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Innovative approaches to juvenile justice reform: a Finnish-Ukrainian experience

ІННОВАЦІЙНІ ПІДХОДИ ДО РЕФОРМУВАННЯ ЮВЕНАЛЬНОЇ ЮСТИЦІЇ: ФІНСЬКО-УКРАЇНСЬКИЙ ДОСВІД

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Abstract

Juvenile justice has been a significant and ongoing concern in many countries for an extended period. Finland stands out as a leading example in developing a multidisciplinary juvenile justice system. In contrast, Ukraine is in the process of establishing its own effective juvenile justice framework. The purpose of this article is to analyze the current state of juvenile justice and problems aspects in both Finland and Ukraine. The research focuses on social relations within the field of juvenile justice, examining the challenges faced by both countries, the state of their respective systems, and identifying best practices from Finland that could inform the development of Ukraine's juvenile justice system. To achieve this, the authors employed various scientific methodologies, including analytical, phenomenological, generalization, comparative-legal, and sociological methods, including surveys. Special attention is given to several problematic aspects within the juvenile justice systems of both countries and potential solutions to these issues. The authors conclude that Finland's juvenile justice system embodies a welfare-oriented approach, which Ukraine aims to emulate in its own development. While Finland's system does face certain challenges, it largely adheres to international standards and demonstrates overall success.

Анотація

Правосуддя щодо неповнолітніх протягом тривалого періоду викликає серйозне занепокоєння в багатьох країнах. Фінляндія є провідним прикладом у розробці мультидисциплінарної системи ювенальної юстиції. Натомість Україна перебуває у процесі створення власної ефективної системи ювенальної юстиції. Метою цієї статті є аналіз поточного стану ювенальної юстиції та її проблемних аспектів як у Фінляндії, так і в Україні. Дослідження зосереджено на соціальних відносинах у сфері ювенальної юстиції, вивченні викликів, з якими зіштовхуються обидві країни, стану їх ювенальної системи, а також визначенні найкращих практик Фінляндії, які могли б сприяти розвитку української системи ювенальної юстиції. Для цього автори використовували різноманітні наукові методології, зокрема аналітичні, феноменологічні, узагальнюючі, порівняльно-правові, соціологічні методи, зокрема опитування. Особливу увагу приділено декільком проблемним аспектам у системах ювенальної юстиції обох країн та можливим шляхам вирішення цих питань. Автори дійшли висновку, що система ювенальної юстиції Фінляндії втілює підхід, орієнтований на добробут, який Україна прагне наслідувати у своєму власному розвитку. Хоча у системі Фінляндії є певні труднощі, вона значною мірою

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This article underscores the value of Finland's experience as a beneficial resource for enhancing Ukraine's juvenile justice framework.

Keywords: juvenile justice, restorative justice, mediation, child rights, legal reform.

відповідає міжнародним стандартам і демонструє загальний успіх.

Ця стаття підкреслює цінність досвіду Фінляндії як корисного ресурсу для вдосконалення системи ювенальної юстиції в Україні.

Ключові слова: ювенальна юстиція, відновне правосуддя, медіація, права дитини, правова реформа.

Introduction

In modern democratic countries, much attention is paid to juvenile justice. The participation of minors in criminal justice in most countries corresponds to global trends. It is namely the creation of child-friendly justice, compliance with the best interests of the child, the use of restorative justice instead of a punitive approach, working with minors using the "green room method". The term "juvenile justice" is ambiguous and in a general sense means norms and standards, procedures and mechanisms that regulate the participation of minors (offenders and victims) in the criminal process. It is important for Ukraine to study the experience of countries that have succeeded in creating modern juvenile justice, including crime prevention and reintegration of minors. The analysis of the juvenile justice systems of the two countries made it possible to single out some problematic aspects and identify ways to overcome them.

Finland and Ukraine exhibit stark differences in their historical development. Finland, with its Scandinavian heritage, has long been recognized for its progressive approach to criminal justice, including juvenile justice. In contrast, Ukraine, a post-Soviet nation, has undergone significant legal and social transformations in recent decades.

