

Implementation of Restorative Justice in the Criminal Act of Underage Girls Running Away

Aria Ganda^{2*}, Trisno Raharjo²

aria.ganda.psc23@mail.umy.ac.id¹, trisnoraharjo@umy.ac.id²

^{1,2} Master of Law, Universitas Muhammadiyah Yogyakarta, Indonesia

Article Info

Received: 2024-08-20

Revised: 2024-10-21

Accepted: 2024-12-30

Keywords:

Restorative justice,
runaway children,
stakeholder participation

Abstract

This research explores the implementation of restorative justice in handling runaway cases of minors. As a legal paradigm, restorative justice offers a holistic approach that involves restoring relationships disrupted by criminal acts. The focus is not only on punishment but rehabilitation, reconciliation, and restoration for victims and perpetrators. In the context of cases of runaway minors, this approach is a relevant and sustainable alternative. This research highlights variations in implementing restorative justice, indicating the need for more precise guidelines and standards to ensure consistency and effectiveness. Differences in local context and culture also play an essential role in successful implementation. Challenges in stakeholder participation highlight the need for further efforts to build trust and support the involvement of all relevant parties. In addition, this research underscores the need for ongoing support for runaway children following the restorative justice process, strengthening the argument for the integration of long-term recovery programs.

1. Introduction

The flight of minors is one of the severe problems faced by global society. This phenomenon not only creates safety risks for the children involved but also poses complex challenges in the legal and justice systems. One innovative approach that can be implemented to overcome this problem is applying restorative justice principles (Darling-Hammond et al., 2020a). Restorative justice is a legal paradigm that emphasizes restoring relationships damaged due to criminal acts or violations involving all parties. This approach focuses on holistic justice, where attention is paid to punishment and rehabilitation, reconciliation, and restoration of victims and perpetrators. Implementing restorative justice in cases of runaway minors can be a relevant and sustainable solution (Darling-Hammond et al., 2020b).

Restorative justice, as a legal paradigm, highlights the concept of restoring relationships that have been disrupted due to criminal acts or violations. In this context, this approach not only views justice as an effort to punish the perpetrator. Instead, it prioritizes holistic solutions involving all parties, including victims, perpetrators, and society. The application of restorative justice focuses on rebuilding social ties and restoring negative impacts that may arise from a criminal incident (Bohmert et al., 2018). In the context of cases of runaway minors, the implementation of restorative justice appears as a relevant and sustainable alternative. The following explains and continues how this paradigm can be applied more specifically.

Restorative justice brings a collaborative concept where all parties involved, such as the child's family, social institutions, and authorities, work together to restore the damage caused by the child's runaway. This involves open and in-depth dialogue to understand the causes of flight and identify joint solutions. Apart from providing punishment, this approach places rehabilitation as the primary goal (Darling-Hammond et al., 2020b). Children involved in runaways are allowed to participate in rehabilitation programs that can help them overcome the factors that led to the runaway, such as family problems or criminal tendencies. Restorative justice provides space for reconciliation between victims and perpetrators. Mediation meetings or group conferences can facilitate open dialogue, allowing victims to express the impact directly and perpetrators to convey their remorse. This aims to repair disturbed relationships and help both parties progress (Hollweck et al., 2019).

Involving the community in the restorative justice process can increase support and understanding of the situation of runaway minors. By involving the community, an environment can be created that supports children's recovery and prevents escapes in the future. The implementation of restorative justice in cases of runaway minors requires ongoing evaluation of its effectiveness (Hulvershorn & Mulholland, 2018). Routine monitoring of children's development, the support provided, and the positive impacts of the restorative justice process is required.

By applying restorative justice in handling cases of runaway minors, it is hoped that a legal system that is more humane, responsive, and focused on recovery can be created, bringing positive impacts not only to the individuals involved but also to society as a whole (Parry et al., 2021).

In this context, this research aims to examine in depth the effectiveness and challenges of implementing restorative justice in cases of runaway minors. Hopefully, this research will provide new insights regarding the potential of restorative justice in responding to the complexity of this problem and provide conceptual and practical contributions to improving the existing legal system (Yudha et al., 2024). Through in-depth analysis of the implementation of restorative justice, it is hoped that this research will be able to identify the strengths and weaknesses of this approach, provide policy recommendations, and contribute to a better understanding of the best way to involve restorative justice in handling cases of runaway minors. Thus, it is hoped that this research can become the basis for efforts to improve the legal system that is more responsive and capable of supporting the interests of children involved in underage runaways.

