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Marizu Chinemeze, Erick Ater and Patricia Kariaga

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Assessing the Effectiveness of Diversion Programmes in Promoting Behavioral Change among Child Offenders in Kakamega County, Kenya

Chinemeze Marizu

Department of Criminology and Social Work
Masinde Muliro University of Science and Technology
Email: Dennismarizu@gmail.com

Ater Erick

Department of Criminology and Social Work
Masinde Muliro University of Science and Technology
Email: eater@mmust.ac.ke

Kariaga Patricia

Department of Criminology and Social Work
Masinde Muliro University of Science and Technology
Email: pkariaga@mmust.ac.ke

Abstract

Diversion programmes offer child offenders alternatives to formal judicial proceedings by emphasizing transformation rather than punishment. This study assessed the effectiveness of diversion programmes in transforming child offenders in Kakamega County, Kenya. The study adopted a descriptive cross-sectional design and relied solely on quantitative data collected from 180 children placed on diversion between 2021 and 2022. The analysis focused on key types of diversion interventions, including therapeutic psychosocial counselling, educational support, institutional vocational training, placement in host families, and restorative justice mediation. The findings indicated that counselling was the most frequently accessed service (68.9%), followed by restorative justice (51.7%), vocational training (39.4%), and educational support (36.7%). Logistic regression analysis showed that all five diversion programme components had a statistically significant influence on the positive transformation of child offenders. Therapeutic counselling had the highest impact (odds ratio = 5.92), followed by educational support (odds ratio = 4.75), placement in host families (3.46), institutional vocational training (2.43), and restorative justice mediation (2.10). Most respondents strongly agreed on the effectiveness of psychosocial and educational interventions, while perceptions of institutional vocational training were more divided. The study concludes that structured diversion strategies grounded in transformative and restorative principles significantly contribute to the behavioral transformation and social reintegration of child offenders. It recommends the expansion of psychosocial and educational services, improvement of vocational training quality, and integration of restorative justice approaches across the diversion process. These findings provide valuable insights for enhancing juvenile justice policies and interventions in Kenya and beyond.



Key Words: Diversion, Transformation, Restorative Justice, Juvenile Justice, Rehabilitation, Kakamega County, Kenya, Vocational Training, Counselling.

1. Introduction

Diversion programs are increasingly adopted globally, as progressive alternatives to the conventional juvenile justice system. Rooted in restorative justice principles and guided by international legal frameworks such as the United Nations Convention on the Rights of the Child (UNCRC) and the African Charter on the Rights and Welfare of the Child (ACRWC), these interventions prioritize the rehabilitation and reintegration of children who come into conflict with the law (Van Bueren, 2021).

By offering transformative pathways through psychosocial counseling, education, vocational training, mentorship, and community service, diversion programs shield young offenders from the potentially harmful effects of formal court processes and incarceration (Duke & Salmon, 2020; Ivery, 2020). Successful adoption of diversion strategies in countries such as Canada, South Africa, and New Zealand has led to improved reintegration outcomes and reduced recidivism (Lipsey et al., 2020), largely due to their focus on community participation, individualized interventions, and addressing the root causes of offending.

In Kenya, this approach is reinforced by the Children Act, 2022 (No. 29 of 2022) and the National Diversion Policy, which underscore the importance of community-based interventions as alternatives to institutionalization. In Kakamega County, diversion programs integrate counseling, family engagement, education, and mentorship to promote positive behavioral change, reduce stigma, and foster accountability (Savatia, 2021).

According to the Kenya National Bureau of Statistics (KNBS, 2019), the county has a population of approximately 1.9 million people, making it one of the most densely populated counties in the region. The youthful demographic structure is particularly notable, with over 60% of the population under the age of 35. This youthful population, while a potential driver of economic growth, also contributes to a higher risk of youth-related offences, given the limited employment opportunities and prevailing poverty levels.