Statistical data show that juvenile justice issues are relevant for Finland and Ukraine. For instance, "the figures show that ordinary robbery and damage offences are the core of youth crime. Assault offences and several traffic offences are also key forms of crime in youth crime. In recent years, the proportion of young people registered as suspects in many youth-focused crime categories has even increased compared to a few years ago. For example, in the case of robbery, where the proportion of young people has been around 51 percent, there were already a relatively high percentage of people under the age of 21 in the period between 2014 and 2016. In addition to robberies, there has been an increase of more than ten percentage points in defamation and illegal threats". (Poliisi, 2024). The issue of minors in contact with the juvenile justice system remains relevant in Ukraine. In 2023, the Prosecutor General's Office recorded 345 cases of criminal offenses committed by minors, as well as 7,289 cases of recognition of minors as victims of crimes (Office of the Prosecutor, 2023). These statistics highlight the urgent need for comprehensive and high-quality interventions in the field of juvenile justice. The priority of such efforts should be to prevent juvenile delinquency, mitigate psychological trauma, and protect the best interests of children in accordance with international standards.

Both countries face distinct challenges within their juvenile justice systems. Finland, despite its progressive approach, confronts issues related to the increasing complexity of juvenile crime and the effectiveness of rehabilitation programs. Ukraine, on the other hand, struggles with corruption and a lack of resources for prevention and rehabilitation services.

Both countries face distinct challenges within their juvenile justice systems. Finland, despite its progressive approach, confronts issues related to the increasing complexity of juvenile crime and the effectiveness of rehabilitation programs. Ukraine, on the other hand, struggles with corruption and a lack of resources for prevention and rehabilitation services.

The theoretical foundation section highlights many well-known researchers of juvenile justice who have shaped the main directions of development of this field. The article uses various methods that helped to conduct a qualitative study, namely philosophical methods, phenomenological method, generalization method, interview method, comparative law method. The section "Results and Discussion provides a detailed analysis of the state of development of juvenile justice in Finland and Ukraine, draws conclusions on positive and problematic aspects, and presents the results of a survey at the University of Helsinki, which made it possible to highlight certain problematic aspects of juvenile justice in Finland, namely: lengthy trial

processes, Isolation of children during pre-trial detention, Co-mingling of minors and adults in detention facilities, Inadequate educational opportunities in detention centers. In Ukraine, the main problems are more global implementation of restorative justice, low quality of child crime prevention, training of juvenile specialists, and the formation of a multidisciplinary approach.

Finland is a successful example for Ukraine of building a common justice system for children. Ukrainian society needs to establish the use of mediation among minors, pay attention to the prevention of child crime, gender sensitivity towards minors, and continue the path of restorative justice in juvenile justice.

In the theoretical framework section, a lot of well-known researchers of juvenile justice who formed the main development trends in this field are singled out. Various methods were used in the article, which helped to conduct the research qualitatively, namely philosophical methods, phenomenological method, the generalization method, interview method, comparative legal method. In the results and discussion section, a detailed analysis of the state of development of juvenile justice in Finland and Ukraine was carried out, conclusions were drawn about positive and problematic aspects, and the results of a survey at the University of Helsinki was provided. Conclusions were made that for Ukraine, Finland is a successful example of building justice common to the child, in particular, Ukrainian society needs to establish the use of mediation among minors, pay attention to the prevention of child crime, gender sensitivity to minors, and continue the way of restorative justice in juvenile justice.

By understanding the similarities and differences between these two systems, policymakers, practitioners, and researchers can gain valuable insights to improve juvenile justice outcomes and ensure a more just and equitable future for young offenders.

Theoretical framework

In recent years, the field of juvenile justice has garnered substantial attention from scholars worldwide, resulting in a plethora of proposals aimed at its enhancement and development. Notably, studies focusing on the juvenile justice systems of Bangladesh and Malaysia have shed light on critical areas for reform. Researchers (Abdullah & Ferdousi, 2024) highlight that both countries demonstrate significant potential to address the root causes of juvenile crime more effectively. They argue that Bangladesh requires the establishment of a dedicated juvenile justice system, tailored to meet the specific needs of its youth. Such a system would not only provide appropriate rehabilitation but also facilitate a more humane approach to youth offending. In contrast, Malaysia has made commendable strides by revising its legislative framework to include modern concepts of child rights and justice. The ongoing reforms in Malaysia signal a progressive shift towards recognizing the complexities of juvenile offending and the necessity for a more integrated legal approach.

