



## **IMPLEMENTATION OF THE JUVENILE JUSTICE SYSTEM IN THE CASE OF CHILD MURDER OFFENDERS: RESTORATIVE, PROTECTION, AND SOCIAL RECONSTRUCTION PRINCIPLES**

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### **Abstract**

This research discusses the application of the juvenile criminal justice system in handling cases of juvenile murder offenders in Indonesia. Through a normative juridical approach and qualitative literature study, it is seen that the paradigm of protection, guidance, and restorative justice has become an important foundation in the enforcement of juvenile criminal law. The principles of diversion, social reconstruction, and protection of children's rights at all stages of the legal process have proven to be able to reduce the traumatic impact, improve the social reintegration process, and prevent repeat offenses. This study also found a number of challenges in the implementation, including disparities in implementation and limited human resources. Recommendations are directed at strengthening institutional capacity, legal education, and cross-sector collaboration to ensure comprehensive fulfillment of the rights of children who commit serious crimes in the future.

**Keywords:** juvenile crime, criminal justice, children protection

## Introduction

The journey of the formation of juvenile criminal law in this country marks a social dynamic that is full of intensity, especially when the public space is presented with the event of a child committing an act that is juridically categorized as murder. In an increasingly complex societal interaction, the dynamics of violence involving underage perpetrators requires not only a reactive response, but also theoretical reflection at a principled level. Such incidents often surprise the public, provoking in-depth debates about causal factors, and the validity of the approach to justice that should be given to children. The discussion develops in the area of whether existing legal products are sufficient, or still leave empty spaces that can provide a balance between protection and accountability.

Upon closer examination, the process of law enforcement involving juvenile perpetrators of serious crimes, particularly murder, underscores the necessity for legislative frameworks whose application centers on principles of justice. Articles 338 through 340 of the Criminal Code define murder as an intentional act resulting in the deprivation of another's life, with the concept of "dowry of death" or doodslag occupying a pivotal position in the legal assessment of intent. The interchangeable use of the term "soul" within criminal discourse further signifies the legal recognition of life as an inviolable right protected by statutory provisions. The treatment of juveniles charged with murder has evolved significantly following the promulgation of the Juvenile Criminal Justice System Law, most notably through the stipulations of Article 69 of the SPPA Law, which prescribes a differentiated framework of sanctions tailored to the distinctive characteristics and developmental stages of young offenders, rather than imposing penalties identical to those applied to adults (Krisnalita, 2019). Such differentiation demonstrates a progressive shift toward a legal structure that takes into account both the gravity of the offense and the potential for rehabilitation inherent in juvenile offenders, while preserving the overarching objectives of justice system reform.

Adopting the principle of restorative justice requires the legal system to pay attention to aspects of development, psychology, and the dynamics of family relations of children who commit criminal offenses in the legal process involving them (Safira et al., 2021). Different

treatment does not mean a reduction in the weight of juridical responsibility, but rather a search for other mechanisms that are commensurate with the limited capacity for responsibility as outlined by the 2011 Constitutional Court decision. The coaching process in the Juvenile Correctional Institution, the use of diversion, and penal mediation are characteristics that emphasize the juvenile criminal justice system must emphasize the safety, mental welfare, and the possibility of resocialization of offenders (Prasetyo, 2020; Utami, 2018).

The legal position of children against the law (ABH) is increasingly debated at the practical and academic levels when cases involving serious offenses, such as deliberate loss of life, demand caution in the application of legal intervention. ABH in the SPPA Law includes children who violate social norms, victims, or witnesses of criminal acts, with the scope of private and public legal protection so that they do not become victims of the justice system itself. Article 69 of the SPPA Law is the basis for the imposition of sanctions or actions against children aged 12 to 18 years if it can be proven that they have violated the law. This approach presents its own complexities for the judiciary and law enforcement in ensuring substantive justice for children, victims, and the wider community.

The main problem in the implementation and legal intervention against juvenile offenders of murder lies in the tension between the principle of child protection and the principle of punishment. Simatupang (2024) notes that the reality of juvenile justice in this country often still places the criminalization aspect above guidance, resulting in a lack of differentiation in treatment between children and adult offenders. In murder cases, the complexity increases because there is a conflict between the demands for justice for the victim and efforts to save the future of the child offender. Pratama et al. (2022) even emphasize the need for balance between the protection of victims and perpetrators, so that the legal system does not become one-sided repressive.

