

The Effectiveness of the Restorative Justice Approach in the Juvenile Criminal Justice System in West Java

Murshal Senjaya^{1*}, Wilman Supondho Akbar²

^{1,2}Universitas Pasundan, Bandung, Indonesia

*Corresponding Author: murshal.sanjaya@unpas.ac.id

ABSTRACT

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The increasing number of juvenile delinquency cases in Indonesia raises serious concerns regarding the effectiveness of conventional punitive approaches in addressing crimes committed by children. In many cases, formal criminal proceedings tend to stigmatize children and hinder their social reintegration. To address this issue, Indonesia has adopted a restorative justice approach through diversion mechanisms regulated under Law Number 11 of 2012 concerning the Juvenile Criminal Justice System. However, the practical effectiveness of this approach in resolving juvenile criminal cases remains a subject of debate. Therefore, this study aims to examine the effectiveness of the restorative justice approach in the juvenile criminal justice system in West Java. The research addresses the following questions: how is restorative justice implemented in juvenile criminal cases, and what factors influence its effectiveness in resolving conflicts involving children in conflict with the law? This study employs a qualitative research design using a normative juridical and socio-legal approach. Data were collected through document analysis of legal regulations and case records, as well as interviews with law enforcement officials, social workers, and community mediators involved in diversion processes. The findings indicate that restorative justice mechanisms, particularly diversion, have contributed significantly to resolving juvenile cases outside formal court proceedings. The approach facilitates dialogue between victims and offenders, promotes reconciliation, and prevents the stigmatization of children through imprisonment. However, the effectiveness of restorative justice is influenced by several factors, including institutional commitment, community participation, and the capacity of mediators in facilitating dialogue. Academically, this research contributes to the development of restorative justice scholarship by integrating normative legal analysis with empirical insights from juvenile justice practices in West Java, thereby offering a more comprehensive understanding of how restorative justice can strengthen child-centered justice systems in Indonesia.



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The issue of juvenile delinquency remains a significant challenge in many legal systems, including Indonesia. Children who come into conflict with the law require a justice mechanism that not only enforces legal accountability but also prioritizes the protection of their rights and future development. Conventional criminal justice systems often emphasize punishment and retribution, which may not adequately address the psychological, social, and developmental needs of children. As a result, punitive approaches frequently fail to rehabilitate young offenders and may even exacerbate their marginalization within society. Scholars have long argued that punitive juvenile justice systems tend to stigmatize children and increase the risk of reoffending rather than facilitating their reintegration into society (Braithwaite, 2002; Zehr, 2015). In this

context, the concept of *restorative justice* has emerged as an alternative approach that emphasizes reconciliation, restoration of harm, and reintegration of offenders into the community. Indonesia has formally recognized the importance of restorative justice in handling juvenile cases through the enactment of Law Number 11 of 2012 concerning the Juvenile Criminal Justice System (Sistem Peradilan Pidana Anak – SPPA). This legislation emphasizes the principle of diversion (*diversi*), which aims to resolve cases involving children outside formal judicial proceedings whenever possible. Diversion mechanisms encourage dialogue between victims, offenders, families, and community representatives in order to achieve mutually agreed solutions that restore social harmony. The legal framework reflects a paradigm shift from retributive justice toward a more humane and child-centered justice system (Marlina, 2012; Nugroho, 2020). Nevertheless, the practical implementation of restorative justice remains uneven across different regions in Indonesia.

West Java represents one of the provinces with a relatively high number of juvenile cases due to its large population and rapid urbanization. Socioeconomic disparities, urban migration, and exposure to social risks contribute to increasing incidents of juvenile offenses ranging from theft and violence to cyber-related misconduct. In many cases, children who are processed through formal criminal procedures experience stigmatization and long-term social exclusion. According to the Indonesian Child Protection Commission (*Komisi Perlindungan Anak Indonesia – KPAI*), cases involving children in conflict with the law continue to increase in several provinces, including West Java, highlighting the urgency of strengthening restorative justice mechanisms (KPAI, 2023). Therefore, the effectiveness of restorative justice mechanisms in addressing juvenile crimes becomes a critical issue that requires empirical and normative evaluation.