The enhancement of juvenile justice systems is fundamentally a collaborative endeavor. Policymakers, legislators, academics, and civil society must work in concert, employing a multidisciplinary approach to foster an effective juvenile justice framework. This collaborative synergy is crucial for implementing sustainable reforms that are adaptable to the specific socio-cultural contexts of each country. Therefore, the call for joint efforts is not merely a suggestion but an imperative for jurisdictions worldwide seeking to improve their juvenile justice mechanisms.

Recent discourses surrounding juvenile justice policies and practices indicate a significant state of flux, heavily influenced by ongoing research into adolescent development and the impact of social determinants of health on youth offending and rehabilitation (April et al., 2023). While these advancements have contributed to improved outcomes for many young individuals, a troubling inconsistency remains; a considerable number continue to be disproportionately affected by the justice system. This disparity suggests that current theoretical frameworks in juvenile justice may overlook critical areas requiring intervention. Current studies indicate a growing consensus among researchers advocating for a restorative approach to juvenile justice.

As articulated by Subarsyah and Achmad (Subarsyah & Achmad, 2023), the seriousness of bringing a child before a court mandate that the child's best interests be a primary consideration. They assert that sentencing should be regarded only as an absolute last resort, where discussions surrounding children's rights ought to precede punitive measures. In this restorative justice paradigm, alternative settlement options are privileges

afforded to both offenders and victims involved in the dispute resolution process, underscoring the need for a more collaborative approach.

In the context of Ukraine, scientists (Reznik et al., 2022) emphasize the integral role of mediation as a mechanism for safeguarding citizens' rights, pointing to its potential for fostering innovative and sustainable solutions. Although the concept of mediation is gaining traction, its full realization requires not only political will but also robust support from civil society. Such support encompasses a collective readiness to resolve conflicts outside traditional court frameworks, thereby facilitating the emergence of a supportive mediation environment. Both Ukraine and Finland have ratified multiple international conventions that underlie the protection of children's rights.

Volkova et al. (Volkova et al., 2023) illuminate that the European Court of Human Rights (ECtHR), through the application of these conventions, has devised a coherent system of principles and standards that regulate the legal status of children in international law. These established principles must inform case considerations, particularly at the national level.

Moreover, a significant body of comparative research has identified diverse approaches to improving juvenile justice systems globally. A comprehensive review of contemporary literature offers critical insights into the multifaceted nature of juvenile justice, shedding light on effective strategies for addressing prevalent challenges. Despite the abundance of scholarly works, a notable gap remains in the in-depth analysis of international juvenile justice practices and their potential application to the development of Ukraine's juvenile justice system. This article aims to bridge this gap by examining pressing issues within the field and proposing evidence-based solutions to enhance its effectiveness.

Juvenile justice systems worldwide face the complex challenge of balancing the rights of young offenders with the need for public safety and rehabilitation. This research delves into the juvenile justice systems of Finland and Ukraine, two countries with contrasting legal traditions and societal contexts. By examining their approaches to juvenile delinquency, detention, and rehabilitation, this research aims to identify key strengths, weaknesses, and potential areas for reform.

This research will contribute to the field of juvenile justice by: identifying best practices: Examining Finland's successful strategies for developing juvenile justice, highlighting areas for reform: Pinpointing the weaknesses in Ukraine's juvenile justice system and proposing potential solutions, understanding the impact of societal factors: Analyzing how different factors influence juvenile justice outcomes. By understanding the similarities and differences between these two systems, policymakers and practitioners can gain valuable insights to improve juvenile justice.

Methodology

The methodological basis of the study was a set of scientific methods of cognition.

General methodological principles

This study applied a multifaceted methodological approach to analyse the juvenile justice systems of Finland and Ukraine. This approach combined philosophical, empirical and comparative law methods to provide a comprehensive analysis of the two systems.

