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Research Paper

Effectiveness of Criminal Sanctions against Children in Indonesia's Juvenile Criminal Justice System: Evidence from the Aceh Regional Police

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Abstract

Law Number 11 of 2012 on the Juvenile Criminal Justice System (SPPA Law) reoriented the handling of children in conflict with the law in Indonesia towards restorative justice, yet whether the sanctions imposed on children deter reoffending and support reintegration remains contested. This study examines the effectiveness of criminal sanctions against children in producing a deterrent effect and whether the rehabilitative and restorative approaches of the SPPA Law support the reintegration of child offenders. Using a juridical-empirical approach, it combines statutory and literature analysis with interviews with the head of unit and two investigators of Sub-directorate V (Youth, Children and Women), Aceh Regional Police, and a review of the unit's 2020–2024 case records. Most dispositions took the form of coaching, rehabilitation and counselling; diversion combined with structured rehabilitation produced positive behavioural change, but the deterrent effect weakened without psychological and social support. Restorative justice, offender–victim mediation, skills education and psychological therapy, backed by family and community support, appear more conducive to preventing reoffending than conventional punishment, while limited resources, weak coordination and inadequate facilities remain obstacles. The study recommends needs-based rehabilitation, stronger inter-agency coordination and post-release monitoring of reoffending.

Keywords: Juvenile criminal justice system; Criminal sanctions; Diversion; Restorative justice; Recidivism; Social reintegration.

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1. Introduction

Children are individuals who are still developing physically, mentally and emotionally. Under Law Number 35 of 2014 on Child Protection, a child is anyone under 18 years of age, including an unborn child [1]. Children are a vital asset for the continuity of the nation, so their rights to education, health and legal protection must be safeguarded. This protection becomes even more important when children are involved in criminal acts, whether as victims or as offenders [2].

Legal protection for children in conflict with the law is regulated by Law Number 11 of 2012 on the Juvenile Criminal Justice System (hereafter the SPPA Law) [3]. The law prioritises

rehabilitative and restorative approaches over repressive punishment: diversion must be attempted at the investigation, prosecution and trial stages for offences punishable by less than seven years' imprisonment that are not repeat offences, the minimum age of criminal responsibility is set at 12 years, and deprivation of liberty may be used only as a last resort [4], [5]. This orientation is intended to help children understand their wrongdoing without exposing them to a harsh legal process, in line with international child-rights standards [6], [7].

International evidence broadly supports this orientation. A meta-analysis of restorative diversion programmes found that, overall, they reduced juvenile recidivism, although results varied with programme characteristics and research design [8]. In Indonesia, a large body of scholarship has examined diversion and restorative justice mainly from a normative perspective, explaining their legal basis and their position in criminal law reform [4], [5], [9]–[11]. More recent evaluative studies, however, reveal a persistent gap between norms and practice: only 14.1% of juvenile cases were resolved through diversion [12], and its effectiveness is hindered by law enforcers' limited understanding, insufficient institutional infrastructure and legal culture [13], [14]. At the investigation stage, studies report too few trained child investigators, inadequate child-friendly facilities, weak inter-agency coordination and low community participation [15]. In court, restorative justice is often applied only symbolically, while sentencing still leans towards imprisonment [16], and the stigma attached to children in conflict with the law counteracts the rehabilitative aims of the SPPA Law and may contribute to recidivism [17].

The debate is therefore not only about whether diversion is applied, but about whether the sanctions and measures eventually imposed on children achieve what the SPPA Law expects of them. On one side, rehabilitation-oriented responses are criticised as too lenient to create a deterrent effect, because children may not experience real consequences for their actions; on the other, excessively harsh sanctions are feared to damage children's psychological and social development. Studies of Special Child Development Institutions (LPKA) show that education and skills training can reduce the potential for reoffending [18], [19], and sustainable rehabilitation models have been proposed to address fragmented services [20]. Yet few studies assess deterrence and reintegration together, and fewer still draw on the experience of police investigators, who act as the gatekeepers of the system and are often the first to encounter children who reoffend. Evidence from Aceh, a province with strong customary dispute-settlement traditions, is particularly scarce.