Furthermore, gaps in the practice of implementing diversion and restorative justice in the juvenile criminal justice system contribute to systemic problems. Wijaya et al. (2022) underlined that often the understanding of law enforcement officials on the concept of diversion is still low, the effect is that many rights of children who commit serious crimes are not fully guaranteed through this mechanism. The availability

of coaching facilities in juvenile correctional institutions and psychological protection for child offenders often lacks standards, so strengthening the psychosocial-based legal intervention system is needed (Eleanora & Masri, 2018).

The limitations of legislative instruments and coordination between child protection institutions and law enforcement officials are real challenges in upholding the principles of justice for children who commit serious crimes. Triwati and Kridasaksana (2021) highlighted the lack of synergy between the formal legal system and coaching institutions, impacting on the effectiveness of the implementation of diversion and minimizing the psychological impact experienced by ABH. The community paradigm that tends to stigmatize children who commit murder adds its own complexity, demanding regulatory intervention and strengthening legal education at the public level (Safira & El-Yunusi, 2023).

The legal dynamics of murder by children also pose theoretical problems, because special treatment must be given to children, but on the other hand, the loss of a person's life often "takes away" the demand for maximum punishment. Rahayu (2015) explains that the pressure on the justice system to balance between repressive and preventive approaches makes practical solutions often vague or half-hearted. Prabowo et al. (2024) added that harmonization between the legal protection of children and the guarantee of justice for victims must be a priority that is not easy to implement linearly.

This research needs attention because the sustainability of the legal system is strongly influenced by the state's ability to balance the interests of children and justice for victims. Appropriate systematic legal protection will reduce the number of violations of children's rights in the justice system and build public trust in the judiciary (Lalungkan, 2015). Consistent enforcement of the principles of restorative justice and diversion can reduce recidivism and prolonged trauma for children who commit serious crimes, and reinforce the state's position as a protector of children's human rights (Danielt, 2014).

The focus on this issue has great weight, because empirical data proves that the failure of appropriate legal intervention causes children who commit serious crimes to be vulnerable to stigmatization, reoffending, and even re-victimization in correctional institutions (Prema et al., 2020).

In addition, a comprehensive approach will encourage the discovery of new patterns of guidance and social reintegration for children after the criminal period ends. If the state is able to provide a middle ground between restorative justice and the penal function of the legal system, a safer and more just social atmosphere can undoubtedly be created.

The normative juridical research is based on the fact that the term "murder" is an act committed by anyone intentionally to take someone's life, as regulated in Articles 338-340 of the Criminal Code regarding crimes against the life of a person. Serious crimes like this demand the sensitivity of the court in upholding justice. The provision of ABH in SPPA law refers to children aged 12 to 18 years who are suspected of violating the law and can be subject to sanctions if they meet the elements of the offense. The protection of children is reflected in the existence of private and public laws that protect them throughout the judicial process (Krisnalita, 2019).

This study aims to examine the application of the criminal law system to juvenile offenders of murder, assess the level of optimization of protection provided by the court and related institutions, and explore the impact of enforcing the principles of restorative justice on the future of children. The main contribution of this study is not only to provide conceptual insights but also to offer academic references for the management of the juvenile criminal justice system that is oriented towards justice and humanity.

## Method

This study uses normative juridical approach with qualitative literature study design. This approach focuses on analyzing the legal principles, norms, and theories relevant to the application of the criminal justice system against juvenile murder offenders. Data were obtained through an in-depth literature review, including official statutory documents, court decisions, textbooks on juvenile criminal law, and accredited scientific articles. The researcher adopted content analysis on the secondary data corpus to obtain an integral theoretical understanding in line with the qualitative character of legal research (Moleong, 2017; Soekanto, 2007). The data collection model aims to explore the dynamics of practice and conceptualization of juvenile criminal law from various authoritative and accountable literatures.

Further analysis techniques were carried out systematically with the steps of interpretation, classification and synthesis of data, so as to be able to produce new legal rules or interpretations of existing rules according to the empirical problems found in the field. The validity of the research was strengthened through the process of triangulating reading sources and testing the reliability of literature references, as described in leading legal and social research methodology studies (Creswell, 2014; Neuman, 2014). By prioritizing the principles of scientific transparency and openness to the diversity of literature, this approach is considered representative to examine the application and intervention of law in the case of child murder offenders objectively, critically, and with weight.