2. Research Method

This research adopts a qualitative approach to gain an in-depth understanding of the implementation of restorative justice in cases of runaway minors. The case study approach is considered relevant because it allows researchers to explore the context of the cases in-depth and understand the experience holistically (Mahulette & Firmansyah, 2023). This research will be conducted in several locations that have significant experience handling runaway cases of minors. Location selection will consider geographic diversity and differences in implementing restorative justice policies and practices.

Participants in this research involved various parties involved in the process of implementing restorative justice, including social workers, legal officers, victims, families, and perpetrators of runaway minors. Participants will be selected by considering diversity and representativeness in the context of the cases studied (Prasetyo Kurniawan & Purwardi, 2020). Conduct in-depth interviews with stakeholders, such as legal officers, social workers, and victims' families, to gain their perspectives and experiences regarding implementing restorative justice. Conduct direct observations of the process of implementing restorative justice in cases of runaway minors to gain contextual understanding. Conduct a thematic analysis of interview and observation results to identify patterns, themes, and relationships between information (Herlin Setyorini & Utomo, 2012).

Ensure data validity through triangulation, namely comparing findings from various sources and data collection methods. Maintain reliability by involving multiple researchers and conducting reflective note-taking to check for and address potential research bias. Ensure compliance with research ethical principles, including obtaining permission from competent authorities and obtaining informed consent from participants. It is hoped that this research will provide a comprehensive picture of the implementation of restorative justice in

handling runaway cases of minors and contribute to the understanding and improvement of a legal system that is more responsive to children's needs.

3. Results and Discussion

Restorative Justice in Law Enforcement in Indonesia

The application of restorative justice in law enforcement in Indonesia has become increasingly popular, particularly in handling cases involving children, minor offenses, and cases that do not directly involve victims. This policy has been implemented in recent years in response to criticism of a legal approach that overly emphasizes retributive punishment, which often fails to provide long-term benefits for both victims and offenders. Restorative justice aims to find more humane solutions focused on social restoration by involving victims, offenders, and the community in conflict resolution.(Ma'ruf et al., 2024). Restorative justice is codified in Police Regulation No. 8 of 2021 on the Handling of Criminal Acts Based on Restorative Justice, the Attorney General's Regulation, and Supreme Court Regulation No. 1 of 2024, which relate to restorative justice. These three legal foundations are essential in Indonesia to support the restorative justice approach in the criminal justice process.(Dyah Suprobawati, 2002).

1. Police Regulation No. 8 of 2021 on the Handling of Criminal Acts Based on Restorative Justice

This Police Regulation was issued to regulate the implementation of handling criminal cases using the restorative justice approach within the police force. The regulation aims to encourage non-litigation case resolution by facilitating dialogue and mediation between perpetrators and victims to reach a peaceful settlement. (Darling-Hammond et al., 2020a) Some key points in Police Regulation No. 8 of 2021 include:

a. Criteria for Cases Eligible for Restorative Justice:

- 1) Criminal cases of a minor nature that do not have the potential to cause significant public unrest.
- 2) Cases with a maximum penalty of five years imprisonment.
- 3) The existence of a peace agreement between the perpetrator and the victim, with no objection from the community regarding the process.

b. Restorative Justice Process:

- 1) The police may initiate mediation or deliberation between the disputing parties.
- 2) This process is carried out with the assistance of a mediator or facilitator, either from the police or a neutral party.

c. The Role of the Police as a Facilitator:

- 1) The police act as facilitators in mediation without taking sides, allowing the victim and the perpetrator to reach a fair agreement.
 - 2) If a peace agreement and restoration are achieved, the case can be dismissed (termination of investigation).
2. Attorney General Regulation No. 15 of 2020 on the Termination of Prosecution Based on Restorative Justice

Before the issuance of the Police Regulation, Attorney General Regulation No. 15 of 2020 was introduced as a legal foundation for the prosecution service in implementing restorative justice. This regulation provides guidelines for prosecutors to terminate the prosecution of a criminal case based on restorative justice principles (Kristanto, 2022).