Specific methods:

Analytical Method: This was used to analyse legal and social issues related to juvenile justice, such as the challenges faced by both countries in balancing the rights of juvenile offenders and the need for public safety.

Phenomenological Method: Through exploring the experiences of young offenders, victims and justice professionals, this method helped to reveal the underlying meanings and structures of juvenile justice practice.

Generalisation Method: This involved analysing a wide range of data, including legal texts, policy documents and empirical studies, to identify patterns and trends in juvenile justice practice.

Comparative Law Method: By comparing the legal systems of Finland and Ukraine, this method allowed for the identification of similarities, differences and potential areas for reform.

Interview Method: 38 participants from the University of Helsinki were interviewed to gain insight into their perceptions of the Finnish juvenile justice system. The questionnaire was sent via email and was conducted voluntarily and anonymously in English.

Document collection and analysis

Document analysis involved a systematic review of relevant legal texts, academic articles and policy documents. The following steps were followed:

Selection of documents based on their relevance to the research questions and their availability.

Database search: Key databases such as Google Scholar, JSTOR and HeinOnline were used to identify relevant sources. The article contains references to sources indexed in Web of Science and Scopus.

Keyword search: A combination of keywords was used to refine the search.

Document analysis: Selected documents were analysed using a thematic coding approach. Key themes such as legal framework, police procedures, court cases and rehabilitation programmes.

Triangulation: Multiple data sources including legal texts, empirical studies and interviews were used to triangulate the results.

Ethical considerations: Ethical principles were followed to protect the rights and confidentiality of research participants.

The combination of these different methods provided a comprehensive understanding of the juvenile justice systems in Finland and Ukraine, offering valuable insights for policy and practice.

Results and Discussion

Finland is a welfare country with a rather soft approach to juvenile justice, ensures high economic well-being of citizens, which reduces the level of crime, and pays significant attention to the prevention of crime among minors. For instance, (Kangas et al., 2019) "Finland provided from 2017 to 2018 to 2000 unemployed people an amount of €560 per month for 2 years. The monthly stipend continued even if they found work. According to preliminary reviews, recipients indicated that their basic income reduced stress and fear related to financial struggles, increased the feeling of wellbeing and health. The basic income also provided a psychological feeling of security as well an incentive to find a good job or start a business. Some showed more engagement in their communities".

In contrast, Ukraine faces economic challenges exacerbated by ongoing war, potentially leading to increased juvenile delinquency. While Ukraine has begun to implement restorative justice practices and child-friendly approaches, crime prevention efforts remain comparatively underdeveloped.

As previously noted, Finland prioritizes preventive strategies to mitigate juvenile delinquency. Educational institutions play a crucial role by incorporating curricula on juvenile delinquency, conflict theory, and resolution strategies. Schools serve not only as environments for academic learning but also as venues for cultivating social skills and human rights awareness. This restorative approach fosters individual dignity and community solidarity, promoting mutual respect and understanding among students, regardless of their differing perspectives.

Schools create both explicit and implicit frameworks governing interactions, emphasizing the importance of relationship maintenance, conflict resolution, and respect for human rights. A shift from a punitive culture to one rooted in respect and restoration is essential for supporting the growth and development of children and adolescents, irrespective of their circumstances (Wolthuis & Chapman, 2022).

Research indicates that targeted programs for preventing juvenile crime are effective. Veselov et al. (Veselov et al., 2024) found that such programs significantly reduce deviant behavior and bullying among adolescents. These findings are particularly valuable for school psychologists and educational assistants, as they suggest a decrease in negative behavioral trends. Furthermore, from a legal standpoint, lower rates of deviant behavior correlate with a reduction in potential criminal activity.

Chang and Hyun-Seok (Chang & Hyun-Seok, 2008) assert that prevention and rehabilitation form the cornerstone of juvenile justice in Finland, emphasizing that these policies are paramount compared to adult criminal justice systems. Even in cases involving juveniles who receive criminal penalties, rehabilitation remains a critical focus. Although juvenile penalties align with general criminal law, they are typically less severe, highlighting the importance of rehabilitating youth within society. This comprehensive understanding of juvenile justice inherently encompasses the prevention of delinquency. In Ukraine, it is necessary to pay more attention to the prevention of child crime, because this is work on the prospect of reducing the number of crimes among minors.