## **Result and Discussion**

### **Application of the Concept of Criminal Law Against Children**

Crime has spread to children, children are not only victims but the most concerned now that the children themselves are the perpetrators of criminal acts (Surbakti & Zuliandi, 2019). The implementation of the criminal law system against child murder offenders is on a historical and normative trajectory that is very important to be carefully dissected. The presence of the Law on Juvenile Justice System (Law No. 11/2012) has translated the global policy of child protection into the national constitution, as well as presenting a legal paradigm that places the best interests of children as the central point of handling criminal cases. This shows the fundamental difference between the general justice approach and the specific justice system devoted to children. The concept of criminal law adopted does not necessarily emphasize retributive punishment, but rather focuses on aspects of guidance, rehabilitation, and social reintegration as concrete steps to reduce the possibility of reoffending. As explained by Pangemanan (2015), the juvenile criminal justice system must elaborate special treatment, because the characteristics of psychological development and children's capacity for accountability are not identical to adult offenders.

At the juridical level, Articles 338-340 of the Criminal Code are still used as the basis for the imposition of murder offenses, with all formal and material elements inherent in general criminal law rules. However, when the perpetrator is a child, the application of criminal law should not ignore the age limit, level of psychological development, and social conditions of

the child perpetrator. The interpretation of the elements of intent and motive in cases of murder by children requires an investigation with a multidisciplinary approach, where psychologists, social workers, and community advisors must participate in the examination. Prasetyo (2020) explained that the protection of children caught up in the legal process is not only responsibility in front of the court, but also includes the right to legal aid, family assistance, and education guarantees during the process.

Law Number 3 of 1997 concerning Juvenile Courts is specifically a unification of laws as a mechanism for regulating the settlement of children in conflict with the law in Indonesia. Furthermore, Law Number 11 of 2012 concerning the Child Criminal Justice System was born. In relation to juvenile crime, based on Article 26 number 1 of Law No. 3 of 1997 concerning Juvenile Courts, if the crime committed is punishable by confinement, then the maximum confinement sentence he gets is half of the provision of adult imprisonment. This law is a new chapter in providing provisions that fully provide legal protection to children in today's dynamic changing times (Kubota et al., 2022). One of the most important principles required in handling cases of child perpetrators is the use of imprisonment as a last resort, as emphasized in Article 21 paragraph (1) and Article 32 (2) of Law Number 11 of 2012. In handling criminal cases of murder by children under the age of 14, administrative measures such as return to parents or guardians, guidance in social welfare institutions, and involvement of social workers tend to take precedence so that children's rights as citizens are protected (Prema et al., 2020). For children whose age has met the qualifications, pretrial detention may only be conducted if the offense committed is punishable by seven years or more, with the duration strictly set within a certain time limit.

Further analysis of the application of criminal law to children emphasizes the principle of proportional and corrective justice, based on both the needs of the child and the interests of the victim and society. Lalungkan (2015) highlights the fact that in practical reality, courts often experience a dilemma between the need to uphold legal certainty and the moral demand that children continue to have their human rights respected. The existence of ABH in the SPPA Law reflects modern legal thinking that does not categorize children solely as perpetrators, but also as legal subjects who need maximum recovery and protection.

Restorative justice is present to be an alternative path to solving criminal problems that can be interpreted as a non-formal resolution path. Restorative justice, which is regulated through Article 24 paragraph (1) of the Covenant on Civil and Political Rights, states that all and every child has the right to obtain protection on the basis of the assumption that a child is someone underage, which is a strong legal basis for judges in terminating children's cases (Irawan, 2021). In addition to protecting children's rights, this system also encourages the implementation of diversion mechanisms to prevent formal court processes that have the potential to cause deeper psychological trauma for children. Diversion as the main instrument of restorative justice is regulated in Articles 6-15 of the SPPA Law, providing opportunities for various parties to be actively involved, including families, victims, social workers, and investigators, in formulating non-repressive solutions to cases that occur. The concept of diversion is intended so that criminal events involving children can be resolved through peace, returning the perpetrator to parents, or coaching in educational institutions as a preventive strategy against continued stigmatization and criminalization (Setyorini et al., 2020; Utami, 2018).