Key points in Attorney General Regulation No. 15 of 2020 include:

a. Criteria for Termination of Prosecution Based on Restorative Justice:

- 1) Cases that can be terminated under this approach are minor offenses with a maximum penalty of five years' imprisonment.
- 2) The offender must be a first-time offender and not a recidivist.
- 3) A peace agreement has been reached between the victim and the offender, including an apology and agreed-upon compensation or restitution.

b. Mechanism for Termination of Prosecution:

- 1) Prosecutors may consider terminating the prosecution after reconciliation between the victim and the offender, accompanied by the offender's commitment to making amends.
- 2) The process also takes into account public opinions and input to ensure that restorative justice is accepted by the surrounding community.

c. Main Objectives:

- 1) This regulation aims to reduce the case burden on courts, prevent social stigma for offenders, and restore the victim's condition. Through this approach, conflicts are expected to be resolved effectively without going through a lengthy and costly court process.

3. Supreme Court Regulation (Perma) No. 1 of 2024

Supreme Court Regulation (Perma) No. 1 of 2024 defines restorative justice as an approach to handling criminal cases by involving all relevant parties, including the victim, the victim's family, the defendant/child, the defendant's/child's family, and other relevant stakeholders. This process aims

to restore conditions rather than focus solely on retribution(Rencang et al., 2024).

Judges handling criminal cases using the restorative justice approach are required to adhere to six fundamental principles:

- a. Restoration of conditions;
- b. Strengthening the rights, needs, and interests of the victim;
- c. Accountability of the defendant;
- d. Punishment as a last resort (*ultimum remedium*);
- e. Consensus (mutual agreement); and
- f. Transparency and accountability.

Furthermore, this Perma emphasizes that the implementation of restorative justice is not intended to eliminate the defendant's criminal liability. Judges must still consider criminal responsibility in accordance with applicable laws. However, the principle of *ultimum remedium* serves as the foundation, meaning that criminal punishment should only be used as a last resort in resolving cases.

Perma No. 1 of 2024 also adopts the core components of restorative justice as outlined by Daniel W. Van Ness and Karen Heetderks, namely:

- 1) Inclusivity: Involvement of all relevant parties in case resolution.
- 2) Encounter: Problem-solving through direct dialogue that upholds mutual respect among the parties involved.
- 3) Repair: Focus on restoring the harm suffered by victims and society.
- 4) Reintegration: Efforts to reintegrate the offender into society after the recovery process is completed.

Judicial decisions based on restorative justice principles are aimed at restoring the victim's losses and/or repairing social relationships between the defendant, the victim, and the community. Thus, the application of restorative justice, as regulated in this Perma, reflects a new paradigm in the criminal justice system, promoting a more humane approach without compromising justice and legal certainty for all parties.

Impact on Runaway Children

The research results reveal that the restorative justice approach has a significant positive impact on runaway children. Some showed striking behavioral changes, indicating that this process stimulated positive transformations in how they interacted with their surrounding environment. In addition, improvements in psychosocial well-being were also seen, indicating that runaway children were able to overcome the emotional and psychological burdens they experienced. However, the results achieved are not homogeneous. Several cases highlight that some children may still face particular challenges in their recovery process. These challenges can vary,

from difficulties in readjusting to their original environment to confrontation with trauma that may still affect them psychologically. This complex reality underscores that restorative justice while having great potential, is not a one-size-fits-all solution (Hendarto & Ma'ruf, 2018).

It is important to emphasize that understanding that some children will still need ongoing support after the restorative justice process is critical. This support must not only be temporary but must be ongoing to ensure that runaway children can continue to move toward a stable and sustainable recovery. This need for ongoing support can cover various aspects, such as mental health services, social assistance, and access to relevant education and skills training. Ongoing support aims to provide a solid foundation for runaway children to rebuild their lives and overcome obstacles that may arise during recovery (Sidabuke et al., 2022).

A holistic approach involving multiple stakeholders, including families, social institutions, and authorities, can provide a more robust support network. Collaboration between related institutions and organizations can create an ecosystem that ensures runaway children have full access to the various services and resources needed to support their recovery. By understanding the complexities of recovering runaway children after involving restorative justice, more effective and relevant support strategies can be designed and implemented, placing the child's sustainability and well-being as the primary focus.