In Finland, the restorative approach is prevalent, with mediation serving as a vital tool within the juvenile justice system. Eskelinen O. and Iivari J. (Eskelinen & Iivari, 2005) emphasize the necessity of child mediation, noting that timely intervention can significantly reduce recidivism. Approximately 50-60% of first-time juvenile offenders cease offending shortly after their initial offense. However, those with multiple offenses pose a greater challenge for mediation's effectiveness. We concur with this assessment while maintaining optimism regarding the potential positive outcomes of mediation, even in complex cases.

The restorative approach is quite popular in Finland. Mediation is used in the field of juvenile justice. This is another working tool in the field of juvenile justice. In Finland, a restorative approach prevails over a punitive one, which is why mediation is actively used among minors.

Since 1995, mediation has played a significant role in Finland's juvenile justice system, with notable declines in incarceration rates. Junger-Tas and Dünkler (Junger-Tas & Dünkler, 2009) documented a decrease in imprisonment for juvenile offenses, reflecting Finland's commitment to using incarceration as a last resort. Legal reforms have reinforced safeguards against coercive measures and underscored the importance of proportionality and predictability in sentencing. Public consensus supports these objectives, with little demand for harsher penalties, even in serious cases.

In Ukraine, mediation is also gaining traction in juvenile justice. The restorative approach is gradually replacing punitive measures. A state-sponsored program allows minors accused of criminal offenses to engage in mediation, reflecting a broader shift towards restorative justice practices. The "Rehabilitation Program for Minors Suspected of Criminal Offenses," established in 2019, facilitates effective communication between minors and their victims, aiming to expedite resocialization and minimize repeat offenses. According to the terms of the Program (Order No. 172/5/10, 2019) "restorative justice was applied in criminal proceedings regarding criminal misdemeanors and minor crimes committed by minors and provided for the coordinated organization of effective communication between such minors and victims of criminal offenses committed by them in order to ensure compensation for damage. damage caused, removal of juvenile offenders from the criminal process as soon as possible with mandatory implementation of agreed measures for their resocialization and prevention of repeated criminal offenses".

Later, the problem started with the adoption of the Law on Mediation (Law No. 1875-IX, 2021). Since the beginning of the implementation of the Program, mediation has been carried out by mediators (lawyers) entered in the Register of Advocates, who provide free secondary legal assistance and have undergone training on the implementation of the Program. But with the adoption of the Law on Mediation, the Resolution of the Cabinet of Ministers of Ukraine dated September 2, 2022 No. 990 "On Amendments to Certain Resolutions of the Cabinet of Ministers of Ukraine Regarding Certain Mediation Issues" some acts were amended (Resolution No. 990, 2022). This situation led to the fact that during 2023, 100% of appeals submitted by prosecutors from minors, victims and their legal representatives were processed by Public Legal Assistance Centers, and preparation for the mediation/mediation procedure was carried out by mediators on a free basis. Recently, a new order of 22.07.2024 No. 2176/5/501/176 appeared on the implementation of the pilot project "Restorative justice program with the participation of minors who are suspects, accused of committing a criminal offense." This is a significant step in the development of restorative justice in Ukraine and means that Ukraine is actively improving restorative justice for minors.

The new program includes (Order No. 2176/5/501/176, 2024) “coordinated organization of effective communication between minors and victims of committed criminal offenses; conducting mediation between the minor and the victim; reintegration and additional means of resocialization of minors (if necessary and possible) and applies to all categories of criminal offenses and can be applied at all stages of criminal proceedings”.

In Ukraine, the negative impact of the armed conflict on juvenile justice is also felt. Children continue to become victims of war. Today neither national nor international measures have achieved the desired effects in full. Further research should focus on identifying the most effective areas of protection of children’s rights in armed conflict outside the legal field (Khodak et al., 2024).

