that interventions are scientifically proven to be effective, while trauma-informed care acknowledges that many youth have faced significant adversity, thereby creating a compassionate and secure environment for their development. The model takes a holistic and community-based approach, viewing the entire young person rather than just their offense. This involves a comprehensive assessment of their family dynamics, health, and education to create customized support plans. These interventions are delivered directly within the community, through schools and local organizations, to foster a sense of belonging and provide a lasting support network. Key components include equipping youth with essential life skills, such as conflict resolution and communication, and providing ongoing mentoring to offer guidance from positive adult role models.

Central to the model's success is the use of standardized, validated assessment tools to accurately identify both criminogenic risks and specific needs (for example mental health, substance abuse). This data directly informs personalized intervention plans guided by the Risk-Need-Responsivity (RNR) model, which matches the intensity of services to the level of risk, targets underlying needs, and adapts to the youth's learning style. The operational integrity of this framework depends on a professionalized infrastructure and robust collaboration. This requires comprehensive training and standardized certification for all PTD staff to ensure high-quality service delivery. Effective cooperation between agencies, including justice, social services, education, and healthcare, is

crucial to create a seamless continuum of care. This is further strengthened by strategic partnerships with Civil Society Organizations (CSOs) and universities, which provide specialized services and a continuous influx of expertise.

The successful implementation of this model is measured by key operational outputs and long-term outcomes. Short-term outputs include an increased number of youth diverted from the formal court system, a higher number of certified PTD officers, and more efficient processing times due to enhanced interagency collaboration. These outputs lead to significant long-term outcomes: reduced recidivism rates, successful rehabilitation and reintegration of youth, less pressure on correctional facilities, and ultimately, a more effective, professional, and resource-efficient youth justice system.

## **5.7 CHAPTER SUMMARY**

This chapter provided the summary of findings gathered from the study. This was followed by conclusions which were given in respect of the study's objectives. This chapter also brought out the efficacy of pre-trial diversion programs in extenuating juvenile delinquency. Although the programs have worked towards some improvement, the researcher maintains that maximum utilization of PTD benefits could be enhanced through proposed framework. This chapter also built on recommendations, proposed a model to enhance pre-trial diversion programs and recommended areas for further study.

## REFERENCES

- Abram, K.M. Teplin, L.A. Charles, D.R. Longworth, S.L. McClelland, G.M. and Dulcan, M.K. (2004). Posttraumatic stress disorder and trauma in youth in juvenile detention. *Archives of general psychiatry*, 61(4), pp.403-410.
- Althubaiti, A. (2016). Information bias in health research: Definition, pitfalls, and adjustment methods. *Journal of Multidisciplinary Healthcare*, 9, 211–217.
- Altschuler, D. M. (1998). Intermediate sanctions and community treatment for serious and violent juvenile offenders. In R. Loeber and D. P. Farrington (Eds.), *Serious and violent juvenile offenders: Risk factors and successful interventions* (pp. 367–385). Sage Publications, Inc
- Andrews, D. A., Bonta, J., and Wormith, J. S. (2011). The risk-need-responsivity (RNR) model: Does adding the good lives model contribute to effective crime prevention? *Criminal Justice and Behavior*.
- Andrews, D., C. Criscuolo and P. Gal (2015). Frontier Firms, Technology Diffusion and Public Policy: Micro Evidence from OECD Countries. *OECD Productivity Working Papers*, No. 2, OECD Publishing.
- Batley, M. (2005). *A new child justice system for South Africa: A review of the Child Justice Bill*. Institute for Security Studies.
- Baxter P., Jack S. (2008). Qualitative case study methodology: Study design and implementation for novice researchers. *The Qualitative Report*, 13, 544–559.
- Bazemore, G., and Walgrave, L. (1999). Restorative juvenile justice: *Repairing the harm of youth crime*. Monsey, NY: Criminal Justice Press.
- Braithwaite, J. (2018). The future of restorative justice. In Routledge International Handbook of Restorative Justice. Oxon: Routledge.
- Braun, V. and Clarke, V. (2013) Successful Qualitative Research: *A Practical Guide for Beginners*. SAGE Publication, London.
- Braun, V., and Clarke, V. (2019). Reflecting on reflexive thematic analysis. *Qualitative Research in Sport Exercise and Health*, 11(4), 589–597.
- Carson, E., and Sabol, W. (2016). *Aging of the state prison population, 1993-2013*. Bureau of Justice.

