

Paradigm Shift from Punishment to Rehabilitation: An Analysis of the Implementation of the Best Interests of the Child Principle in the Criminal Justice System

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Abstract

The transformation of the penal paradigm for children from a retributive to a rehabilitative approach through the mechanism of diversion is a crucial component in realizing the best interests of the child within Indonesia's juvenile justice system. Diversion not only offers a more humane resolution to cases shielding children from the adverse impacts of formal litigation but also creates space for psychosocial recovery and social reintegration. However, its effectiveness in practice continues to face major challenges, including the limited awareness and capacity of law enforcement officers, insufficient victim participation, and the shortage of qualified facilitators such as community corrections officers. To address these issues, an integrative implementation model is required, one based on multidisciplinary psychosocial assessment and involving the collaboration of legal authorities, correctional institutions, communities, and educational entities. Furthermore, strong institutional and policy support through the development of operational regulations, adequate budget allocations, continuous training, and a child-friendly legal culture is essential to ensure that the transformation of penal policy towards rehabilitation becomes a substantive reality rather than a merely normative aspiration.

I. Introduction

The paradigm shift in the juvenile criminal justice system from a retributive to a rehabilitative approach has become a central theme in the study of juvenile law in Indonesia. Law Number 11 of 2012 concerning the Juvenile Criminal Justice System (UU SPPA) explicitly affirms that the principle of the best interests of the child (best interests of the child) is a key principle in every legal process for children in conflict with the law. This principle serves as the foundation for a paradigm shift, shifting the dominance of maximum criminal penalties toward a more humane, restorative, and rehabilitative approach.

In practice, the Child Protection and Child Protection Law introduces a diversion mechanism as the primary option before a case proceeds to formal trial. Diversion allows for the resolution of juvenile criminal cases through a collaborative approach, involving victims, families, and communities to restore relationships and prevent stigmatization and the negative impacts of traditional justice. However, several empirical studies have shown a gap between legal norms and practice. An article by Butarbutar (2024) highlights how the application of maximum penalties to children is still common, even though the Child Protection Act (UU SPPA) emphasizes that punishment is a form of punishment, and restorative justice must be the primary option. In many cases, the retributive approach remains dominant due to institutional limitations, budget constraints, and law enforcement officials' lack of understanding of the rehabilitative model.

Research by Rosyid and Hastuti (2024) further analyzes the effectiveness of restorative justice through non-profit organizations such as the Bengkel Jiwa Foundation, which provides rehabilitation and social reintegration for Children in Conflict with the Law (ABH). The results show that although the program is implemented in accordance with the Child Protection and Child Protection Law and Ministerial Regulation No. 26 of 2018, its implementation is not optimal due to limited human resources and budget support. This reflects that, despite progress in policy direction, significant structural and practical implementation challenges remain.

The child's best interests are becoming increasingly important when assessing concrete court decisions. A case study of Medan District Court Decision No. 44/Pid.Sus-Anak/2024/PN Mdn, examined by Harahap & Sitepu (2025), shows that although the judge reduced the sentence from three years to two years in the LPKA (Institutional Penitentiary Institution) as a form of considering the child's best interests, there was no individualization based on the child's role in the incident, and the use of criminal articles was not entirely appropriate. This

indicates that the application of this principle is often symbolic and does not reflect true restorative justice.

In addition, Ali et al. (2024) conducted a study of Medan District Court Decision No. 116/Pid.Sus-Anak/2023/PN.Mdn relating to a case of sexual crimes by children. The results showed that the application of the principle of the child's best interests was carried out in principle: the judge considered the trial facts and the community, then imposed a sentence of 1 year and 6 months in accordance with the applicable articles in the SPPA Law and the Child Protection Law. This illustrates that in certain cases, a rehabilitative approach and the interests of the child can be realized well when the judge considers factors of proportionality, age, and social impact.

More broadly, Putri et al. (2025) in *Journal of Constitutional, Law and Human Rights* emphasizes that restorative justice is not merely an alternative, but presents a new perspective on juvenile delinquency: as a violation of social relationships that needs to be repaired, not simply an object of punishment. The research shows that restorative justice is effective in reducing recidivism, social stigma, and supporting children's social reintegration.