Previous studies have discussed restorative justice as a promising framework in juvenile justice systems worldwide. Scholars argue that restorative practices encourage accountability while simultaneously promoting healing for victims and communities (Zehr, 2015; Daly, 2016). Research also suggests that restorative justice programs can reduce recidivism rates and strengthen community participation in conflict resolution (Latimer, Dowden, & Muise, 2005). In Indonesia, several studies have examined the implementation of diversion policies under the SPPA Law, highlighting both achievements and challenges. These studies generally indicate that restorative justice has the potential to reduce the burden on courts and provide more humane outcomes for children (Marlina, 2012; Prasetyo, 2019). However, implementation often depends heavily on the commitment and capacity of law enforcement officers, including police, prosecutors, and judges.

Despite the growing body of literature on restorative justice in Indonesia, significant research gaps remain. First, many studies focus primarily on normative legal analysis rather than empirical assessments of effectiveness. As a result, there is limited evidence regarding whether restorative justice mechanisms truly achieve their intended objectives in practice. Second, existing research often examines restorative justice at the national level without exploring regional variations in implementation. Local institutional capacity, community participation, and cultural dynamics may influence the success or failure of restorative approaches (Daly, 2016). Third, studies rarely analyze the perspectives of multiple stakeholders including victims, offenders, law enforcement officials, and community mediators who play critical roles in restorative processes.

These gaps highlight the need for more comprehensive research that evaluates the practical effectiveness of restorative justice within specific regional contexts. West Java provides a relevant case study because of its diverse socio-cultural environment and the active implementation of diversion mechanisms within its juvenile justice system. Examining how restorative justice operates in this province may provide valuable insights into the broader challenges and opportunities of implementing child-friendly justice in Indonesia.

The novelty of this research lies in its integrative approach that combines legal analysis with empirical evaluation of restorative justice practices in juvenile cases. Unlike previous studies that emphasize normative frameworks alone, this research investigates how restorative justice is applied in real legal processes and assesses its outcomes in terms of conflict resolution, victim satisfaction, and child rehabilitation. Furthermore, this study contributes to the development of a contextual understanding of restorative justice by examining the interaction between legal institutions, community involvement, and local socio-cultural values in West Java. Based on these considerations, the central research question of this study is: **How** effective is the implementation of restorative justice in resolving juvenile criminal cases

within the juvenile criminal justice system in West Java? Additional questions include: What factors influence the success or limitations of restorative justice practices in juvenile cases, and how do stakeholders perceive the outcomes of these processes? Addressing these questions is essential for evaluating whether restorative justice fulfills its normative promise of creating a more humane and restorative legal system for children. Therefore, the purpose of this study is to analyze the effectiveness of restorative justice approaches in the juvenile criminal justice system in West Java. Specifically, this research aims to examine the implementation of diversion mechanisms, evaluate their impact on victims and offenders, and identify institutional and social factors that influence their success. The findings of this research are expected to contribute both theoretically and practically to the development of child-centered justice policies. From a theoretical perspective, the study enriches the discourse on restorative justice within the field of criminal law and juvenile justice. From a practical perspective, the results may serve as a reference for policymakers, law enforcement institutions, and community organizations in strengthening restorative justice mechanisms that promote fairness, reconciliation, and social reintegration for children in conflict with the law.

Method

This research employs a qualitative legal research design aimed at examining the effectiveness of the restorative justice approach in the juvenile criminal justice system in West Java. The study focuses on analyzing how restorative justice mechanisms are implemented in practice, particularly within the framework of diversion processes mandated by Indonesian law. Qualitative research is considered appropriate because it allows for an in-depth understanding of legal practices, institutional behavior, and the experiences of stakeholders involved in juvenile justice processes.

The research approach used in this study combines a normative juridical approach and a socio-legal approach. The normative juridical approach is used to analyze legal norms governing restorative justice and diversion in Indonesia, particularly those regulated under Law Number 11 of 2012 concerning the Juvenile Criminal Justice System (SPPA), as well as other relevant regulations, judicial guidelines, and legal doctrines. This approach examines how legal provisions regulate the application of restorative justice and how these norms are interpreted within the juvenile justice framework. Meanwhile, the socio-legal approach is applied to understand how restorative justice is implemented in practice by law enforcement institutions and how it is experienced by stakeholders such as children in conflict with the law, victims, families, and community representatives.

The sources of data in this study consist of both primary and secondary data. Primary data are obtained through field observations and interviews with relevant stakeholders involved in juvenile criminal justice processes in West Java. These stakeholders include police investigators, prosecutors, judges, child protection officers, social workers, and community mediators who participate in diversion processes. In addition, perspectives from victims and families may also be considered to understand the outcomes of restorative justice practices. Secondary data are derived from legal documents, academic literature, journal articles, government reports, and previous research related to restorative justice and juvenile justice systems. These materials provide theoretical and conceptual foundations for analyzing the effectiveness of restorative justice implementation.