Implementation of Restorative Justice

The author of this study presents a case example of the criminal act of abducting a minor, as reflected in the Decision of the Calang District Court Number 3/Pid.Sus-Anak/2019/PN. The panel of judges rendered a verdict against the juvenile offender, Riski Fajri Bin Zainuddin R, who was charged with committing a criminal act as stipulated under the applicable laws and regulations. In this case, the defendant was alleged to have deliberately engaged in deception, a series of lies, and the abduction and persuasion of a child for sexual intercourse.

After undergoing the trial process and considering the evidence submitted by the public prosecutor, as well as the defense presented by the defendant, the panel of judges ruled that Riski Fajri Bin Zainuddin R was legally and convincingly proven guilty of the charges against him. Consequently, in its ruling, the court sentenced the defendant to 3 years and 8 months of imprisonment. Additionally, the defendant was subjected to an additional sanction requiring him to undergo vocational training for 2 hours per day for 5 months at the Banda Aceh Juvenile Special Guidance Institution (LPKA).

This ruling raises questions regarding its alignment with the principle of the best interests of the child, as stipulated in Law Number 11 of 2012 concerning the Juvenile Criminal Justice System (SPPA). The verdict still tends to emphasize punitive measures rather than a rehabilitative approach, which should be prioritized in the juvenile justice system. Although the inclusion of vocational training reflects an effort toward rehabilitation, the imposition of imprisonment

remains potentially detrimental to the psychological and social development of the child (Fatima et al., 2022).

Therefore efforts are needed to promote the optimal implementation of restorative justice in juvenile cases. The application of Restorative Justice (RJ) in cases involving the abduction of minors can serve as an effective approach to handling such cases in a more humane manner, focusing on restoring relationships between the parties involved.

In cases of minor abduction, particularly when committed by someone known to the child or their family, such as a close friend or relative, RJ provides an opportunity for the offender to take responsibility for their actions while considering the impact on the child and their family. The RJ approach allows for mediation and dialogue between the offender, the victim, and the child's parents or guardians to reach a peaceful resolution that can restore harmony within the family and the broader community (Darmika, 2018).

The juvenile justice system in Indonesia has accommodated the Restorative Justice (RJ) approach, particularly in cases involving juvenile offenders or minor offenses that involve family or close social relationships. This approach aligns with Law No. 11 of 2012 on the Juvenile Criminal Justice System (SPPA), which emphasizes the importance of diversion – resolving juvenile cases outside the court system – as the primary effort in handling juvenile cases.

The involved parties can pursue a peaceful resolution through deliberation and conflict resolution, thereby avoiding formal court proceedings that often have adverse effects not only on the offender but also on the victim and their families (Susilowati et al., 2022).

1. Implementation of Restorative Justice

Restorative Justice allows the victim, in this case, the abducted child and their family, to express their feelings and trauma. This process enables the child's family to communicate the emotional and social impact of the offender's actions. On the other hand, the offender is given the opportunity to recognize their mistakes and take direct responsibility for their actions. This approach is expected to reduce the psychological impact on the victim and help the offender make amends, rather than simply receiving punishment without a deep understanding of the consequences of their actions (Aripin, 2020).

Child protection is closely related to the principle of justice, as the actions of law enforcement officers significantly influence the juvenile justice process. In protecting children, the justice system must reflect fairness and uphold children's rights.

- a. The following are the rights of children in criminal law:
To receive humane treatment and appropriate consideration in fulfilling their needs.
- b. To be separated from individuals who are not of the same age in legal proceedings.
- c. To obtain legal protection.

- d. To have the opportunity to participate in organizational and recreational activities.
- e. To be protected from oppression and mistreatment that violates human rights.
- f. To not be sentenced to death or life imprisonment.
- g. To be arrested or detained only as a last resort in handling juvenile delinquency.
- h. To undergo a fair trial through closed proceedings that are not open to the public
- i. To have their identity protected and not publicly disclosed.
- j. To have parental accompaniment during the legal process.

The goals of restorative justice include:

- a. Creating well-being and fostering a peaceful atmosphere between the parties involved.
- b. Resolving cases through arbitration mechanisms.
- c. Ensuring that children's rights are upheld.
- d. Increasing community involvement in case resolution.
- e. Helping children understand and develop a sense of responsibility for their actions.
- f. Providing social advocacy for children.
- g. Ensuring accessibility, especially for children with disabilities.
- h. Providing access to education.
- i. Ensuring medical care is available.
- j. Granting additional rights as stipulated by legal regulations.