An article by Simatupang (2024) also strengthens the argument that the best interests of children should be a priority in the juvenile criminal justice system; diversion, mediation, conciliation, and restitution procedures should be maximized. However, implementation in the field is hampered by weak coordination between formal institutions (courts, prosecutors, police) and informal institutions (families, communities).

Conceptually, the Indonesian Child Protection Commission (KPAI) and child law experts highlight the fundamental differences between retributive and restorative approaches. The retributive model places greater emphasis on deterrent effects through punishment, which tends to lead to stigmatization and increase the risk of reoffending. Meanwhile, the restorative model focuses on victim recovery, perpetrator accountability, and fostering reconciliation within the community. The paradigm shift from punishment to rehabilitation aligns with the spirit of humanistic and just law, as emphasized by Rammando et al. (2025), namely building a criminal justice system that prioritizes restoration, not retribution. The study also highlights the opportunities and challenges in implementing restorative justice within the modern Indonesian legal framework.

2. Research Method

This study uses a descriptive qualitative approach to deeply understand the dynamics of the transformation of the sentencing paradigm towards rehabilitation in the juvenile criminal justice system, with an emphasis on the

application of the principlebest interests of the childThis approach was chosen because it allows researchers to explore the socio-legal context in its entirety, by exploring the meanings, values, and policies that develop in judicial practice.

Primary data was obtained through in-depth interviews with various key actors in the juvenile criminal justice system, such as juvenile judges, prosecutors, investigators from the Child Protection Unit (PPA), LPKA officers, community counselors from the Child Protection Agency (Bapas), and representatives from civil society organizations that assist children in conflict with the law. The interviews were semi-structured to provide an exploratory framework for the experiences, perceptions, and practices of implementing the principle of the best interests of the child.

In addition, this study also utilizes secondary data in the form of studies of legal and policy documents (including Law No. 11 of 2012 concerning the Child Protection System (SPPA), the Child Protection Law, and court decisions), annual reports of institutions (KPAI, Bapas, LPKA), as well as scientific publications and reports from relevant research institutions. A review of court decisions related to children's cases is used to assess how judges consider rehabilitative aspects and children's interests in their legal deliberations.

The analysis process was conducted using a thematic approach, grouping data into key themes such as: the implementation of diversion, the forms of punishment imposed, the role of law enforcement, structural barriers, and interpretations of the principle of the best interests of the child. The collected data was analyzed repeatedly and critically to identify implementation patterns and discrepancies between norms and practices.

To ensure data validity, source triangulation techniques were used, comparing information from various informants and documents and confirming data from one actor with another. In this way, researchers can ensure that the resulting interpretations are consistent and scientifically sound.

This qualitative approach not only describes reality, but also offers critical reflection on the direction of ideal child criminalization policies, as well as providing input for strengthening the implementation of a justice system that is more in favor of the principles of child protection and rehabilitation.

3. Results and Discussion

How effective is diversion as a mechanism for transforming the paradigm of punishment in realizing the principle of the best interests of the child?

Diversion, as the primary instrument in Indonesia's juvenile justice system, represents a concrete shift in the paradigm of punishment from a prior emphasis on punishment (retributive) to recovery and development (rehabilitative). In this context, the effectiveness of diversion needs to be measured by its ability to create a balanced meeting point between legal interests, the interests of victims, and, most importantly, the best interests of the child. Research by Iwan Rasiwan et al. (2024) revealed that although the legal framework through Law No. 11 of 2012 has adopted the principle of restorative justice, both implementation rights and institutional awareness are still uneven; low understanding by officials, limited supporting facilities, and scattered evaluation data are significant challenges in making diversion an effective rehabilitative mechanism. A study by Laili Nur Anisah & Arvita Hastarini (2023) in Yogyakarta showed that only 2 out of 7 diversion cases successfully met the principles of restorative justice, indicating the need for a more in-depth approach such as mediation between the families of the perpetrator and victim and mutually agreed compensation agreements.