Scientists (Junger-Tas et al., 2010) told that “Finland was the only Nordic country to participate in the first ISRD sweep. When the two Helsinki-based sweeps of 1992 and 2006 are compared, the findings suggest a decrease in most offence types. Only the use of alcohol has remained at the same level. The decrease finding is most robust with respect to property offending, because all available sources confirm the decrease hypothesis. There are several possible reasons of this decreasing trend of juvenile delinquency in Finland. General economic situation has improved in Finland and both families and adolescents themselves have more money to spend. Changes in opportunity structure might be reflected in shoplifting especially”.

It is interesting to compare the different systems of juvenile justice (Petteruti & Fenster, 2011), where “Finland has the most lenient response to juvenile delinquency. Yes, sentences for a given crime in America are typically much longer than those given for the same crime in other advanced, democratic nations. American convicts typically serve sentences five to ten times longer than similarly situated convicts in France or Germany. Sentences for robbery in America are more than twice as long as in England and Wales and more than five times longer than in Finland. American sentences for assault and fraud are four times longer than those in England and Wales and over five times longer than those in Finland. Other nations rely more on fines rather than prison. American courts sentence defendants to prison terms twice as often as Canadian courts, seven times more often than courts in England and Wales, and nine times more often than those in Germany or Finland”.

Many researchers and practitioners note the advantage of a restorative approach over a punitive one. For example (Hamilton, 2021), “benefits to arise from the use of restorative justice conferencing include affording voice, interaction, and input to offenders and victims, affording the opportunity for apology and forgiveness, better outcomes, education, better practice and procedure, the opportunity to make amends, repair reputation and relationships”.

The peculiarity of restorative justice as multidisciplinary describes Velez G. and Gavrielides T. (Velez & Gavrielides, 2022). “Restorative justice lives, to some degree, beyond the realms of criminology, social sciences, applied sciences, and the like. Here, there is plenty of room for everyone, including psychologists, peace psychologists, lawyers, neuroscientists, sociologists, criminologists, etc. However, it is incomplete to believe that applied sciences alone can give clarity and meaning to restorative justice. Restorative justice must also be considered an autonomous field of study that can be explored and developed through a multi-disciplinary approach, such as the one adopted for this volume. Its strong ethical foundations as well as the need to use the power within to control and fight the power structures that could bring its demise are what make it a special field of investigation and application”.

Finland’s commitment to a strategy of minimal intervention has yielded positive outcomes without resorting to punitive measures (Junger-Tas & Dünkler, 2009). Similarly, lenient approaches to youth justice in Finland, Scotland, and Italy have been recognized as successful and inclusive (Cavadino & Dignan, 2005).

A recent survey at the University of Helsinki engaged 38 participants, including academic and research staff with substantial, though not expert-level, knowledge in the field of juvenile justice. The majority of respondents (96%) expressed overall satisfaction with Finland’s juvenile justice system but identified several critical areas requiring improvement:

1. Lengthy trial processes.
2. Isolation of children during pre-trial detention.
3. Co-mingling of minors and adults in detention facilities.

4. Inadequate educational opportunities in detention centers.

These concerns are consistent with the Concluding Observations on the Combined Fifth and Sixth Reports of Finland (Committee on the Rights of the Child, 2023), which highlighted similar deficiencies. The Committee provided recommendations to the Finnish government, urging actions such as:

1. “Developing a comprehensive strategy for preventing juvenile delinquency, focusing on early intervention for children at risk and providing support for their families. It also emphasized the need to reduce trial durations.
2. Ensuring that children are not subjected to isolation during pre-trial detention.
3. Promoting non-judicial measures, including diversion programs, mediation, counseling, and evidence-based therapeutic services for minors accused of criminal offenses. It recommended prioritizing non-custodial measures like probation or community service, with clear guidelines ensuring these measures do not imply guilt.
4. Guaranteeing that, in exceptional cases where deprivation of liberty is necessary, minors are not detained with adults, and ensuring that such detentions are for the shortest time possible and regularly reviewed.
5. Providing long-term support services to detained children and enhancing the quality of education within detention facilities”.

Finland is actively addressing these issues, with an emphasis on maintaining restorative justice principles.