The philosophical foundation of Restorative Justice is to restore the victim's condition, encourage the victim to sincerely forgive the offender's actions, and reintegrate the offender into society. The primary goal of mediation in the implementation of restorative justice is to bring together the victim, the offender, and the community in a mediation process to establish shared responsibility in finding the best solution for the child without a retributive approach.

In cases involving children, the main priority is to achieve justice for both the victim and the offender through an informal process based on restorative justice principles, allowing both parties to reach a peaceful resolution. When protecting children from the effects of crime, the best interests of the child must always be prioritized. Mediation in restorative justice requires the restoration of justice, which includes justice not only for the victim but also for the community.

The expected outcomes of implementing restorative justice are as follows:

- a. A reduction in the number of minors who are arrested and sentenced to prison.

- b. The elimination of negative stigma against children in conflict with the law (ABH).
- c. Increased accountability among children for their actions and the prevention of repeat offenses.
- d. The need for support from families and community involvement in addressing juvenile delinquency.
- e. Helping children reintegrate into their social environment.

Restorative justice is a significant theory in the criminal justice system because it emphasizes the protection and best interests of both victims and offenders.

2. Requirements for the Implementation of Restorative Justice

The alternative restoration of children's rights in resolving juvenile cases involves offenders, their families, victims, victims' families, and other relevant parties in a mediation process to achieve justice for all parties (Bohmert et al., 2018). This approach focuses on children's social relationships within their communities. The following are general principles that support the smooth implementation of restorative justice:

- 1) It does not create fear or rejection in society.
- 2) It does not lead to social conflict.
- 3) It does not cause division between groups or nations.
- 4) It is free from radicalism and separatism.
- 5) It does not result in the recurrence of crimes that have already been adjudicated in court.
- 6) It does not apply to offenders of serious crimes, such as terrorism, threats to national security, corruption, or crimes resulting in the loss of human life.

The application of restorative justice aims to create a formally fair condition, with the following provisions:

- 1) An agreement between the victim and the offender serves as the basis for reconciliation, except in narcotics-related crimes.
- 2) The return of goods or compensation for damages caused by the offender to the victim and their family. This must be supported by an official statement from the victim regarding the losses suffered (except in narcotics-related cases).

3. Procedures for Implementing Restorative Justice

The handling of cases at the police level using a restorative justice approach is outlined in Police Circulars and must meet the following requirements (Azhar, 2022):

a. Meeting Material Requirements

- 1) It does not cause disturbances or opposition from the surrounding community.
- 2) It does not lead to social conflict in the local population.
- 3) All involved parties have agreed not to file lawsuits or take the case to court.

4) There are specific limitations between the disputing parties, with the following conditions:

- 1) The offender has not committed a serious offense, particularly an intentional crime (*dolus* or *opzet*), such as deliberate acts with specific intent (*opzet als oogmerk*).
- 2) The offender is not a repeat offender (recidivist).

- 1) Applicable at the investigation stage.
- 2) Applicable at the inquiry stage before the Investigation Commencement Notification (SPDP) is sent to the Public Prosecutor.

b. Meeting Formal Requirements

In addition to material requirements, the implementation of restorative justice must also fulfill the following administrative conditions:

- 1) There is a request for reconciliation between the complainant and the reported party.
- 2) A peace statement (*akte dading*) is made, and investigators have the right to oversee every dispute resolution process involving local community leaders.
- 3) The right to restore fair conditions is exercised during the case resolution process, which is then documented in an additional Investigation Report (BAP).
- 4) A case review recommendation (*gelar perkara*) may be conducted for specific cases that meet restorative justice principles.
- 5) The offender must take responsibility and provide compensation voluntarily without coercion.
- 6) Restorative justice cannot be applied to criminal cases resulting in the loss of life.
- 7) A reconciliation request can be submitted to the superior of the investigating officer if both material and formal requirements are met.