Field findings in this study support the growing understanding of the principle of the best interests of the child, particularly among prosecutors and juvenile judges. Several informants reported that minor cases such as petty theft or fights between students are now more frequently resolved through diversion rather than formal litigation. This reflects a growing awareness that the formal justice process is not the best environment for children, especially when the social and economic impact of the case is relatively low. A study by Setyowati (2021) confirms this point: diversion must be implemented from the investigation stage as a form of restorative justice. However, its implementation in the field is often hampered by community legal culture and limited human resources and facilities specifically for handling ABH (Children in Conflict with the Law).

Overall, various empirical sociological and juridical studies conclude that the success of diversion depends heavily on cross-sector collaboration, family involvement, and community engagement as restorative actors. Filip Mayliyanti et al. (2024) showed that when diversion is implemented holistically, integrating law enforcement, community counselors, social workers, and the community, child recidivism rates decrease and psychosocial recovery progresses more effectively. However, obstacles such as social stigma against children, inflexible diversion procedures, and limited infrastructure support remain persistent barriers.

Thus, developing diversion as a balanced solution is not simply a matter of replacing

legal channels, but involves a paradigm shift that prioritizes the best interests of children alongside victim protection and legal certainty. Diversion should not be understood as a mechanism to mitigate the perpetrator's burden, but rather as a form of restorative justice aimed at restoring social relationships between the perpetrator, victim, and community. Therefore, comprehensive technical guidance is needed regarding the stages of mediation, compensation facilitation mechanisms, and schemes for the active involvement of families, community leaders, and community institutions. With clear technical support and solid inter-institutional coordination, diversion can be implemented as a meaningful means of rehabilitation, not simply a procedure to avoid formal trials.

However, the effectiveness of diversion depends heavily on three main factors: the awareness and capacity of law enforcement officials, the involvement of victims, and the availability of professional facilitators or mediators. First, among law enforcement officials, there is still a gap in knowledge and attitudes toward the concept of diversion. Investigators, prosecutors, and even judges often treat diversion as merely an administrative procedure lacking legal substance. In practice, law enforcement officials prioritize efficient case resolution and achieving performance targets over protecting the rights of children as vulnerable perpetrators. Various studies have shown that delays or rejections of diversion are often motivated by the assumption that the criminal process will have a stronger deterrent effect, despite the fact that many children experience stigma and negative psychological impacts as a result of criminalization, which have long-term impacts on their social reintegration.

Second, victim involvement remains a crucial challenge. In a restorative justice approach, the victim's role is crucial as the party who must agree to the out-of-court settlement process. However, in practice, victims or their families are often not fully empowered, either due to ignorance of their rights in the diversion process or due to the lack of guarantees of adequate compensation. In many cases, victims prefer to have their cases proceed to court, believing that formal legal channels will provide more certain justice. Research by Hafrida and Helmi (2022) noted that the low level of compromise in diversion mediation is often due to the absence of facilitators capable of bridging communication between perpetrators and victims in an equal and fair manner.

Third, the presence and quality of facilitators or mediators are crucial. Community counselors from the Correctional Center (Bapas) play a strategic role in assessing diversion readiness and facilitating mediation between the parties involved. However, limited staff, high workloads, and minimal ongoing training contribute to uneven diversion implementation. Suherlan (2025) revealed that many community counselors work without standard technical guidelines and face administrative pressures in preparing assessment reports, which ultimately impacts the quality of their diversion recommendations.

On the other hand, the lack of incentives and protections for mediators also discourages many experts from actively participating in the diversion process. This situation is exacerbated by weak infrastructure support at the regional level, such as the absence of child consultation rooms, digital documentation systems, or psychosocial support services. As a result, the diversion process is inconsistent and risks violating the principles of justice that favor children. In this context, an ideal diversion model should collaboratively involve cross-sector stakeholders including local governments, professional organizations of psychologists and social workers, religious institutions, and local communities capable of becoming part of a sustainable child protection ecosystem.