Perspectives on Juvenile Justice: A Child-Centered Approach

Respondents highlighted the importance of a child-friendly approach, emphasizing the best interests of the child as central to an effective juvenile justice system. There was strong support for specialized training for professionals involved in juvenile justice, with recommendations including:

- Knowledge of children's rights.
- Training in multidisciplinary collaboration, particularly in conducting interviews with juvenile offenders.
- Prioritization of non-judicial measures for juvenile offenders.

Debate on Specialized Juvenile Courts

Regarding the establishment of juvenile courts, 85% of respondents felt that such courts are unnecessary if juvenile offenders receive adequate protection within the general court system. In contrast, 15% supported the creation of specialized juvenile courts. Notably, neither Finland nor Ukraine currently has dedicated juvenile courts.

Gender Sensitivity in Juvenile Justice

The survey also assessed attitudes towards gender sensitivity, with unanimous agreement (100%) on its critical importance. The growing focus on gender equality in juvenile justice underscores the need for appropriate legal frameworks, community responses, and targeted interventions to uphold human rights within these systems.

Recent studies advocate for enhanced legal regulations, policy promotion, and monitoring mechanisms to ensure gender-sensitive approaches within juvenile justice systems (Vasishta, 2024). This aligns with Ukraine's approach, where proposals have emerged to implement probation programs tailored separately for male and female minors, as well as develop gender-sensitive methodological materials (Khmelevska, 2023). This approach aims to address diverse needs while maintaining gender equality.

Differentiating Penalties for Minors

All respondents (100%) agreed that penalties for minors should differ from those applied to adults, emphasizing the need for a justice system that considers the developmental and psychological differences between minors and adults.

The survey conducted at the University of Helsinki highlights the importance of a child-centered and restorative approach in juvenile justice, emphasizing specialized training, multidisciplinary collaboration, and gender sensitivity. The findings indicate that while Finland is committed to advancing its juvenile justice system, Ukraine faces challenges in effectively integrating restorative justice practices. Nevertheless, both countries share a common goal of developing child-friendly and equitable juvenile justice systems.

During the past half century (Leone, 2020), “the Finns have transformed their juvenile and criminal justice system from a punitive, expensive, and ineffective one to one that produces better outcomes at less cost without sacrificing public safety”.

Conclusions

This research of the juvenile justice systems of Finland and Ukraine sheds light on the modern approach to juvenile justice in both countries, which have both differences and certain similarities in the development of juvenile justice. Finland, with its progressive approach to juvenile justice, has demonstrated the effectiveness of the principles of restorative justice, early intervention and rehabilitation, although some problems have been identified there, such as the length of trials, the isolation of children during pre-trial detention, the co-location of juveniles and adults in places of deprivation of liberty, and inadequate educational opportunities in places of deprivation of liberty. These specific problems need to be addressed through the correction of legislative regulation.

Ukraine, despite the successes of recent years, still faces more serious challenges in implementing effective reforms in the field of juvenile justice.

The results of this study highlight the importance of a child-centered approach, emphasizing the best interests of the child. Key recommendations for Ukraine:

Strengthening the legislative framework: Developing comprehensive legislation that meets international standards and prioritizes the rights of the child.

Investing in prevention and early intervention: Implementing evidence-based programs to address the root causes of juvenile delinquency.

Promoting restorative justice: Encouraging the use of mediation and other restorative justice practices to address harm and promote reconciliation.

Improving detention conditions: Ensuring safe, humane, and rehabilitative prisons.

Ensuring adequate training for justice professionals: Equipping justice professionals with the skills and knowledge to work effectively with young offenders.

While Finland is a valuable model for Ukraine, it is important to consider the unique socio-cultural and economic context of each country. By learning from Finland’s experience and adapting it to local needs, Ukraine can create a more effective and humane juvenile justice system.

Future research should examine the long-term impact of different juvenile justice interventions, the effectiveness of restorative justice programs in different cultural contexts, and the role of gender and ethnicity in juvenile justice outcomes. In addition, further research is needed to examine the impact of socio-economic factors on juvenile delinquency and rehabilitation.

By addressing these research gaps and implementing evidence-based policies, we can work toward a future where all young people have access to child-friendly justice.

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