This study addresses that gap by combining statutory analysis with field data from the unit that handles juvenile cases at the Aceh Regional Police. It asks two questions: (1) how effective are the criminal sanctions imposed on children in Indonesia's juvenile criminal justice system in producing a deterrent effect and preventing reoffending; and (2) have the rehabilitative and restorative approaches regulated in the SPPA Law been effective in supporting the reintegration of child offenders into society? By presenting an investigator-level perspective on both outcomes, the study contributes to the debate on balancing deterrence and rehabilitation and offers practical input for policymakers and law enforcement agencies.

2. Method

This study is juridical-empirical (socio-legal) legal research, which combines the analysis of legal materials with primary data obtained in the field. The primary legal materials were the SPPA Law, the Child Protection Law and related statutory provisions [1], [3]; secondary legal materials comprised books, journal articles and other relevant scholarly works on juvenile justice, diversion and restorative justice.

Field data were collected through observation and semi-structured interviews at Sub-directorate V (Youth, Children and Women, *Renakta*) of the Directorate of General Criminal

Investigation, Aceh Regional Police. The informants were selected purposively because of their direct responsibility for juvenile cases: the head of unit and two investigators of the unit. Interviews were chosen because they allowed the researchers to obtain clear and detailed accounts of how sanctions and diversion are applied in practice. The interview data were supported by a review of the case records handled by the unit in 2020–2024 and by two illustrative cases. Informants participated voluntarily after being informed of the purpose of the study, and the identities of the children concerned are anonymised by initials in accordance with the confidentiality requirement of Article 19 of the SPPA Law [3].

The data were analysed qualitatively using a descriptive-analytical technique. Interview data were reduced and categorised according to the research questions (type of sanction or measure, deterrent effect, reoffending, reintegration and obstacles), then triangulated with the legal materials and previous studies. The results are presented narratively rather than statistically. Because the study relies on a small number of key informants within one unit and does not track recidivism longitudinally, its findings are indicative rather than generalisable.

3. Results and Discussion

Effectiveness of Criminal Sanctions against Children in Producing a Deterrent Effect and Preventing Reoffending

The SPPA Law adopts a double-track system. Article 71 provides principal sanctions for children ranging from a warning, conditional sentences (coaching outside an institution, community service or supervision), job training and coaching within an institution to imprisonment, while Article 82 provides measures such as return to parents or guardians, treatment, the obligation to attend formal education or training, and repair of the consequences of the offence [3]. Imprisonment may be imposed only as a last resort and for no more than half of the maximum term applicable to adults. The system is thus designed to place protection, coaching, rehabilitation and restorative justice at the centre of the response to child offending [2], [4].

The field findings are consistent with this design. According to the informants, the case records of 2020–2024 show that most dispositions involving children took the form of coaching, rehabilitation and counselling rather than imprisonment, in line with the principle of the best interests of the child. The response does not rely solely on repressive punishment but gives children the opportunity to improve themselves through education, counselling and skills development. Two cases illustrate how this works in practice and are summarised in Table 1.

Table 1. Illustrative cases handled by Sub-directorate V Renakta, Aceh Regional Police

Case	Offence	Response	Observed outcome	Note from informants
R	Theft	Diversion at the investigation stage, followed by a six-month rehabilitation programme	Positive behavioural change	Effective when rehabilitation is comprehensive and supervised
A	Homicide (not eligible for diversion)	Two years of coaching at an LPKA with education and counselling	Opportunity for self-improvement; avoids criminal stigma	Deterrence requires added social assignments and psychological accompaniment

Source: Interviews and case records, Sub-directorate V Renakta, Aceh Regional Police (processed).