Furthermore, without integration between the legal system and the social welfare system, diversification of approaches to child criminalization will remain merely administrative. Therefore, diversion reform needs to be supported by strengthening derivative regulations, increasing human resource capacity, and developing national and local coordination platforms that ensure that the principle of the child's best interests is always the primary consideration in every legal decision. This is both a challenge and an opportunity to make diversion a concrete manifestation of the transformation of the juvenile criminal justice system towards a more humane and restorative justice system.

Second, in terms of victim participation, the diversion process often fails because victims (and/or their families) refuse to settle their cases out of court. In cases of violence or theft, victims often demand criminal penalties, especially when the child perpetrators show no remorse. This situation reflects that the success of diversion is determined not only by the system but also by the public's perception of justice.

Third, the limited number of community counselors and adequate diversion facilities are major inhibiting factors. In many regions, a single Bapas officer can handle more than 50 juveniles simultaneously, causing diversion to lack depth and fail to operate optimally. As a result, what should be a restorative and personalized approach becomes formalistic and bureaucratic.

Nevertheless, some best practices are worth noting. For example, in the Surabaya and Bandung District Courts, there is a strong coordination system between prosecutors, judicial review boards, and child support agencies. Diversion is implemented using an approach that truly involves the perpetrator, victim, parents, community leaders, and advocates from civil society organizations. In these cases, diversion has successfully prevented children from being stigmatized and even restored social relationships between the perpetrator and victim.

A documentary study of court decisions that successfully implemented diversion shows that judges explicitly considered the child's age, family background, legal understanding, and potential for change. This reflects the principle of the child's best interests being used as a reference in decision-making, although the implementation of diversion has not always been consistent.

In general, diversion can be considered quite effective as a mechanism for transforming the sentencing paradigm, particularly in cases of minor and moderate offenses. Diversion has opened up space for resolving cases outside the formal justice system with a more humane and recovery-oriented approach. However, this effectiveness still faces significant obstacles. One major obstacle is the lack of standardization and ongoing training for law enforcement officers in understanding and implementing the principles of restorative justice in their entirety. Furthermore, diversion implementing institutions, such as Correctional Institutions (Bapas) and mediation facilitators, often lack adequate human resource capacity and infrastructure, resulting in a formalistic approach to diversion implementation. Another equally significant obstacle is the lack of a measurable monitoring and evaluation system to assess the long-term success of diversion. Without systematic evaluation, it is difficult to identify the actual effectiveness and weaknesses of diversion implementation, thus hampering policy improvements and institutional strengthening.

Therefore, the effectiveness of diversion is not only a matter of technical implementation, but also a matter of institutional commitment and a legal culture oriented toward child protection. The paradigm shift from punishment to rehabilitation through diversion is truly a first step toward a more humane legal system, but it must be underpinned by concrete support from all stakeholders.

How is the formulation of the implementation model for the principle of the best interests of the child to optimize the transformation of the paradigm from punishment to rehabilitation?

The research findings indicate that the implementation of the principle of the best interests of the child in the Indonesian criminal justice system is still partial and does not fully reflect the paradigm shift from punishment to rehabilitation. Although Law No. 11 of 2012 concerning the Juvenile Criminal Justice System provides a strong legal basis, practice in the field shows that a retributive approach still dominates. Many law enforcement officers do not fully understand or internalize the meaning of the principle of the best interests of the child, so that in many cases the punishment approach remains the primary choice. Diversion, one of the main instruments in the juvenile justice system, has also not been implemented optimally. This is due to various factors, including a lack of understanding among law enforcement officers regarding the concept of restorative justice, a lack of infrastructure support such as rehabilitation centers or penal mediation centers, and rejection by victims or their families during the mediation process, resulting in the failure of diversion and cases continuing to trial.