- Chitsove, E 2020, Combating corruption in international investment law: *Challenges and prospects*, LLD Thesis, University of Pretoria, Pretoria.
- Cohen, L. E., and Felson, M. (1979). Social Change and Crime Rate Trends: A Routine Activity Approach. *American Sociological Review*, 44, 588-608.
- Cohen, D., and Crabtree, B. (2008) Evaluative Criteria for Qualitative Research in Health Care: Controversies and Recommendations. *Annals of Family Medicine*, 6, 331-339.
- Constitution of the Republic of South Africa, Act 108 of 1996. (1996).
- Creswell, J. W. (2014). *Research Design: Qualitative, Quantitative and Mixed Methods Approaches (4th ed.)*. Thousand Oaks, CA: Sage
- Creswell, J. W., and Creswell, J. D. (2018). *Research design: Qualitative, quantitative, and mixed methods approaches (5th ed.)*. SAGE Publications.
- Creswell, J.W. and Poth, C. N. (2018) *Qualitative Inquiry and Research Design Choosing among Five Approaches. 4th Edition*, SAGE Publications, Inc., Thousand Oaks.
- Curley, N. Khan, P. and Kakunda, J. 2016. PTD programme in Zimbabwe Final Evaluation Report. London. Penal Reform International.
- Denzin, N. K., and Lincoln, Y. S. (2011). *The SAGE handbook of qualitative research (4th ed.)*. SAGE Publications.
- Edwards, R., and Skinner, J. (2011). *Qualitative research in sport management*. Routledge.
- Etikan, I., and Bala, K. (2017). Sampling and sampling methods. *Biometrics and Biostatistics International Journal*, 5(6), 215–217.
- Flick, U. (2018). *An introduction to qualitative research (6th ed.)*. SAGE Publications.
- Gallinetti, J. (2012). The Child Justice Act: A new dawn for child justice in South Africa. In J. Sloth-Nielsen & J. Gallinetti (Eds.), *Child justice in Africa: A guide to good practice* (pp. 121-145). Community Law Centre, University of the Western Cape.
- Gavrielides, T. 2014. Reconciling the notions of restorative justice and imprisonment. *The Prison Journal*, 94(4), pp.479-505.
- Gavrielides, T. (2015). *Offenders No More: An Interdisciplinary Restorative Justice Dialogue*, Nova Science Publishers: New York. ISBN 978-1-63483-681-4.
- Gibbs, G. R. (2018). *Analyzing Qualitative Data (vol. 6)*. Thousand Oaks, CA: Sage Publications.
- Greenwood, P. (2008). Prevention and Intervention Programs for Juvenile Offenders. *The Future of Children*, 18, 185-210.