The case of R shows that a rehabilitative response can be effective when it is implemented comprehensively. Children who take part in rehabilitation programmes tend to understand the negative impact of their actions better and have a greater chance of reintegrating into society. This is consistent with studies showing that the fulfilment of education and skills training

reduces the potential for reoffending [18] and with international evidence that restorative diversion lowers recidivism when programmes are well implemented [8].

The case of A shows the complexity of applying the rehabilitative principle to serious offences. Although the act was fatal, the judge imposed two years of coaching at an LPKA accompanied by education and counselling, so as to give the child an opportunity for self-improvement and to avoid the stigma of being labelled a criminal. The informants nevertheless considered that, to achieve a deterrent effect, such rehabilitation needs to be enriched with social assignments and psychological accompaniment that instil a sense of responsibility and awareness of the impact of the crime. Without these elements, a child may perceive the consequences as too light, which weakens deterrence; the informants also noted that some children who had completed their sentences later committed similar offences. Periodic supervision and evaluation of rehabilitation outcomes are therefore needed.

These findings suggest that, for children, deterrence depends less on the severity of the sanction than on whether it produces genuine accountability and change. Formal processing that stigmatises children can be counterproductive [17], while rehabilitation that is merely procedural loses its corrective force [15], [16]. The effectiveness of sanctions against children is thus strongly influenced by the quality of rehabilitation programmes and by support from families, communities and law enforcement officers. The main challenges identified were law enforcement officers' limited understanding of restorative justice, differing public perceptions and the stigma attached to child offenders, problems also reported at the national level [12], [13]. Although a deterrent effect remains important, constructive methods such as restorative justice, diversion and social support appear more effective in preventing reoffending and in helping children grow into better individuals.

Effectiveness of Rehabilitative and Restorative Approaches under the SPPA Law in Supporting the Reintegration of Child Offenders

The rehabilitative and restorative approaches in the SPPA Law place recovery, coaching and the development of children's potential, rather than repressive punishment, as the priority [3], [4]. This principle emphasises the best interests of the child, focusing on mental and social recovery so that involvement in a criminal act does not ruin the child's future. Rehabilitation programmes such as skills education, psychological therapy and counselling help children readapt to society and reduce reoffending [18], [19], particularly when services are integrated and standardised [20].

Restorative justice is a key element of this approach. Mediation between offender and victim restores social relationships and fosters the child's sense of responsibility: the process allows the child to understand the impact of the act, prompts remorse and encourages self-improvement [9], [10]. The informants observed that children who went through mediation more readily accepted responsibility for their actions and sought not to repeat them, which is consistent with the effects of restorative programmes reported in the literature [8].

The success of rehabilitation and restoration is strongly influenced by family and community support. Active family involvement in counselling and education can accelerate a child's recovery and reduce social stigma [17]. In Aceh, community-based and customary mechanisms at the village level offer a resource for reintegration that could be integrated more systematically into diversion, as proposed by studies on living law [14].

Implementation, however, still faces obstacles: limited resources, differing understanding among law enforcement officers, weak coordination and a lack of supporting facilities. The informants described the same constraints that have been reported at the investigation stage elsewhere in Indonesia [15] and in national evaluations of diversion [12], [13]. These conditions

show the need to strengthen cooperation among the police, prosecutors, courts, community counsellors (Bapas), LPKA and social services, and to build the capacity of officers.

Optimising the rehabilitative and restorative principles requires clear technical regulations, better infrastructure and legal education so that the public understands the importance of protecting and coaching children. Data-based evaluation and post-release monitoring are also needed so that the effect of each sanction or measure on reoffending can be measured rather than assumed **[12], [20]**. Despite the obstacles, the approach has shown positive results in reducing reoffending and in shaping children into useful members of society. With concrete steps such as stronger coordination, adequate facilities and continuous coaching, the juvenile criminal justice system can more effectively deliver humane justice.