This study also found that Juvenile Correctional Institutions (LPKA) tend to still implement a punishment-oriented approach to correction, rather than focusing on individual child psychosocial recovery. However, the principle of rehabilitation

requires a holistic approach encompassing mental recovery, life skills strengthening, and social reintegration. A case study of LPKA Class II Bandung by Khairani (2023) concluded that the correctional system in the institution is still very general and does not fully address the individual needs of children, particularly in preparing optimal social reintegration skills. Similarly, research in LPKA South Sumatra confirms that the rehabilitation and reintegration process in many cases is still limited to meeting security standards and basic training, without in-depth attention to the child's psychosocial aspects, thus maintaining a high potential for trauma, anxiety, and the risk of recidivism (Ernaningsih, Novianti, & Murty, 2017).

Furthermore, efforts to reduce the risk of recidivism through individual-centered guidance models have proven crucial, as demonstrated by Dwiantoro and Subroto (2022). However, the implementation of these programs is often hampered by limited human resources, a lack of professionals in psychology and social guidance, and weak infrastructure within the Correctional Institution (LPKA). Research by Liu and Hijriani (2022) also shows that limited physical facilities, supporting infrastructure, and incompetent instructors contribute to low-effective guidance, resulting in suboptimal programs aimed at rehabilitating children and equipping them with life skills.

Furthermore, weak coordination between institutions such as the police, prosecutors, courts, the Child Protection and Correctional Institutions (LPKA), and the Correctional Center (Bapas) exacerbates the fragmentation in handling children in conflict with the law. Each institution carries out its role separately without a unified framework, resulting in discontinued child protection and rehabilitation efforts. Children who have completed their rehabilitation period often do not receive further support during their reintegration into society, which opens up the potential for re-involvement due to the lack of ongoing social support.

The still-dominantly retributive legal culture also weakens commitment to a rehabilitative approach. Many law enforcement officials, including those in correctional settings, still view punishment as the sole form of justice, even though this approach often negatively impacts children's psychological and social development. Without a comprehensive paradigm shift across legal, institutional, and cultural dimensions, rehabilitation efforts in the juvenile justice system will remain largely symbolic and unlikely to result in substantive change.

Based on these findings, this study formulated a model for implementing the principle of the best interests of the child that focuses on institutional synergy, strengthening the role of the community, and integrating the rehabilitation process from the pre-adjudication stage to the post-verdict stage. This model places the diversion process as the primary gateway that must be passed in every child case, with a multidisciplinary assessment involving law enforcement, child psychologists, community counselors, and community leaders. Diversion focuses not only on resolving the case but also on exploring the root causes of the child's behavior,

including family environment, education, and social pressures. In this model, all processes must be conducted based on a comprehensive and documented psychosocial assessment.

To support the successful implementation of diversion and ensure that this approach truly reflects the best interests of children, it is necessary to strengthen supporting institutions such as Correctional Institutions (Bapas) and Special Child Development Institutions (LPKA). These institutions must increase the capacity of professional staff—psychologists, social workers, and child counselors—who have expertise in conducting psychosocial assessments, mediation, and individual support for children. Research by Rahmawati and Mayangsari (2022) shows that correctional social workers at institutions such as the LKSA Bengkel Jiwa in Jember play a strategic role in the rehabilitation and social reintegration of children in conflict with the law, both during the judicial process and after the correctional process. Furthermore, the role of community counselors (PK) at Bapas is crucial throughout all stages of child case handling, from pre-adjudication to post-verdict. However, Widiatmoko (2021) found obstacles including low-quality human resources, limited facilities and infrastructure, and suboptimal coordination between the judiciary and Bapas.

Local governments should also be encouraged to establish community-based child rehabilitation centers, which not only serve as post-trial rehabilitation centers but also participate in pre-trial assessments and assist with post-trial reintegration. In practice in several regions, efforts to build collaboration between LPKA (Coroners' Institutions), Bapas (Coroners' Penitentiary Institutions), and community organizations have shown positive results, particularly in the provision of educational services, independence training, and psychosocial support for children and former students, so they are better prepared to reintegrate into society.

Furthermore, grassroots community empowerment is key to creating a sustainable restorative justice ecosystem. Establishing restorative child forums at the sub-district or village level, involving community leaders, schools, families, and religious institutions, can act as social mediators, reintegration monitors, and communal rehabilitation agents. Thus, diversion is not merely an administrative decision, but a social process that actively and structuredly involves the community. Research by Pramana, Muhammad, and Tando (2023) shows that direct community involvement in social services for children in conflict with the law significantly helps fulfill children's basic rights during the rehabilitation period and increases the chances of successful social reintegration after leaving the rehabilitation institution.