Caseload data from the Kakamega County Directorate of Children Services (2023) indicates an increasing trend in juvenile-related cases, including petty theft, truancy, and drug-related offences. For instance, in 2022 alone, over 450 juvenile cases were recorded in the county's children's courts, representing a 15% increase from the previous year. This rise in caseload places additional strain on the formal justice system, which is already grappling with case backlogs and limited rehabilitation facilities (National Council on the Administration of Justice [NCAJ], 2022).

These demographic and caseload dynamics make Kakamega County a strategic location for implementing diversion programs that prioritize restorative justice over punitive measures. Diversion initiatives could help address the root causes of offending behavior among the youth, reduce recidivism, and promote community reintegration, thereby aligning with the broader objectives of the Children Act, 2022 and the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (Beijing Rules, 1985).



However, despite the strong legal foundations provided, questions remain about how effectively these programmes are functioning on the ground, particularly in resource-constrained, high-caseload contexts like Kakamega. It is within this context that the present study seeks to critically assess the effectiveness of diversion programmes in promoting behavioural transformation and long-term reintegration among child offenders in the county.

1.2 Statement of the problem

Diversion programs are widely recognized as child-friendly, therapeutic alternatives to formal court processes. They are promoted by international frameworks such as the African Charter on the Rights and Welfare of the Child (ACRWC) and the United Nations Convention on the Rights of the Child (UNCRC) (McCartan, Death & Richards, 2020). In line with these standards, Kenya has enacted the Children Act, 2022 and developed diversion guidelines through the Office of the Director of Public Prosecutions (ODPP).

Despite this policy progress, implementation remains uneven. Key barriers include weak institutional capacity, limited specialized training, inconsistent legal application, and cultural attitudes that favor punitive discipline over rehabilitation (Okutoyi, 2015; Mwinami, 2023). In Kakamega County, Directorate of Children Services records show that in 2023, only 38% of the 472 juvenile cases were diverted, leaving most children to undergo formal court procedures.

Low uptake of diversion carries serious implications for both the justice system and the wellbeing of children. When fewer cases are diverted, more children are subjected to stigmatizing court procedures, prolonged case processing, and the emotional distress associated with formal justice. This exposure heightens their vulnerability to secondary victimization and reinforces negative labeling factors that can increase the likelihood of reoffending.

There is limited evidence on how diversion in Kakamega County supports the transformation of juvenile offenders. In particular, the impact on psychosocial well-being, educational reintegration, personal growth, and family reconciliation remains poorly understood. This knowledge gap hinders the design of effective, locally relevant, and evidence-based interventions. This study sought to examine how diversion affects the transformation of juvenile offenders in Kakamega County, with a view to improving practice and outcomes.

1.3 Research Objective

To analyze forms of diversion programmes applied to child offenders and their role in promoting behavioral change in Kakamega County.

2. Literature Review

As a tool that provides juvenile offenders with an alternate route to accountability without exposing them to the official criminal justice system, diversion programs have grown in popularity. Based on the best interests of the child principle found in the African Charter on



the Rights and Welfare of the Child (ACRWC, 1990) and the United Nations Convention on the Rights of the Child (UNCRC, 1989), diversion aims to protect children's rights while promoting rehabilitation and reintegration.

These initiatives are based on the knowledge that formal legal proceedings can cause pain and shame to children, which hinders their ability to change and reintegrate into society (UNODC, 2021). As a result, diversion provides a framework that allows children to accept accountability for their behavior while still getting skills development, emotional support, and family or community-based care (Anatasia, 2020).

There are numerous ways to implement diversion programs, such as community service, counseling, restorative justice mediation, family group conferences, peer panel hearings, life skills training, and referrals to vocational rehabilitation or education services. By addressing the root reasons of delinquent behavior, such as poverty, trauma, peer pressure, or dysfunctional families, these interventions aim to give children the skills they need to change their negative identities and behave responsibly in the future (Tansey et al.,2023). While such descriptions illustrate what diversion programmes intend to achieve, they reveal little about variations in quality, consistency, or long-term outcomes across different contexts.

