

The Gap Between Theory and Practice: Empirical Insights in the Treatment of Juvenile Offenders in Slovenia

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Discussions on the treatment of juvenile offenders in Slovenia often remain at the theoretical level. In this article, the authors draw on an empirical analysis of prosecutorial and judicial practice, which opens up the possibility of drawing attention to the gap between the theoretical and normative frameworks on the one hand, and practice on the other. If the normative framework seems largely adequate despite some obvious shortcomings, several problems arise in practice. These are perceived at the level of prosecutorial treatment, judicial treatment and also in the enforcement of sanctions against juvenile offenders. One of the most important shortcomings appears to be the lack of specialised treatment of juvenile offenders, which applies at all three levels of proceedings. A similar problem is posed by the underlying principle of multidisciplinary treatment of juvenile offenders, which in practice leads to problems of passing responsibility and insufficient depth of treatment. Despite the relatively adequate existing normative framework, the practical challenges need to be seriously and comprehensively addressed, in order to make the treatment of juvenile offenders fairer, more equitable and more effective.

Keywords: juvenile offenders, juvenile delinquency, criminal justice system, juvenile criminal justice, Slovenia

UDC: 343.91-053.6(497.4)