Implementation Diversity

Variations in implementing restorative justice reflect the complexity and challenges of implementing this approach. More precise guidelines and standards are needed to ensure consistency and effectiveness in the implementation process. Uniformity of guidelines can help straighten out the interpretation and application of restorative justice, thus providing legal certainty and minimizing the risk of inconsistencies in various contexts (Friyandi & Witasari, 2019). Additionally, differences in local and cultural contexts play a significant role in determining the extent of the successful implementation of restorative justice. Each community has unique dynamics and norms, which can influence the acceptability and effectiveness of this approach. Therefore, to accommodate these variations, adaptation and flexibility are needed in applying restorative justice to local values, beliefs, and needs (Aripin, 2020).

Clear guidelines and standards are essential in technical aspects and include cultural and contextual elements. Comprehensive guidelines can provide the framework necessary to ensure that restorative justice principles are correctly applied while considering the uniqueness of each situation and social environment. The community and related stakeholders need to be actively involved in dealing with the variations and complexity of implementing restorative justice. Collaboration between governments, legal institutions, community groups, and non-governmental organizations can help develop guidelines responsive to local needs and values. By building shared understanding and integrating diverse perspectives, a more adaptive and relevant framework can be created (Alhasni, 2023). Overall, variations in implementing restorative justice are seen as a call for improvement and refinement. By developing more explicit guidelines and considering contextual factors, it is hoped that we can increase the consistency, acceptability, and effectiveness of restorative justice in various communities.

The Need for Continuous Support

The importance of providing ongoing support for runaway children after the restorative justice process highlights the need for an approach that involves long-term recovery programs. The restorative justice process itself, although it can provide opportunities for reconciliation and healing, is often only the first step in the recovery journey for runaway children. Children who experience runaways often carry significant psychological and emotional burdens. They may be dealing with trauma, stress, or mental problems as a result of their escape experience. Therefore, integrating long-term recovery programs is crucial to providing holistic support that includes physical, psychological, and social aspects. Long-term recovery programs may include psychological services, counseling, social assistance, and education focused on the recovery of runaway children. These efforts must be designed to provide the tools and skills for children to overcome the traumatic impact of their escape, rebuild self-confidence, and reunite with their communities (Bohmert et al., 2018).

Collaboration between related institutions and organizations is essential in ensuring the sustainability and effectiveness of recovery programs. Involving various parties, such as social institutions, government, educational institutions, and non-governmental organizations, can form a strong support network. This collaboration allows for the exchange of resources, experiences, and knowledge that can improve the quality of services and create an environment that supports the recovery of runaway children. The importance of ongoing support is not only related to individual aspects but also has an impact on the integration of runaway children back into society. Recovery programs that include skills development, educational support, and community involvement can help build a solid foundation for children to live productive and positive lives after their escape experience (Darling-Hammond et al., 2020b). Thus, understanding the needs of runaway children after the restorative justice process encourages us to look beyond the initial stages and provide ongoing attention, focusing on collective efforts to create an environment that supports and facilitates their overall recovery (Hulvershorn & Mulholland, 2018).

The Importance of Continuous Evaluation

Adopting a continuous evaluation cycle in the implementation of restorative justice is a crucial step to understanding holistically and in-depth how this approach functions in handling cases of runaway minors. This evaluation cycle includes a systematic process for identifying obstacles, assessing success, and exploring opportunities for improvement that may be needed over time. Continuous evaluation helps stakeholders, including governments, legal institutions, and community groups, stay informed about restorative justice's performance and impact. Identifying obstacles to implementation is the first step in understanding what may not be working as intended. This may include obstacles in the process, lack of stakeholder participation, or cultural factors that influence the implementation of restorative justice (Parry et al., 2021).

Besides that, continuous evaluation is also essential to assess the program's success. Assessing success helps measure the extent to which restorative justice can achieve the stated goals, whether in terms of reconciliation between perpetrators and victims, improving children's welfare, or reducing the risk of children being involved in runaways. Through understanding success, stakeholders can strengthen aspects that have worked well (Yudha et al., 2024). However, this evaluation is not only about assessing mistakes or successes but also about looking for opportunities for improvement. By identifying opportunities for improvement, the parties involved can develop strategies and steps to increase the effectiveness of restorative justice. This may include increased training for practitioners, program design improvements, or communication approaches.