Wijaya et al. (2022) found that the restorative justice practice in Indonesia faces some challenges, such as the uneven understanding between law enforcers in various regions and the lack of supporting infrastructure for diverse management. Enforcing this system requires a collective commitment to uphold the core principles of child protection while ensuring that victims and their families get appropriate justice. Therefore, the presence of social workers, community counselors, and psychologists is an absolute prerequisite in evaluating the psychosocial aspects and accountability of children for serious criminal acts.

However, differences in the interpretation of legal principles by law enforcement officials, including the police, prosecutors, and courts, are remain, especially in the implementation of the principle of non-discrimination and the best interests of the child. Triwati and Kridasaksana (2021) found that murder cases involving children tend to be treated with conventional patterns so that severe punishment is often imposed without a careful reading of the psychosocial development needs of children. System improvement initiatives are a necessity, one of which is by increasing the capacity and juridical and ethical literacy of all law enforcers who handle children's cases.

Pratama et al. (2022) emphasize the comprehensive protection is an effort to reduce the long-term effects of both the child offender, the family, and the victim community. The determination of guilt status, the imposition of sanctions or actions, and the direction of guidance must consider individualization aspects, since each child has a different social, psychological, and motivational background when involved in serious crimes. Protection of the public interest, to provide supervision, care and rehabilitation programs for children who commit crimes, giving equal attention to the protection of society, the enforcement of accountability for crimes committed, and the development of competencies so that children can become responsible and productive members of society (Pavelka, 2016). The reluctance of the justice system to conduct a comprehensive and multi-layered personality assessment process can lead to the failure of the reintegration of juvenile offenders in the post-conviction community.

Eleanora and Masri's (2018) study highlights the importance of correctional institutions possessing the competence to implement effective guidance and educational programs for juvenile offenders. Research shows that the prevalence of mental disorders among youth in juvenile justice system is significantly higher than in general prison population. An estimated 50% to 75% of the two million children who come into contact with the juvenile justice system meet the criteria for mental health disorders (Underwood & Washington, 2016). Programs that combine vocational training with psychological therapy are effective strategies to reduce recidivism and provide greater opportunities for children to recover from trauma and social stigma. The availability of professional support and family reintegration programs are essential to safeguarding the rights and future prospects of child offenders.

Research by Safira et al. (2021) emphasizes that legal interventions need to adopt an interdisciplinary approach, including legal dimensions, child development psychology, family sociology aspects, and socio-cultural ethics. In the Constitutional Court of the Republic of Indonesia 2021 the age limit for children is changed from a minimum of 8 years to 12 years, triggered a long discussion about aspects of marginality and vulnerability to criminalization of children. Thus, regulators are directed to develop policies based on empirical evidence and field findings.

However, theoretical findings and implications in the field still emphasize the disparity in policy implementation. There is a need to sharpen operational standard guidelines for all stakeholders of the juvenile criminal justice system, both in the process of investigation, prosecution, completion of diversion, to guidance and corrections. Increasing the capacity of human resources, establishing an interprofessional consultation forum, and digitizing reporting will strengthen the instruments for enforcing child-based justice.

Beyond the juridical and procedural aspects, social reality shows that there is a very high public response in responding to cases of murder by children. Multiple stigmatization is often addressed to the perpetrator, his family, and the surrounding environment. This erodes the opportunity for child perpetrators to return to contributing positively to the social order after serving a period of punishment and guidance. Law enforcement authorities and child protection agencies are expected to develop policies and public education strategies that can erode stereotypes and discrimination in a sustainable manner. Contextualization of the criminal law concept on juvenile offenders fundamentally shows that the implementation of the current juvenile criminal justice system has led to reforms based on the needs of child protection and empowerment. The implementation of the principles of restorative justice, diversion, individual treatment based on psychosocial assessment, as well as the utilization of child-friendly development institutions, all become important constructions in encouraging the juridical realm that leads to the realization of substantive justice.

Therefore, the paradigm shift in the implementation of the juvenile criminal law system is not a momentary task, but requires collective commitment and consistency across sectors. The state, through the justice system and its social network, is obliged to provide a transformation of protection and guidance for children who commit murder crimes in a fair, proportional manner, and support dignified reintegration.