Diversion programs for children in litigation have been piloted and implemented in Kenya by the Office of the Director of Public Prosecutions (ODPP), the National Legal Aid Service (NLAS), and other civil society organizations. Evidence about these therapies' ability to bring about significant change is still being gathered, though. According to research by Okutoyi (2015) and Mwinami (2023), diversion provides a non-punitive option, but its effectiveness in bringing about long-term behavioral change and reintegration depends on a number of variables, including program design, implementers' ability, community acceptance, and consistent follow-up. Previous research shows inconsistency in programme implementation across counties, but few studies systematically compare how institutional capacity, community norms, or programme design influence results.

In many African settings, including Kenya, socio-economic and institutional challenges, such as inadequate funding, limited trained personnel, and inconsistent application, continue to hinder the full realization of diversion's transformative potential.

Critically, past studies tend to focus more on program intentions than on long-term impact, with limited longitudinal data to assess sustained behavioral change. Funding shortfalls, inadequate training for facilitators, and inconsistent application across regions further weaken program effectiveness. This suggests that while the conceptual strengths of diversion are well-documented, the operational weaknesses particularly in socio-economically constrained contexts like Kenya continue to hinder its transformative potential.

2.1 Theoretical and conceptual framework

2.1.1 Restorative Justice Theory

Restorative justice offers a framework for responding to crime by emphasizing the repair of harm through inclusive processes that involve the victim, the offender, and the community.



Unlike retributive justice, which focuses on punishment, restorative justice views crime as a violation of relationships and seeks to promote accountability, healing, and reintegration (Zehr, 2008). This orientation is particularly relevant in juvenile justice, where developmental needs, identity formation, and psychosocial vulnerability demand approaches that support rehabilitation rather than punitive sanctions.

Restorative techniques such as mediation, family group conferences, and community service allow young offenders to take responsibility in constructive ways while receiving emotional and developmental support (Skelton & Batley, 2020). The theory also resonates with traditional African justice practices, including Rwanda's Gacaca courts and Uganda's Mato Oput system, which prioritize reconciliation, community reintegration, and the Ubuntu principle that "a person is a person through other people" (Zagallo, 2010). These principles underpin diversion programmes that aim to address the underlying causes of offending and promote holistic transformation.

Restorative justice theory provides the conceptual foundation for examining how diversion programmes in Kakamega County support behavioral change. It explains why diversion emphasizes accountability without inflicting further harm, why family and community involvement is central, and why interventions such as counselling, mentorship, and community service are designed to restore relationships rather than punish wrongdoing. The theory therefore, guides the study in assessing whether diversion mechanisms in Kakamega are achieving their intended restorative outcomes.

2.2 Conceptual Framework

2.2.1 Curriculum Context of Social and Religious Studies in Rwanda

Figure 2.1: Conceptual Framework

3. Methodology

The study employed a descriptive research design to investigate diversion programmes for child offenders in Kakamega County, Kenya. A sample of 180 children placed under non-custodial supervision was selected from a target population of 326 using Yamane's (1967) formula. Cluster and simple random sampling techniques were used to ensure equitable representation across the five sub-counties—Kakamega Central, Mumias, Lugari, Butere,



and Butali. Kakamega County was selected purposively due to its high number of child probation placements, the presence of multiple court stations, and a concentration of children's rehabilitation and diversion service points.

Data was collected in 2024 using structured questionnaires, which allowed for efficient, standardized, and quantifiable responses. Ethical approval for the study was obtained from the National Commission for Science, Technology and Innovation (NACOSTI) (Ref: 335801/2023). In line with the Declaration of Helsinki (World Medical Association, 2013), informed consent was obtained from parents or legal guardians, while assent was sought from the participating children. To protect minors, confidentiality and anonymity were maintained throughout the study, and no identifying details were recorded.