With the support of competent professionals, improved supporting facilities, and active community participation, diversion can be implemented more effectively, responsively, and realistically as part of the paradigm shift from punishment to rehabilitation. Adequate technical and institutional support is a crucial foundation for ensuring that diversion becomes more than just an administrative effort, but a

truly rehabilitative tool that supports the child's future.

This model is also built on the principle of non-discrimination, namely that every child, regardless of their social or economic background, ethnic or gender identity, has the right to fair and proper treatment in the legal process. Furthermore, the principle of holistic and continuous protection underpins the operation of all stages of the juvenile justice system, from investigation to post-trial development—ensuring that every aspect of a child's needs is addressed: the right to education, mental health, family involvement, and social reintegration.

Research by Lubis et al. (2025) confirms that the Indonesian juvenile criminal justice system has not fully accommodated the principle of optimal child protection; social stigma, minimal psychosocial support, and limited rehabilitation institutions are significant obstacles, resulting in normative transformation not being reflected in the practice of juvenile justice. Walim et al. (2024) revealed the need to expand the scope of diversification to cover all juvenile crimes without limitation, while ensuring that diversion includes victim compensation and restoration of relationships between perpetrators and victims, in accordance with the principles of justice and the interests of children. Meanwhile, Wahyudi et al. (2023) found that in many decisions, juvenile judges have implemented reparations in the form of peaceful mediation, psychosocial rehabilitation, and educational reintegration or social training, but obstacles related to legal structures, regulatory substance, and judicial culture still hinder the comprehensive implementation of the restorative approach.

Therefore, a strong commitment from the state is essential, both in the form of budget allocation, technical policies, and ongoing training for law enforcement officers and mediators, so that the principle of the best interests of the child truly becomes the basis of every policy and legal action. Without a structural commitment such as operational derivative regulations, the establishment of special units for child rehabilitation officers in each region, and integration between institutions (police, prosecutors, courts, Bapas, LPKA), the principle of children's rights will only be a normative slogan without substantive force in the practice of juvenile criminal justice.

4. Conclusion

Transforming the paradigm of child punishment from a retributive approach to a rehabilitative one through the diversion mechanism is a crucial step in realizing the principle of the child's best interests in the Indonesian criminal justice system. Diversion has proven to be a conceptually effective instrument capable of providing a more humane resolution of cases, sparing children from the formal justice process, and providing space for psychosocial recovery and social reintegration. However, its effective implementation in the field still faces several fundamental challenges.

In general, the effectiveness of diversion is greatly influenced by three main factors: (1) the awareness and capacity of law enforcement officers who are still not evenly distributed in understanding the concept of restorative justice and the principle of the best interests of the child, (2) the suboptimal participation of victims due to the lack of communication facilitation and compensation guarantees, and (3) the limited number and capacity of facilitators such as adequate community counselors, which results in the implementation of diversion tending to be formalistic. Structural obstacles such as limited supporting infrastructure, minimal coordination between institutions, and weak monitoring and evaluation systems also strengthen the gap between norms and practices.

Formulating a model for implementing the principle of the best interests of the child to optimize the transformation of the sentencing paradigm requires an integrative approach involving synergy across sectors: law enforcement, correctional institutions, communities, and educational institutions. The model must be based on multidisciplinary psychosocial assessments from the pre-adjudication stage to post-adjudication, as well as strengthening the role of institutions such as Correctional Institutions (Bapas) and Special Child Development Institutions (LPKA) through increasing human resource capacity, establishing community-based rehabilitation centers, and actively involving the community as rehabilitation agents. The principles of non-discrimination, holistic protection, and sustainability of child services are non-negotiable foundations in all stages of the model's implementation.