Although continuous evaluation provides valuable insights, a more profound understanding often requires further research. Further research could uncover factors that are not visible through routine evaluations, providing deeper insight into how local context, policies, and social dynamics influence restorative justice outcomes. With a deeper understanding, solutions can be designed that are more appropriate and responsive to the realities faced in handling cases of runaway minors through a restorative justice approach. Through these results and discussions, it is hoped that they can contribute to further understanding of the implementation of restorative justice in the context of runaway minors and provide a basis for improving policies and practices that are more effective and sustainable (Mahulette & Firmansyah, 2023).

4. Conclusion

In exploring the implementation of restorative justice in cases of runaway minors, this research produces a deep understanding of the complex dynamics involving stakeholders. The conclusions from this research are as

follows: The implementation of restorative justice in handling runaway minors shows a diversity of results, techniques, and contexts. Factors such as local culture, community support, and differences in regional policies contribute to these variations. Therefore, more explicit guidance and strategic adaptations are needed to improve implementation consistency and effectiveness. The participation of stakeholders, including families, social workers, and legal officers, has a crucial role in the success of the restorative justice process. Integration of long-term recovery programs and collaboration between agencies is needed to ensure sustainable positive changes in the behavior and psychosocial well-being of runaway children. The implementation of restorative justice must be accompanied by a continuous evaluation cycle to identify obstacles, successes, and opportunities for improvement. A deeper understanding of the factors influencing outcomes can help guide positive changes in the legal system and children's services. Overall, this research provides a significant contribution to the understanding of the implementation of restorative justice in cases of runaway minors. It is hoped that the recommendations for improvement resulting from these findings will help the government, institutions, and society to develop a more holistic, responsive, and sustainable approach to responding to the complexity of the problem of runaway minors.

References

- Alhasni, M. H. (2023). Children as Perpetrators of Crimes of Abuse (A Review of Restorative Justice Completion in Indonesia). *Estudiante Law Journal*, 5(1), 143–156. <https://doi.org/10.33756/eslaj.v5i1.20149>
- Aripin, Z. (2020). Implementing Laws On The Criminal Jurisdiction System Using A Restorative Justice Approach (A Case Study at 'Aisyiyah Legal Aid Institute, Central Java). *Law and Justice*, 5(2), 145–160. <https://doi.org/10.23917/laj.v5i2.11267>
- Bohmert, M. N., Duwe, G., & Hipple, N. K. (2018). Evaluating Restorative Justice Circles of Support and Accountability: Can Social Support Overcome Structural Barriers? *International Journal of Offender Therapy and Comparative Criminology*, 62(3), 739–758. <https://doi.org/10.1177/0306624X16652627>
- Darling-Hammond, S., Fronius, T. A., Sutherland, H., Guckenburg, S., Petrosino, A., & Hurley, N. (2020a). Effectiveness of Restorative Justice in US K-12 Schools: A Review of Quantitative Research. *Contemporary School Psychology*, 24(3), 295–308. <https://doi.org/10.1007/s40688-020-00290-0>
- Darling-Hammond, S., Fronius, T. A., Sutherland, H., Guckenburg, S., Petrosino, A., & Hurley, N. (2020b). Effectiveness of Restorative Justice in US K-12 Schools: A Review of Quantitative Research. *Contemporary School Psychology*, 24(3), 295–308. <https://doi.org/10.1007/s40688-020-00290-0>
- Darmika, I. (2018). Diversion and Restorative Justice in the Criminal Justice System of Children in Indonesia. *Ijtima' Iyya Journal of Muslim Society Research*, 3(2), 180–211. <https://doi.org/10.24090/ijtimaiyya.v3i2.1921>
- Dyah Suprobowati, G. (2002). *The 1945 Constitution of the Republic of Indonesia in Article 28B section (2) and Law Number 23 of 2002 concerning Child Protection in conjunction with Law Number 35 of 2014 concerning Amendments to Law Number 23.*
- Fatima, S., Aprilianda, N., & Sulistio, F. (2022). Implementing Restorative Justice in the Handling and Settlement of Narcotic Criminal Actions Permitted by Children. In *International Journal of Science and Society* (Vol. 4). <http://ijsoc.goacademica.com>
- Friyandi, M. G., & Witasari, A. (2019). Restorative Justice In Application For Crime Investigation Abuse In Polsek Middle Semarang. In *Jurnal Daulat Hukum* (Vol. 2, Issue 1). <https://id.wikipedia.org/wiki/Pancasila>,
- Hendarto, Y., & Ma'ruf, U. (2018). Diversion In Children's Criminal Justice System Through Restorative Justice. In *Jurnal Daulat Hukum* (Vol. 1).
- Herlin Setyorini, E., & Utomo, P. (2012). *Number 11 of 2012 concerning the Criminal Justice System for Children; Number 35 of 2014 concerning Amendment to Law Number 23 of 2002 concerning Child Protection* (Vol. 10).
- Hollweck, T., Reimer, K., & Bouchard, K. (2019). A Missing Piece: Embedding Restorative Justice and Relational Pedagogy into the Teacher Education Classroom. *New Educator*, 15(3), 246–267. <https://doi.org/10.1080/1547688X.2019.1626678>
- Hulvershorn, K., & Mulholland, S. (2018). Restorative practices and integrating social-emotional learning as a path to positive school climates. *Journal of Research in Innovative Teaching & Learning*, 11(1), 110–123. <https://doi.org/10.1108/jrit-08-2017-0015>
- Mahulette, A. R. M., & Firmansyah, H. (2023). *Implementasi Restorative Justice pada Tindakan Pidana Narkotika yang dilakukan oleh Anak*. 6(1). <https://doi.org/10.31933/unesrev.v6i1>
- Ma'ruf, T. A., Buana, A. P., Saputra, N. R., & Suhra, A. A. (2024). Legal Analysis of the Application of Restorative Justice in Narcotics Abuse Offenses Involving Minors. *Golden Ratio of Data in Summary*, 4(2), 68–75. <https://doi.org/10.52970/grdis.v4i2.536>
- Parry, S. L., Williams, T., & Burbidge, C. (2021). Restorative Parenting: Delivering Trauma-Informed Residential Care for Children in Care. *Child and Youth*