### **Child Protection in the Crime of Murder**

Many cases that occur in society regarding murder, not infrequently the perpetrators of criminal acts of murder are not only adults but also involve

perpetrators still in the category of children. As can be known together that the so-called child is someone who is not yet eighteen years old, or simply, a child is someone who is still in the underage category and is not yet capable of being held accountable for a criminal act (Dwipayana et al., 2022). Efforts to protect children caught up in criminal homicide cases have been clearly stated in the national juridical foundation through the main instrument of Law Number 11 of 2012 concerning the Juvenile Criminal Justice System. All aspects of protecting the rights, safety, and honor of children are the main considerations in the governance of the juvenile justice process. Simatupang (2024) emphasized that the juvenile criminal justice system in this country prioritizes an approach that prioritizes the principle of the primacy of rights for children, both during the pre-adjudication stage to the implementation of punishment if it is finally necessary for the decision to be carried out.

At a substantive level, the use of ABH terminology confirms that every child involved in a legal case whether as a perpetrator, witness or victim is absolutely entitled to humane and standardized treatment, as mandated by international laws and conventions. The protection of children under the law is written in Law No. 11/2012 which governs Children in Conflict with the Law - defined as children aged 12 to under 18 years who are suspected committing crimes. This legal framework is further regulated by Supreme Court Regulation (PERMA) Number 4 of 2014, which provides guidelines for implementing diversion within the juvenile justice process. Notably, these guidelines were established even before the issuance of the Government Regulation as a derivative of Law No. 11/2012 (Gunawan, 2020). ABH as stated in Article 69 of Law No. 11 of 2012 explicitly places children as strategic legal subjects, not mere objects of the criminal regime. Krisnalita (2019) emphasized a shift from the traditional concept of integral protection toward an approach that prioritize the special needs of children along with considering justice, local wisdom, and sustainability of the child's future. In practice, protection at the investigation is optimized through the assistance of Community Supervision Officers, social workers, and the provision of special rooms to provide a sense of psychological comfort during the legal process.

The implementation of diversion and restorative justice has a key positioning in providing optimal protection for children who commit

serious crimes, including murder. Prasetyo (2015) said that diversion is a strategic medium to promote dialogue, reconciliation, and mediation before the case proceeds to the formal justice process. The success of diversion helps children, victims, and the community from being trapped in a cycle of revenge, and increases the chances of social reintegration of children. Setyorini et al. (2020) stated that the application of restorative justice in serious crimes against children, indicating long-term outcomes in the form of changes in children's behavior and the establishment of social harmony, after the legal process.

Pratama et al. (2022) noted that in the process of making court decisions against children, psychological considerations and social backgrounds must be an integral part of the court. The existence of an integrated team consisting of juvenile judges, psychologists, juvenile prison supervisors, and family support is needed to maintain a balance between the protection of victims and child perpetrators. However, field data shows that there are still challenges in the consistency of the implementation of legal protection by relevant officials and institutions, which are sometimes still biased towards a punitive approach rather than a rehabilitative one (Danielt, 2014).

Eleanora and Masri (2018) prove that optimal protection is only realized when juvenile correctional institutions are filled with professionals with expertise in education and behavioral therapy, not just prison security officers. Children in conflict with the law are initially detained in Temporary Child Placement Institution, while those serving sentences are placed in Child Special Development Institution, and social services for children are provided through Social Welfare Implementation Institution (Prabudy, 2021). The stages of guidance in children's prisons must prioritize capacity building, access to formal education, psychological therapy, and facilitation of family reunification. Thus, the law functions not only as a means of control but also as a tool for restoring children's rights and social reintegration, to reduce the risk of reoffending and long-term trauma.

In addition, children who commit serious crimes need legal protection during the trial, detention, and after they finish serving their sentences. Post-prison monitoring and evaluation systems should be strengthened through networks of social, educational and community supervision institutions at the local level (Lalungkan, 2015). It is important

to ensure all procedures, from investigation to social reintegration, are conducted properly and free from stigmatization and discrimination by law enforcement, educators, and community (Safira & El-Yunusi, 2023).