Therefore, state commitment in the form of operational derivative regulations, adequate budget allocation, ongoing training for officers, and strengthening institutional synergy must be a top priority. Without structural reform and a genuine shift in legal culture, the paradigm shift from child criminalization to rehabilitation will remain merely a normative discourse with minimal implementation. The entire system must support children, not merely as perpetrators who must be rehabilitated, but as individuals with the potential to be rehabilitated and developed into whole and responsible individuals in the future.

References

- Afdalaziz, M. O., Muzaiyanah, & Fitri, H. U. (2024). Peran LPKA dalam Pemberdayaan terhadap Mantan Anak Didik Lapas. *Jurnal Ilmu Sosial, Humaniora dan Seni*, 5(1), 32–45.
- Ali, A., Rahman, R. A., & Sembiring, M. R. (2024). Tinjauan Yuridis terhadap Penerapan Prinsip Kepentingan Terbaik Anak dalam Putusan Pengadilan Negeri Medan No. 116/Pid.Sus-Anak/2023/PN.Mdn. Al-Hikmah: *Jurnal Ilmu Syariah dan Hukum*, 22(1), 17–28.
- Anisah, L. N., & Hastarini, A. (2023). Efektivitas Diversi dalam Sistem Peradilan Pidana Anak di Kota Yogyakarta. *Justitia et Pax: Jurnal Hukum dan Humaniora*, 39(1), 88–100.
- Butarbutar, E. (2024). *Problematika Implementasi Restorative Justice dalam Penyelesaian Perkara Anak yang Berkonflik dengan Hukum*. *Dinasti Hukum dan Keadilan*, 5(2), 101–112.
- Dwiantoro, B., & Subroto, M. (2022). Implementasi Upaya Penurunan Risiko Residivisme Anak Binaan Pemasyarakatan melalui Model Pembinaan di LPKA. *Innovative: Journal of Social Science Research*.
- Ernaningsih, W., Novianti, V., & Murty, Ø. (2017). Implementasi Rehabilitasi dan Reintegrasi Anak Pelaku Tindak Pidana pada Lembaga Pembinaan Anak di Provinsi Sumatera Selatan. *Simbur Cahaya: Jurnal Hukum*, 24(3).
- Hafrida, H., & Helmi, H. (2022). Efektivitas Diversi Terhadap Penyelesaian Perkara Anak dalam Perspektif Perlindungan Hukum Korban. *Jurnal Bina Mulia Hukum*, 7(1), 93–103.
- Harahap, F., & Sitepu, S. A. (2025). Implementasi Prinsip Kepentingan Terbaik Bagi Anak dalam Putusan Pengadilan Negeri Medan Nomor 44/Pid.Sus-Anak/2024/PN Mdn. *Jurnal PUSKAPSI (Pusat Kajian Perlindungan Anak)*, 7(1), 39–52.
- Iwan, R., Hafid, A., & Sari, R. N. (2024). Pelaksanaan Diversi dalam Penyelesaian Tindak Pidana Anak Berdasarkan Prinsip Restorative Justice. *Case Law Review: Jurnal Hukum*, 6(1), 55–65.
- Khairani, S. (2023). *Pola Pembinaan Anak Bermasalah Hukum dalam Menyiapkan Kemampuan Reintegrasi Sosial: Studi Kasus di LPKA Kelas II Bandung*. Universitas Pendidikan Indonesia.
- Komisi Perlindungan Anak Indonesia (KPAI). (2023). *Menuju Restorative Justice dalam Sistem Peradilan Anak*.
- Liu, M. R., & Hijriani, H. (2022). Efektivitas Pembinaan Anak Binaan Pemasyarakatan di LPKA Kelas II Mamuju. *Sultra Research of Law*, 4(2), 62–69.
- Lubis, Y. A., Cahyaningrum, R., Sari, S. A., & Safitri, K. N. (2025). Revitalising the Juvenile Criminal