- Gomera, G. L. (2016). *Juvenile offenders and pre-trial diversion officers' experiences and challenges of the pre-trial diversion programme: A case study of Harare Province, Zimbabwe*. (Doctoral dissertation, University of South Africa)
- Hayes, S. C. (2019). Acceptance and commitment therapy: towards a unified model of behavior change. *World Psychiatry: Official Journal of the World Psychiatric Association (WPA)*, 18(2), 226-227.
- Henggeler, S. W., Letourneau, E. J., Chapman, J. E., Borduin, C. M., Schewe, P. A., and McCart, M. R. (2009). Mediators of change for multisystemic therapy with juvenile sexual offenders. *Journal of Consulting and Clinical-psychology*, 77, 451-46.
- Jolly, N.T. (2016). Review of: 'Umbreit, M. and Armour, M. P. (2011). *Restorative Justice Dialogue: An Essential Guide for Research and Practice*. New York: Springer Publishing', *Internet Journal of Restorative Justice*, 4(1), ISSN (online): 2056-2985.
- Justice for Children. (2020). *Access to justice for children in Zimbabwe: A situational analysis*. Justice for Children.
- Justice for Children Trust. (2022). *Annual report 2022: Championing child rights and justice*. Justice for Children Trust.
- Latimer, J., Dowden, C., and Muise, D. (2017). The effectiveness of restorative justice: A meta-analysis. *Victims and Offenders*, 12(2), 161-184.
- Lincoln, Y.S., and Guba, E.G. (2013). *The Constructivist Credo (1st ed.)*. Routledge.
- Lammy D (2017) *The Lammy Review: An Independent Review into the Treatment of, and Outcomes for, Black, Asian and Minority Ethnic Individuals in the Criminal Justice System*. London: Lammy Review.
- Lincoln, Y. S., Lynham, S. A., and Guba, E. G. (2018). Paradigmatic controversies, contradictions, and emerging confluences revisited. Thousand Oaks, CA: Sage.
- Lipsey, M. W. (2009). The primary factors that characterize effective interventions with juvenile offenders: A meta-analytic overview. *Victims and Offenders*, 4(2), 124–147.
- .Mabovula, N. (2011). The erosion of ubuntu and the abuse of the rights of the accused in the South African criminal justice system. *South African Journal of Philosophy*, 30(4), 385–395.
- Marchetti, E. and Daly, K. (2017). Indigenous partner violence, Indigenous sentencing courts, and pathways to desistance. *Violence Against Women*, 23 (12), 1513-1535.

- Mbazima, S. J., Moolla, R., and Joseph, J. S. (2024). Release and health outcomes of exposure to chalk particles in classrooms: a systematic literature review. *International Journal of Environmental Health Research*, 34(10), 3515–3539.
- Ministry of Justice, Legal and Parliamentary Affairs. (2019). *National launch of the Pre-Trial Diversion Programme for children in conflict with the law*. Government of Zimbabwe.
- Mlambo, N.D. (2020) The Quest for Post-Colonial Regional Integration: Examining the Southern African Development Community (SADC) in Southern Africa Post-1992. *Journal of African Foreign Affairs*, 7, 23-48.
- Mlambo, V. (2020). Restorative justice and juvenile offenders in Zimbabwe. *Journal of Social Work*, 20(1), 34-50.
- Mudavanhu, V., Bindu, S., Chigusiwa, L., and Muchabaiwa, L. (2011). Determinants of Small and Medium Enterprises Failure in Zimbabwe: A Case Study of Bindura. *International Journal of Economy Research*, 2, 82-89.
- Muyobela, T.A. 2016. *Challenges experienced by social welfare officers in the rehabilitation of incarcerated juvenile offenders*. MSW dissertation, Stellenbosch University, Stellenbosch.
- Patton, M. Q. (2015). *Qualitative research and evaluation methods* (4th ed.). SAGE Publications.
- Polit, D. F., and Beck, C. T. (2010). *Essentials of nursing research*.
- Schwalbe, C. S., Gearing, R. E., MacKenzie, M. J., Brewer, K. B., and Ibrahim, R. (2012). A meta-analysis of experimental studies of diversion programs for juvenile offenders. *Clinical psychology review*, 32(1), 26–33.
- Sherman, L. W., and Strang, H. (2011). *Restorative justice: The evidence*. Cambridge University Press.
- Sithole, J. D. S. (2023). Impeding factors hindering juvenile offenders’ access to pre-trial diversion services in Zimbabwe: Study of St Mary's, Chitungwiza Urban Centre Zimbabwe. People Centred – *The Journal of Development Administration*, 8(2).
- Skelton, A., & Frank, C. (2013). The role of the non-governmental sector in promoting and implementing child justice reform in South Africa. *Criminology & Criminal Justice*, 13(5), 589–606.
- Skelton, A., & Gallinetti, J. (2004). *Child justice in South Africa: The past, the present and the future*. In C. J. Davel (Ed.), *Introduction to child law in South Africa* (pp. 289-310). Juta.