4. Conclusion

Criminal sanctions against children in Indonesia's juvenile criminal justice system are most effective when they prioritise rehabilitation focused on recovery and individual development. At the Aceh Regional Police, most dispositions in 2020–2024 took the form of coaching, rehabilitation and counselling, and diversion combined with structured rehabilitation produced positive behavioural change. The deterrent effect weakens, however, when rehabilitation is not accompanied by psychological support, social assignments and supervision that build a sense of responsibility. The rehabilitative and restorative approaches of the SPPA Law support the reintegration of child offenders, with offender–victim mediation, skills education, psychological therapy and family and community support as the key factors, but their effectiveness is constrained by limited resources, uneven understanding among officers, weak coordination and inadequate facilities.

The government and relevant institutions should expand rehabilitation programmes and tailor them to each child's needs, establish regular coordination forums among stakeholders, and develop a post-release monitoring system to measure reoffending. Because this study draws on a small number of informants in one unit, future research should involve prosecutors, judges, Bapas and LPKA and track recidivism quantitatively across regions.

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Authors' contributions and responsibilities

Dian Ardiansyah: conceptualization, investigation, formal analysis, writing – original draft. Dewi Astini: methodology, supervision, writing – review & editing. Cut Megawati: supervision, validation, writing – review & editing.

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Availability of data and materials

Interview data are not publicly available in order to protect the confidentiality of informants and children, but are available from the corresponding author upon reasonable request.

Competing interests

The authors declare no competing interests.

Ethical approval

This study did not require formal ethical approval because it involved interviews with police officials about their professional duties and did not involve direct contact with children or the collection of sensitive personal data. All informants gave informed consent before the interviews, and the identities of the children referred to in the case records were anonymised in accordance with Article 19 of Law Number 11 of 2012.

Declaration of generative AI use

During the preparation of this work, the authors used Claude (Anthropic) to translate the manuscript from Indonesian into English and to improve its language and structure. After using this tool, the authors reviewed and edited the content as needed and take full responsibility for the content of the publication.

Additional information

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References

[1] Republic of Indonesia, *Law Number 35 of 2014 on Amendment to Law Number 23 of 2002 on Child Protection*. Jakarta, Indonesia, 2014.

[2] M. N. Djamil, *Anak Bukan untuk Dihukum: Catatan Pembahasan Undang-Undang Sistem Peradilan Pidana Anak (UU-SPPA)*. Jakarta, Indonesia: Sinar Grafika, 2019.

[3] Republic of Indonesia, *Law Number 11 of 2012 on the Juvenile Criminal Justice System*. Jakarta, Indonesia, 2012.

[4] S. A. Meyrina, "Restorative justice dalam peradilan anak berdasarkan Undang-Undang No. 11 Tahun 2012," *Jurnal Penelitian Hukum De Jure*, vol. 17, no. 1, pp. 92–107, 2017, doi: 10.30641/dejure.2017.v17.92-107.

[5] I. Darmika, "Diversion and restorative justice in the criminal justice system of children in Indonesia," *Ijtimā'iyya: Journal of Muslim Society Research*, vol. 3, no. 2, pp. 180–211, 2018, doi: 10.24090/ijtimaiyya.v3i2.1921.

[6] S. G. Davies and J. Robson, "Juvenile (in)justice: Children in conflict with the law in Indonesia," *Asia-Pacific Journal on Human Rights and the Law*, vol. 17, no. 1, pp. 119–147, 2016, doi: 10.1163/15718158-01701009.

[7] F. Rahman, "Contextualizing restorative justice through diversion mechanism: A study of Indonesia juvenile justice system," *Indonesia Law Review*, vol. 9, no. 3, 2019, doi: 10.15742/ilrev.v9n3.584.

[8] J. S. Wong, J. Bouchard, J. Gravel, M. Bouchard, and C. Morselli, "Can at-risk youth be diverted from crime? A meta-analysis of restorative diversion programs," *Criminal Justice and Behavior*, vol. 43, no. 10, pp. 1310–1329, 2016, doi: 10.1177/0093854816640835.