- Justice System in Indonesia: A Comparative Study with International Law and Evaluation of Practice. *Journal of Ius Comparatum Law Studies*, 1(1), 48–62.
- Mayliyanti, F., Arsyad, R., & Yusuf, A. (2024). Efektivitas Pelaksanaan Diversi terhadap Anak yang Berhadapan dengan Hukum (ABH) dalam Perspektif Restorative Justice. *Eksekusi: Jurnal Hukum dan Sosial*, 5(1), 21–33.
- Pramana, F. A., Muhammad, A. M., & Tando, C. E. (2023). Identifikasi Peran Masyarakat terhadap Pelayanan Sosial bagi Anak Berhadapan dengan Hukum di LPKA. *Jurnal Pendidikan dan Konseling (JPDK)*, 6(2), 88–99.
- Putri, L. P., & Hermansyah, M. Y. (2025). Implementasi Diversi dalam Penanganan Anak yang Berkonflik dengan Hukum: Studi di Wilayah Perkotaan. *REAL: Journal of Constitutional, Law and Human Rights*, 3(2), 125–138.
- Putri, L. P., Hermansyah, M. Y., & Wulandari, A. D. (2025). Restorative Justice dalam Penyelesaian Perkara Anak sebagai Upaya Menghindari Stigmatisasi Sosial. *REAL: Journal of Constitutional, Law and Human Rights*, 3(2), 123–138.
- Rahmawati, A., & Mayangsari, W. (2022). Peran Pekerja Sosial Koreksional dalam Rehabilitasi dan Reintegrasi Sosial Anak Berhadapan dengan Hukum di LKSA Bengkel Jiwa, Kabupaten Jember. *Jurnal Ilmiah Rehabilitasi Sosial (Rehsos)*, 4(2), 85–94.
- Rammando, A., Pramudya, R. H., & Latifah, N. (2025). Restorative Justice sebagai Paradigma Baru dalam Sistem Peradilan Pidana Anak di Indonesia. *Causa Ius: Jurnal Hukum dan Konstitusi*, 5(1), 25–41.
- Rosyid, M. A., & Hastuti, N. (2024). Efektivitas Layanan Rehabilitasi Sosial oleh Yayasan Bengkel Jiwa dalam Reintegrasi Sosial Anak Berkonflik dengan Hukum di Kota Batu. *Reformasi: Jurnal Ilmiah Ilmu Sosial dan Politik*, 12(1), 45–61.
- Setyowati, N. (2021). Pelaksanaan Diversi Sebagai Upaya Perlindungan Hukum terhadap Anak yang Berhadapan dengan Hukum. *Jurnal Hukum IUS QUIA IUSTUM*, 28(3), 393–408.
- Simatupang, T. M. (2024). Kepentingan Terbaik Anak sebagai Prinsip Dasar Sistem Peradilan Pidana Anak. *Yuridis: Jurnal Hukum dan Keadilan*, 11(2), 77–89.
- Suherlan, S. (2025). Analisis Hambatan Pelaksanaan Diversi dalam Sistem Peradilan Pidana Anak di Daerah Minim Fasilitas. *Jurnal Kebijakan Publik dan Pelayanan*, 12(2), 45–58.
- UU No. 11 Tahun 2012 tentang Sistem Peradilan Pidana Anak.
- UU No. 35 Tahun 2014 tentang Perubahan Atas UU No. 23 Tahun 2002 tentang Perlindungan Anak.
- Wahyudi, S., Angkasa, & Hendriana, R. (2023). Implementation of the Restorative Justice

Paradigm in Juvenile Judges' Decisions Based on the Indonesian Juvenile Justice System. *Proceedings of the 3rd International Conference on Law, Governance, and Social Justice (ICoLGaS 2023)*, 1124–1136.

Walim, W., Santoso, M. I., Haryono, W. S., & Marbun, R. (2024). The Regulation of Diversion in Indonesia's Juvenile Criminal Justice System Oriented Toward the Best Interests of the Child And Fairness. *Rechtsnormen: Journal of Law*, 2(3), 256–265.

Widiatmoko, W. (2021). Peran Pembimbing Kemasyarakatan Balai Pemasyarakatan (Bapas) dalam Penanganan Anak yang Berhadapan dengan Hukum. *Hukum Pidana dan Pembangunan Hukum*, 3(1), 53–68.