Validity and reliability were ensured through several procedures. Content validity was addressed by developing questionnaire items based on existing literature, diversion guidelines, and input from experts within the Directorate of Children Services and probation offices. The instruments were pre-tested and feedback from the pilot was used to refine ambiguous, sensitive, or leading questions. Reliability was assessed using Cronbach's alpha, and all major scales recorded coefficients above the acceptable threshold of 0.70, indicating internal consistency.

The study adopted a purely quantitative approach to enable statistical inference and identify measurable patterns in diversion programme implementation across the county. Key variables were operationalised as follows: Dependent variable (Behavioral Change): measured using indicators of including improved social relationships, reduced engagement in delinquent behaviour, enhanced self-control, positive character change, and acquisition of constructive life skills. Independent variables: included exposure to psychosocial counselling, educational support, host family placement, institutional vocational training, and restorative justice mediation

Data was analyzed using both descriptive and inferential statistics. Descriptive statistics (frequencies, means, and standard deviations) were used to summarize participant characteristics and patterns of programme participation. Inferential analysis was conducted using logistic regression to determine the predictive influence of each diversion component on behavioral change among child offenders. The results were presented in tables and charts for clarity, showing coefficients (B), odds ratios (Exp(B)), and significance levels (p-values), which facilitated interpretation of the strength and direction of relationships between variables.

Qualitative triangulation was excluded due to the study's objective of generating generalizable trends rather than exploring individual narratives; however, future research is recommended to integrate interviews or case studies for deeper contextual understanding of children's lived experiences in diversion programmes.

4. Findings & Discussion

Table 1: Participation in Diversion Programmes by Child Offenders in Kakamega County



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Diversion Programme Type	Frequency (n)	Percentage	
		(%)	
Counselling	124	68.9	
Restorative Justice (VOM)	93	51.7	
Vocational Training	71	39.4	
Educational Support	66	36.7	
Other (Mentorship, Recreational Activities)	22	12.2	

The findings indicate that counselling was the most common type of diversion programme accessed by child offenders, with 124 respondents (68.9%) reporting participation in such services. Restorative justice interventions were also widely used, reported by 93 respondents (51.7%). Vocational training was accessed by 71 children (39.4%), while 66 children (36.7%) benefited from educational support. A smaller proportion, 22 respondents (12.2%), participated in other forms of diversion programmes such as mentorship and recreational activities. These results suggest a strong emphasis on psychosocial support and rehabilitation-focused interventions within the diversion framework.

Table 2: Perceived Effectiveness of Diversion Placement Models by Child Offenders in Kakamega County

Placement Model	Strongly Agree	Strongly	
	(%)	Disagree (%)	
Therapeutic Psychosocial Counselling	81.0	19.0	
Educational Support	72.0	28.0	
Placement to Host Families	68.0	32.0	
Restorative Justice Mediation (VOM)	64.0	36.0	
Institutional Vocational Training	54.0	46.0	

The findings show varied levels of agreement among respondents on the effectiveness of different diversion placement models. A majority (81%) strongly agreed that therapeutic psychosocial counselling was effective, while 19% strongly disagreed. Educational support was also highly rated, with 72% strongly agreeing to its value compared to 28% who strongly disagreed. Placement to host families was supported by 68% of respondents, while 32% disagreed.

Reconciliation or restorative justice mediation (VOM) had 64% strong agreement and 36% disagreement. Institutional vocational training had the lowest level of strong agreement at 54%, with a relatively higher disagreement rate of 46%. These results suggest that while most respondents viewed psychosocial and educational interventions positively, there was more skepticism regarding the impact of institutional vocational training.