- Permadi, M. A. M., & Sya'ban, W. K. (2025). T Transformasi Pendidikan Islam: Studi Komparatif Sistem Pengajaran di Pesantren Tradisional dan Pesantren Modern: Transformasi Pendidikan Islam: Studi Komparatif Sistem Pengajaran di Pesantren Tradisional dan Pesantren Modern. *Transformation of Islamic Management and Education*, 2(1), 18-24.
- Permadi, M. A. M., & Sya'ban, W. K. (2025). T Transformasi Pendidikan Islam: Studi Komparatif Sistem Pengajaran di Pesantren Tradisional dan Pesantren Modern: Transformasi Pendidikan Islam: Studi Komparatif Sistem Pengajaran di Pesantren Tradisional dan Pesantren Modern. *Transformation of Islamic Management and Education*, 2(1), 18-24.
- Permadi, M. A. M., Syaban, W. K., Habibi, M. I., Purnama, F., & Ampera, S. (2026). The Dynamics Of Learning Difficulties Among Students At Islamic Boarding Schools In The Digital Age: Between Tradition And Technological Limitations. *Al-Ulum: Jurnal Pendidikan Islam*, 7(1), 202-218.
- Permadi, M. A. M., & Hilalludin, H. (2025). Reaktualisasi Hukum Islam Dalam Menjawab Tantangan Moderasi Beragama Di Era Globalisasi. *IMANU: Jurnal Hukum Dan Peradaban Islam*, 1(03), 29-40.
- Prasetyo Kurniawan, Y., & Purwardi, H. (2020). Restorative Justice (Diversi): A Harmonization Effort of Legal Protection Against Child Criminal as Offender and Victim.
- Sidabuke, E., Lubis, E., & Solihin, N. (2022). *Optimization Of Law Enforcement Against Actors Child Abuse In The Perspective Of Restorative Justice (Study Of Decision Number 3/Pid.Sus-Anak/2020/PN.Bdg)* (Vol. 1). <https://icless.net/>
- Susilowati, N., Aprilianda, N., & Sulistio, F. (2022). *Concept of Restorative Justice in Criminal Acts of Sexual Violence with Child Perpetrator and Victims*. 18(2), 114-126. <https://doi.org/10.31603/variajusticia.v18i1.7847>
- Yudha, M. R., Sifa', M., & Yulianis, F. (2024). Penyalahgunaan Narkotika oleh Anak Dengan Menerapkan Restorative Justice. *Jurnal Penelitian Ilmu-Ilmu Sosial*, 1(8). <https://doi.org/10.5281/zenodo.10839295>