- Skelton, A. and Tshehla, B. (2008). *Child justice in South Africa*. Institute for Security Studies Monographs, 150:1-72.
- Sloth-Nielsen, J. (2003). The role of international human rights law in the development of South Africa's new child justice system. *The International Journal of Children's Rights*, 11(2), 167–190.
- Swedish National Council for Crime Prevention.(2020).
- UNICEF .(2013). *Zimbabwe annual report*. Harare: UNICEF.
- United Nations. (1985).*Standard Minimum Rules for the Administration of Juvenile Justice*. New York: United Nations.
- United Nations. 1989. *United Nations Convention on the Rights of the Child*. New York: United Nations.
- United Nations Office on Drugs and Crime (2019).Executive Summary.
- Villanueva, L., Gomis-Pomares, A., and Adrián, J. E. (2019). Predictive validity of the YLS/CMI in a sample of Spanish young offenders of Arab descent. *International Journal of Offender Therapy and Comparative Criminology*, 63(10), 1914–1930.
- Zabel, Robert, and Frank Nigro. “Occupational Interests and Aptitudes of Juvenile Offenders: Influence of Special Education Experience and Gender.” *Journal of Correctional Education*, vol. 58, no. 4, 2007, pp. 337–55.
- Zehr, H. (1990). *Changing Lenses: A New Focus for Crime and Justice*. Scottsdale: Herald
- Zehr, H. (2018). *The little book of restorative justice*. Good Books.
- Zimbabwe. (2004). *Criminal Procedure and Evidence Act No 37 of 2004 (Chapter 9:07)*. Harare. Government Printers.
- Zimbabwe. 2013. *Constitution Act, No 20 of 2013*. Harare. Government Printers.
- Zimbabwe Amended Children's Act (Chapter 5:06) of 2023.
- Zinyemba. L., Maushe, F., and Mangwiro V.P.(2020).Treatment and rehabilitation offenders :Options for social workers in Zimbabwe. *African Journal of Social work*.Vol10 No 2 (2020). *African Journals Online (AJOL)*| University of Zimbabwe Accredited Journals (UZAJ).
- Zuma, N. (2018). *Challenges in the implementation of the Child Justice Act 75 of 2008 in the Pinetown Magistrate's Court* [Master's thesis, University of KwaZulu-Natal]. UKZN ResearchSpace.

## APPENDICES

### APPENDIX 1: RESEARCH LETTER

FACULTY OF SOCIAL SCIENCES & HUMANITIES  
DEPARTMENT OF SOCIAL WORK

P. Bag 1020  
BINDURA, Zimbabwe  
Tel: 263 - 71 - 7531-6, 7621-4  
Fax: 263 - 71 - 7534



---

BINDURA UNIVERSITY OF SCIENCE EDUCATION

---

Date: 17 FEBRUARY 2025

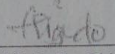
TO WHOM IT MAY CONCERN

RE: REQUEST TO UNDERTAKE RESEARCH PROJECT IN YOUR ORGANISATION

This serves to introduce the bearer: TABARARA SALMAH  
Student Registration Number: B2.106678 who is a BSc SOCIAL WORK student  
at Bindura University of Science Education and is carrying out a research project in  
your area/institution.

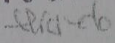
May you please assist the student to access data relevant to the study, and where  
possible, conduct interviews as part of a data collection process.