Moreover, it is important to underline that optimal protection requires synergy between classical institutions (courts, police, prosecutors) and child assistance institutions (Bapas and community-based organizations). Rahayu (2015) highlights the need to develop an integrated supervision system to minimize the loopholes of re-criminalization and protect the vital rights of children in the vulnerable period after the court decision. The framework for implementing field tasks must be strengthened with legal education, psychosocial training, and community-based counseling services to expand the scope of protection in the real world.

Wijaya et al. (2022) explain that the way children are protected under the law can be different from one region to another. It depends on how developed the legal system is, how much the local government cares, and the amount of trained people to help. As in area with good legal understanding, social reintegration and rehabilitation have been successfully implemented. While in marginalized areas the system often relies on tradition ways, even harsh punishment for children.

Diaryudi (2016), in an empirical study, confirmed that the implementation of child mentoring and supervision is most effective when done through a family and community-based approach. This is in line with the principles of positive parenting recognized in many international documents, where the state is obliged to present a system that relies on resocialization and rehabilitation, not just punishment and social exclusion. Effective reintegration not only saves child offenders from being "displaced", but also prevents them from potentially reoffending.

The summary of this sub-discussion concludes that child protection in murder cases must be comprehensive and based on the spirit of justice and humanity. A criminal justice system that favors children does not only require qualified legal instruments, but also consistent implementation, reliable resources, strong social networks, and increased educational capacity across institutions. Thus, the realm of child protection does not stop at legal products, but must be followed by long efforts to ensure that the rights and dignity of child perpetrators are respected even after undergoing a period of punishment and reintegration process.

### **Restorative Principles and Social Reconstruction of Children**

The principle of restorative justice in the juvenile criminal justice system has shifted the conventional orientation of punishment to a dialogic, participatory and restorative model of resolution. The restorative justice system has been prioritized in criminal law by trying to integrate the three heads of the triangle: the offender, the victim, and the community (Lubis & Putra, 2021). Aligned with the statement from Weber and Vereenoghe (2020) restorative practices refer to the process of mediation or reconciliation between victims and offenders with the expansion of other community members. This approach emphasizes reconciliation between perpetrators, victims, their families and communities. Law No. 11/2012 places diversion and peace as the main options for cases involving children, with the hope that there will be no ongoing traumatization and the breakdown of social ties (Utami, 2018). Diversion according to Article 6-15 of the Law can even include the return of the child to parents or guardians and the implementation of rehabilitation in educational institutions and social centers, maintaining the continuity of the child's character development. Restorative Justice provides confirmation that children in conflict with the law are not to be punished but must be guided and fostered so that they can become better children, because the main goal of Restorative Justice is recovery or returning to the original condition and providing opportunities for children to take responsibility for what they have done (Iswari, 2020).

Restorative justice finds its urgency in cases of homicide committed by children, where the involvement of multi-actors becomes indispensable. Setyorini et al. (2020) reviewed that an effective penal mediation process presents licensed facilitators, community mentors, and social workers who work together to find a peaceful resolution, even with compensation and special training programs. The application of this principle not only restores the material and psychological losses of victims, but also ensures that child offenders receive a coaching process that is oriented towards behavior change and social reintegration in a humane manner.

In practice, restorative success often depends on the support of social infrastructure and community networks. Safira and Yuliastutik's research (2021) shows inequalities in the implementation of restorative justice between regions - urban areas tend to adopt this value more progressively

through collaboration with NGOs and educational institutions, while rural areas often lack resources. Therefore, strengthening social capital and the capacity of local institutions is essential to provide sufficient space for children's social reconstruction after case settlement.

Restorative justice in juvenile crime does not eliminate accountability, but rather broadens the legal perspective to focus on restoring social balance. Danielt (2014) identifies cooperative training, counseling, and supportive community environment as key point for effective social reintegration. Similaly, Pangemanan (2015) emphasizes that restorative decisions must be supported by ongoing evaluation systems to monitor children's personality and behavior development after committing crimes. Wijaya et al. (2022) show that the reconstruction process often clashes with community perceptions that stigmatize children as "threats", often causing secondary victimization after undergoing the punishment and coaching process. For this reason, social practice reform is absolutely directed at the preparation of internal community regulations, the involvement of religious and traditional leaders, and the wise use of mass media in the narrative of child protection and recovery.

The success rate of social reconstruction is also largely determined by the effectiveness of the reintegration process. Eleanora and Masri (2018) emphasize that the availability of formal and non-formal education in foster care institutions is an important foundation for children's future recovery. Mentoring programs, entrepreneurship training, and access to professional social workers facilitate children to find their new roles as productive individuals, while reducing the potential for recidivism.