Table 3: Logistic Regression Results

Diversion Component	В	SE	p-value	Odds Ratio (Exp(B))	95% CI for Odds Ratio
Therapeutic Psychosocial	1.78	0.39	<0.001	5.92	2.76 – 12.68
Counselling					
Educational Support	1.56	0.38	<0.001	4.75	2.20 – 10.25
Placement to Host Families	1.24	0.41	0.003	3.46	1.54 – 7.78



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Institutional Vocational Training	0.89	0.36	0.012	2.43	1.21 - 4.87	
3						
Restorative Justice Mediation	0.74	0.33	0.021	2.10	1.12 – 3.94	
	0.74	0.32	0.021	2.10	1.12 - 3.34	
(VOM)						
Constant	-2.13	0.65	0.001	_	_	
	_					

The logistic regression results revealed that all five-diversion supervision programme components had a statistically significant positive influence on the transformation of child offenders, as indicated by their p-values (all below 0.05). Therapeutic psychosocial counselling had the strongest effect, with a coefficient (B) of 1.78 and an odds ratio (Exp(B)) of 5.92, suggesting that children who received this intervention were more likely to show positive behavioral change. Counselling helps children deal with stress, anger, trauma, or peer pressure, making it easier for them to make better decisions and avoid reoffending. Educational support followed with a coefficient of 1.56 and an odds ratio of 4.75. Placement in host families also showed a strong effect (B = 1.24; Exp(B) = 3.46), while institutional vocational training (B = 0.89; Exp(B) = 2.43) and restorative justice mediation (B = 0.74; Exp(B) = 2.10) had a moderate yet significant influence.

The constant was negative and significant (B = -2.13; p = 0.001), indicating that in the absence of these interventions, the likelihood of transformation was very low. These findings highlight the critical role of structured, rehabilitative diversion strategies in facilitating the positive transformation of child offenders.

Discussion

The results highlight the key role that rehabilitative and psychosocial support mechanisms play in diverting child offenders in Kakamega County. Counselling was identified as the most frequently accessed diversion programme, followed by restorative justice initiatives and vocational or educational interventions. This reflects a deliberate emphasis on both emotional and developmental support in the diversion process.

Most respondents viewed therapeutic psychosocial counselling and educational assistance as the most effective placement options. In contrast, institutional vocational training attracted more mixed views, indicating that its overall effectiveness may vary depending on how it is implemented and tailored to the individual needs of the children.

Logistic regression analysis reinforced these perceptions, showing that all five programme components significantly contributed to the transformation of child offenders, with therapeutic counselling and education demonstrating the highest odds of positive change. Placement in host families, vocational training, and restorative justice mediation also showed meaningful influence. Notably, the significant negative constant indicated that, without these structured interventions, the likelihood of offender transformation would be low. These findings highlight the value of a holistic, child-centered approach to diversion, and they emphasize the need for continued investment in psychosocial, educational, and restorative support to promote sustainable reintegration.

The findings highlight the centrality of rehabilitative and psychosocial support mechanisms



in the diversion of child offenders in Kakamega County. Counselling emerged as the most commonly accessed diversion programme, followed by restorative justice and vocational and educational interventions, indicating a strong focus on emotional and developmental support. Respondents generally perceived therapeutic psychosocial counselling and educational support as the most effective placement models, while institutional vocational training received more mixed reviews, suggesting some doubts about its impact.

Logistic regression analysis reinforced these perceptions, showing that all five programme components significantly contributed to the transformation of child offenders, with therapeutic counselling and education demonstrating the highest odds of positive change. Placement in host families, vocational training, and restorative justice mediation also showed meaningful influence. Notably, the significant negative constant indicated that, without these structured interventions, the likelihood of offender transformation would be low. These findings highlight the value of a holistic, child-centered approach to diversion and they emphasize the need for continued investment in psychosocial, educational, and restorative support to promote sustainable reintegration.

When compared to similar studies in other contexts, these results reveal both parallels and divergences. In South Africa, diversion programmes such as restorative justice circles, vocational skills development, and family conferencing are widely implemented, with counselling also identified as a cornerstone of successful rehabilitation (Wood, 2019). The Kakamega findings mirror this emphasis on psychosocial interventions, though South African programmes often demonstrate stronger integration between community leaders and justice officials in restorative processes.