Yours faithfully

  
MS E.E. CHIGONDO  
CHAIRPERSON

BINDURA UNIVERSITY OF SCIENCE EDUCATION  
SOCIAL WORK CHAIRPERSON

17 FEB  
16 JAN 2025




FACULTY OF SCIENCE EDUCATION  
PRIVATE BAG 1020, BINDURA, ZIMBABWE



## APPENDIX 2: APPROVAL LETTER

Official communications should  
Not be addressed to individuals

Telephone: 703711 / 790721-4  
Harare

  
ZIMBABWE

MINISTRY OF PUBLIC SERVICE, LABOUR AND SOCIAL  
WELFARE  
Compensation House  
Cnr S.V Muzenda and Central Avenue  
HARARE

24 February 2025  
TabararaSalmah(R210667B)  
Bindura University of Science

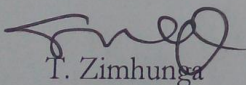
**REF: A FRAMEWORK TOWARDS THE EFFICACY OF PRE-TRIAL  
DIVERSION PROGRAMS IN EXTENUATING JUVENILE  
DELIQUENCY IN ZIMBABWE. A CASE STUDY OF CHITUNGWIZA  
DEPARTMENT OF SOCIAL DEVELOPMENT**


Receipt of your letter with the above mentioned matter is acknowledged.

Please be advised that permission is hereby granted for you to carry out research  
titled **"A framework towards the efficacy of pre-trial diversion programs in  
extenuating juvenile delinquency in Zimbabwe. A case study of  
Chitungwiza Department of Social Development"**

Permission is granted **STRICTLY** on condition that the research is for academic  
purposes only in pursuit of your Bachelor of Science Honours Degree in Social  
Work. The data collected should not be shared to third party (3<sup>rd</sup>).

You are requested to submit a copy of your final research documents to the  
Department of Social Development upon completion as your research has a  
bearing on the Department's mandate.

  
T. Zimhunga  
Director Social Development.  
MINISTRY OF PUBLIC SERVICE, LABOUR AND SOCIAL WELFARE



### APPENDIX 3: APPROVAL LETTER

**Ref: AB/164**

04 June 2025

**The Acting National Coordinator  
Pre-Trial Diversion**

**Attention: Ms S. Sanyanga**

**RE: REQUEST FOR PERMISSION TO CONDUCT RESEARCH: PRE-TRIAL  
DIVERSION: MISS SALMAH TABARARA: STUDENT: BINDURA  
UNIVERSITY OF SCIENCE EDUCATION.**

The Secretary has approved that Miss S. Tabarara , a student from Bindura University of Science Education be permitted to conduct research at Pre-Trial Diversion, her research topic is **"A framework towards the efficacy of pre-trial diversion programs in extenuating juvenile delinquency in Zimbabwe : A case study of Chitungwiza District."**

In this regard, may you therefore allow the student to conduct her research.

Please be advised that the student is required to submit a copy of research document to the Acting National Coordinator, Pre-Trial Diversion before she submits it to her University. This is meant for you to monitor and guide the student.

*Boitum*  
ppt. Nhamburo (Mrs)

**Director, Human Resources**

**For: SECRETARY FOR JUSTICE, LEGAL AND PARLIAMENTARY**

C.c Miss Salmah Tabarara, Bindura University of Science Education.



## **APPENDIX 4: CONSENT STATEMENT**

### **Invitation to Participate in a Research Study**

**Title: A model for enhancing existing pre-trial diversion programs in reducing juvenile delinquency in Zimbabwe.**

Researcher: Salmah Tabarara

You are being invited to participate in a research study exploring the efficacy of pre-trial diversion programs in reducing juvenile delinquency in Zimbabwe. This study is being conducted by Salmah Tabarara, a student at Bindura University of Science Education. The study aims to gather valuable insights from individuals who have experience with these programs. Your insights and experiences will play a crucial role in shaping our understanding of pre-trial diversion programs and identifying areas for improvement. Your participation will contribute to the development of more effective strategies for reducing juvenile delinquency in Zimbabwe.