Rahayu's (2015) study indicates that comprehensive recovery practices require the involvement of the nuclear and extended family in the case resolution process - not only to provide moral support, but also to strengthen the social security network after the child has been detained. Collaboration between family, law enforcement and the community will result in a strong "safety net" so that children have an equal opportunity to reintegrate into society.

Setyorini et al. (2020) highlighted the importance of protecting restorative agents, such as social workers and mediation facilitators, so that they can carry out their duties without intervention or pressure. Standardization of training services and professional certification will

boost the quality of restorative services and strengthen the legitimacy of the application of restorative justice in the settlement of serious criminal cases by children.

In addition, another benefit of restorative justice principles that have been successfully implemented is the preservation of victims' rights through open dialog and consensus-based solutions. Pratama et al. (2022) elaborated that the compensation system and formal apology arranged through diversion are able to reduce the hurt of victims or their families, and increase public confidence in the juvenile criminal justice system as a responsive and future-oriented institution.

The sustainability of the social reconstruction program must be balanced with continuous evaluation of all legal instruments, including monitoring the children's development after case settlement. In some areas, community-based innovations have proven that strengthening social solidarity and massive legal education reduce the number of reoffending by children.

As a final reflection, the effectiveness of restorative justice and social recovery fundamentally hinges on the coordinated functioning of the legal system and the extent of support dedicated to developing both the competencies and outlook of juveniles. Genuine justice materializes only when legal agencies, families, and communities collaborate to safeguard youths, offer guidance, and nurture their growth. Through such comprehensive measures, children are able to accept accountability and develop into constructive members of society. Structured rehabilitation should be prioritized in every resolution process to facilitate a smooth transition back into communal life. The systematic involvement of educational and psychological resources will provide children with essential opportunities for self-improvement and resilience. Methodical inter-institutional communication can prevent inconsistencies in intervention efforts and promote a unified strategy for reintegration. Long-term social monitoring will further reinforce the commitment to each child's welfare and curb any risk of recurrence. Collective investment from state and societal actors not only protects children's rights but also strengthens the social fabric, ultimately contributing to overall societal progress.

Thus, the national legal system is required to develop an integrative framework that combines the values of restoration, justice, and comprehensive protection of children's rights. The advancement of restorative justice mechanisms and the establishment of an inclusive societal environment will foster sustainable harmony and reinforce a foundation for legal development grounded in humanitarian principles. This pursuit necessitates ongoing evaluation of legal provisions to ensure they remain responsive to the needs of children involved in judicial processes. A dynamic legal structure must encourage multi-sectoral collaboration to generate innovative solutions for the protection and empowerment of minors. By establishing clear regulatory guidelines and promoting transparency, authorities can secure consistent application of restorative principles throughout the legal process. Enhanced educational and training initiatives for legal practitioners will cultivate sensitivity toward the unique circumstances facing juveniles. Furthermore, community engagement is indispensable for achieving persistent and broad-based support for policies emphasizing restoration and child protection, ensuring the resilience and adaptability of the legal framework over time.

## Conclusion

Based on the previous discussion, it can be concluded that the juvenile criminal justice system in Indonesia has undergone a significant paradigm shift from a retributive punishment model towards a paradigm of protection, guidance and restorative justice. The handling of child murder offenders no longer only focuses on imposing sanctions, but rather prioritizes the needs of children as protected legal subjects and are entitled to opportunities for self-recovery and social reintegration. The implementation of the principles of restorative justice and social reconstruction has placed dialogue, compromise, and recovery as the main foundation for resolving juvenile criminal cases, while strengthening efforts to prevent reoffending and stigmatization.

Nonetheless, there are still various challenges, mainly related to disparities in implementation, limited human resources, and lack of legal education for communities and law enforcement. Efforts to strengthen the capacity of the apparatus, collaboration between institutions, community

involvement, and standardization of diversion and social reconstruction procedures are absolutely necessary to ensure balanced justice for child perpetrators, victims, and the wider community. With this strengthening, the legal system is expected to truly become a bastion of child protection and empowerment, while at the same time fostering a legal culture that is just, humanist, and forward-looking.

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