[9] Sukardi and H. R. Purnama, "Restorative justice principles in law enforcement and democracy in Indonesia," *Journal of Indonesian Legal Studies*, vol. 7, no. 1, pp. 155–190, 2022, doi: 10.15294/jils.v7i1.53057.

[10] H. D. Fridayani and D. D. P. Putri, "Sounding the justice for child: Does restorative justice matters?," *Journal of Law and Legal Reform*, vol. 4, no. 3, pp. 303–324, 2023, doi: 10.15294/jllr.v4i3.68106.

[11] R. S. A. Simatupang, "Restorative justice as an alternative approach to protecting children in conflict with the law," *Nomoi Law Review*, vol. 7, no. 1, 2026, doi: 10.30596/nomoi.v7i1.30477.

[12] D. Rismana, A. Maskur, R. M. L. F. Permonoputri, Hariyanto, and H. S. S. Hariz, "The legal effectiveness of juvenile diversion: A study of the Indonesian juvenile justice system," *Khazanah Hukum*, vol. 7, no. 2, pp. 190–205, 2025, doi: 10.15575/kh.v7i2.44162.

[13] A. S. Nugraha, Mahmutarom, and A. P. Prakoso, "Effectiveness of implementing restorative justice in resolution of child crimes," *International Journal of Law Reconstruction*, vol. 9, no. 2, pp. 309–330, 2025, doi: 10.26242/ijlr.v9i2.48901.

[14] B. Harefa, K. K. Lewoleba, and Z. J. Fernando, "Integration of living law as an optimization of diversion in the juvenile justice system in Indonesia," *Journal of Indonesian Legal Studies*, vol. 11, no. 1, pp. 1–32, 2026, doi: 10.15294/jils.v11i1.34060.

[15] Zulkarnain S, S. Abdillah, and R. Sahindra, "Challenges and effectiveness of diversion at the investigation stage in juvenile justice," *Law Development Journal*, vol. 8, no. 3, pp. 1207–1228, 2026, doi: 10.30659/ldj.8.3.1207-1228.

[16] A. Pancasilawati, S. Herlambang, and A. K. Naffati, "Symbolic restorative justice in the courtroom: Navigating the intersection of justice and child welfare in Indonesian juvenile court decisions," *Volksgeist: Jurnal Ilmu Hukum dan Konstitusi*, vol. 8, no. 2, pp. 619–637, 2025, doi: 10.24090/volksgeist.v8i2.15328.

[17] M. K. Herningsih and R. Rahaditya, "Stigmatization of delinquent children and those in conflict with the law," *Jurnal Jurisprudentie*, vol. 12, no. 1, pp. 1–13, 2025, doi: 10.24252/jurisprudentie.v12i1.56732.

[18] B. Ajiwijaya, "Pemenuhan pendidikan dan pelatihan keterampilan anak binaan untuk mereduksi potensi residivis anak di Lembaga Pembinaan Khusus Anak (LPKA) Klas I Kutoarjo," *Jurnal Kajian Hukum dan Sosial*, vol. 1, no. 1, pp. 83–108, 2024.

[19] A. A. Putri and T. A. Suryadinata, "Strategi pembinaan dalam membangun resiliensi anak berkonflik dengan hukum di Lembaga Pembinaan Khusus Anak (LPKA) Kelas I Kutoarjo," *Dimensia: Jurnal Kajian Sosiologi*, vol. 15, no. 2, pp. 77–85, 2026, doi: 10.21831/dimensia.v15i2.84352.

[20] R. Nur, Darmawati, H. Lahaling, H. S. Bakhtiar, and A. F. M. Zabidi, "A sustainable rehabilitation model for children in conflict with the law: Conceptually toward global protection and recidivism reduction," *Jambura Law Review*, vol. 9, no. 1, pp. 30–54, 2026.