If you agree to participate, you will be invited to engage in either a one-on-one interview or as part of a focus group discussion. All questions in these interviews and discussions are centered around pre-trial diversion programs and your role and experiences within. These conversations will last approximately 45 minutes during which time you will be asked to share your reflections, insights and perspectives in relation to pre-trial diversion and their efficacy in reducing juvenile delinquency. Please be assured that your privacy and autonomy will be respected throughout this study. Your participation is entirely voluntary and you may withdraw at any time without penalty or consequences. You are also free to decline answering any questions that you deem sensitive or uncomfortable. To safeguard your identity and responses, all data will be securely stored and anonymized to prevent identification. Identifying details will be removed during compilation of the final report to ensure that your confidentiality is maintained throughout the data collection process.

If you have any questions or concerns regarding this research, please do not hesitate to contact Salmah Tabarara directly at +263776309440 or [salmahtabarara@gmail.com](mailto:salmahtabarara@gmail.com)

Consent Statement

By signing below, you acknowledge that you have read and understood the information provided. You voluntarily agree to participate in this research study and consent to the use of the data collected for research purposes.

**Participant's Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_

## **APPENDIX 5: IN-DEPTH INTERVIEW GUIDE FOR YOUNG OFFENDERS.**

### **Section A: Background Information**

1. In what crime were you involved in?
2. What led to your involvement in the pre-trial diversion program?

### **Section B: Program Efficacy**

1. What aspects of the program have been most helpful to you?
2. How has the program addressed the issues that led you to delinquency?
3. Can you describe any challenges you faced in the program?

### **Section C: Personal Growth and Development**

1. How has the program helped you develop skills or strategies for managing challenges?
2. Can you describe any positive changes you have experienced as a result of the program?
3. How do you think the program has prepared you for the future?

## **APPENDIX 6: IN-DEPTH INTERVIEW GUIDE FOR PROBATION AND PRE-TRIAL DIVERSION OFFICERS.**

### **Section A: Program Implementation**

1. Can you describe your role in implementing pre-trial diversion programs?

2. What challenges do you face in working with young offenders?
3. How do you assess the needs of young offenders and develop individualized plans?

### **Section B: Program Efficacy**

1. What metrics or indicators do you use to measure the success of pre-trial diversion programs?
2. Can you describe any successful strategies or interventions you have used with young offenders?
3. How do you address the issue of recidivism among young offenders?

### **Section C: Collaboration and Resources**

1. Can you describe your working relationship with other stakeholders?
2. How do you ensure that pre-trial diversion programs are culturally sensitive and responsive to the needs of young offenders?

### **Section D: Intervention Strategies for Enhancing Proposed Model**

1. What components would you include in a proposed model for enhancing existing pre-trial diversion programs?
2. How would you address the issue of sustainability and long-term funding?
3. What role would technology play in enhancing pre-trial diversion programs?

## **APPENDIX 7: IN-DEPTH INTERVIEW GUIDE FOR FAMILIES OF YOUNG OFFENDERS.**

### **Section A: Family Involvement**

1. Can you describe your involvement in your child's pre-trial diversion program?
2. What support services have you received as a result of your child's participation?

### **Section B: Program Efficacy**

1. What aspects of the program have been most helpful to your child?

2. Can you describe any positive changes you have seen in your child as a result of the program?
3. What challenges have you faced in supporting your child's participation in the program?
4. How do you think the pre-trial diversion program could be improved to better support families?

## **APPENDIX 8: FOCUS GROUP DISCUSSIONS WITH YOUNG OFFENDERS.**

### **Section A: Program Strengths and Weaknesses**

1. What do you think are the strengths and weaknesses of pre-trial diversion programs?

### **Section B: Improving Program Efficacy**

1. What changes would you suggest making to pre-trial diversion programs to improve efficacy?
2. Can you describe any innovative approaches or models you have seen or heard about that could be applied to pre-trial diversion programs?
3. What do you think are the key factors that contribute to program sustainability?

**THE END**