In Canada, restorative justice and intensive mentorship initiatives have shown notable success in reducing recidivism among youth offenders (Latimer, Dowden, & Muise, 2021), aligning closely with the positive effects of therapeutic counselling and educational support observed in Kakamega. However, Canadian programmes tend to be more resource-intensive, with greater access to specialized mental health services an aspect that remains underdeveloped in the Kakamega context. Comparisons within Kenya reveal similar programme patterns in Nairobi and Mombasa counties, but urban settings often benefit from better-resourced vocational training and educational interventions, potentially yielding stronger employment outcomes for rehabilitated youth.

Despite these promising insights, the study is not without limitations. First, the reliance on self-reported data from respondents may have introduced bias, as participants might have overstated the effectiveness of certain programmes due to social desirability or personal involvement. Second, the county-specific context limits the generalizability of the findings, as resource availability, programme design, and cultural attitudes towards rehabilitation may vary significantly across counties and countries.

Furthermore, the study did not fully account for external socio-economic factors such as poverty, family instability, or community violence that may independently influence rehabilitation outcomes. Future research would benefit from longitudinal designs tracking post-diversion reintegration over time and comparative multi-county analyses to capture a broader range of contextual variations.



5. Conclusion & Recommendations

5.1 Conclusions

The study concludes that diversion programmes play a critical role in the positive transformation of child offenders in Kakamega County. Therapeutic psychosocial counselling and educational support emerged as the most effective interventions, underscoring the importance of addressing both the emotional and developmental needs of children in conflict with the law. The prominence of counselling, restorative justice mediation, and educational reintegration reflects a broader shift in the county towards child-friendly, non-punitive approaches that emphasize healing, accountability, and community participation.

Importantly, the study's findings must be understood within the socio-economic and institutional context of Kakamega County. Widespread poverty, high youth unemployment, and family instability often heighten children's vulnerability to offending, making the demand for effective diversion mechanisms particularly urgent. However, resource constraints, such as shortages of trained counsellors, inconsistent funding, and limited availability of host families, shape how well programmes can be implemented. Similarly, institutional capacity challenges within the Directorate of Children Services, probation offices, and partner agencies affect the consistency and quality of service delivery. Despite these constraints, the regression results show that when interventions are implemented effectively, they have a profound, measurable impact on behavioral transformation.

While some skepticism emerged around institutional vocational training, its significant effect suggests that practical skill-building remains valuable, especially for children facing economic hardship or school discontinuation. The study also demonstrates that in the absence of structured psychosocial, educational, and restorative interventions, the likelihood of meaningful change is extremely low.

The findings highlight the need for a comprehensive, context-sensitive, rehabilitative approach that integrates counselling, education, family-based alternative care, and restorative justice practices. Strengthening the juvenile justice system in Kakamega County will require not only policy support but also targeted investment in personnel, training, community sensitization, and multi-agency collaboration. Enhancing institutional capacity and addressing socio-economic barriers will be essential for improving programme effectiveness and achieving sustainable reductions in recidivism among juvenile offenders.

5.2 Recommendations

To enhance the effectiveness of diversion programmes in Kakamega County, the study recommends scaling up therapeutic psychosocial counselling by recruiting additional trained counsellors, integrating mental health support into all diversion pathways, and routinely assessing children's emotional progress.

Educational support should be strengthened through partnerships with schools and NGOs to facilitate re-entry, provide learning materials, and monitor attendance and academic



Host family placements need expansion through community sensitization, proper vetting, structured training, and regular home visits to ensure child safety and wellbeing. Vocational training programmes should be aligned with local labour market demands by collaborating with accredited TVET institutions, offering certification, and providing post-training toolkits or apprenticeships. Restorative justice practices should be institutionalized through standardized mediation guidelines and trained facilitators to support accountability and reconciliation.

Effective implementation of these strategies requires stronger multi-agency coordination, clear Standard Operating Procedures, and sustained financial support from both county and national governments. Finally, a robust monitoring and evaluation framework, with baseline assessments, periodic follow-ups, and clear indicators of behavioral change, is essential to track progress and inform continuous programme improvement.

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