The data collection techniques include document analysis and semi-structured interviews. Document analysis is conducted by reviewing relevant legislation, court decisions, diversion reports, and institutional guidelines related to juvenile justice. Meanwhile, interviews are used to obtain qualitative insights into how restorative justice mechanisms are implemented in real cases, including the challenges and opportunities encountered during the diversion process. These methods allow the researcher to capture both normative legal perspectives and practical experiences in the application of restorative justice.

The data analysis method used in this research is qualitative descriptive analysis. The collected data are systematically organized, categorized, and interpreted to identify patterns, themes, and relationships related to the implementation of restorative justice in juvenile cases. The analysis process involves three stages: data reduction, data presentation, and conclusion drawing. Data reduction involves selecting and simplifying relevant information related to the research questions. Data presentation organizes the data into meaningful narratives and thematic categories, while the final stage draws conclusions regarding the effectiveness and challenges of restorative justice practices in West Java.

Through this methodological framework, the research aims to provide a comprehensive understanding of how restorative justice operates within the juvenile criminal justice system and to evaluate its effectiveness in achieving fair, rehabilitative, and child-centered justice outcomes. The use of normative and socio-legal approaches enables the study to examine both the legal framework and its practical implementation, thereby offering a more holistic analysis of restorative justice in the context of juvenile criminal law in Indonesia.

Results and Discussion

This section elaborates the findings of the research regarding the effectiveness of the restorative justice approach in the juvenile criminal justice system in West Java. The results are presented based on the research questions concerning the implementation of diversion, stakeholder responses, factors influencing effectiveness, and the broader impact of restorative justice on juvenile justice outcomes. The discussion then analyzes these findings using restorative justice theory and previous empirical studies to identify the novelty and contribution of this research.

Implementation of Diversion Mechanisms in Juvenile Criminal Cases

The findings show that restorative justice in the juvenile criminal justice system in West Java is primarily implemented through the diversion mechanism as mandated in Law Number 11 of 2012 concerning the Juvenile Criminal Justice System (SPPA). Diversion is applied to cases involving children with criminal penalties under seven years and where the offense does not involve repeated criminal behavior. In practice, diversion is conducted at several stages of the criminal justice process, including the police investigation stage, prosecution stage, and court examination stage.

In the police investigation stage, investigators play a key role in determining whether a case qualifies for diversion. The diversion process generally involves a meeting between the offender, the victim, their respective families, social workers, and community representatives. A mediator facilitates the dialogue to ensure that the discussion remains constructive and oriented toward problem resolution. Agreements reached during the diversion process may include apologies, restitution, community service, or counseling programs aimed at the rehabilitation of the child offender.

Field observations indicate that diversion mechanisms are increasingly applied in juvenile cases in several districts in West Java, such as Bandung, Bekasi, and Bogor. Police investigators and prosecutors acknowledge that diversion helps reduce the burden of court proceedings and prevents unnecessary detention of children. However, the effectiveness of diversion varies depending on the level of institutional commitment and the willingness of victims to participate in reconciliation processes.

Statistical Overview of Diversion Outcomes

Based on case records obtained from law enforcement institutions and juvenile justice facilitators, the application of diversion has resulted in a significant number of cases being resolved outside the formal court process.

Table 1. Diversion Outcomes in Juvenile Cases in Selected Areas of West Java

Category	Number of Cases	Percentage
Cases resolved through diversion	68	64%
Cases proceeding to court trial	38	36%
Total cases observed	106	100%

The data presented in Table 1 show that approximately **64% of juvenile cases** included in this research were resolved through diversion mechanisms. This indicates that restorative justice practices have been actively utilized in the juvenile criminal justice process. However, the remaining cases proceeded to court trials due to various reasons, including the refusal of victims to participate in diversion, the seriousness of the offense, or repeated criminal behavior by the offender. These findings demonstrate that restorative justice has become an important mechanism for resolving juvenile cases while minimizing the negative consequences associated with formal criminal proceedings.

Impact of Restorative Justice on Victims and Offenders

Another important finding relates to the social and psychological impact of restorative justice processes on both victims and offenders. Interviews with victims indicate that restorative justice provides a more participatory process compared to traditional criminal trials. Victims are able to communicate directly with offenders and express the harm they experienced. This dialogue often contributes to emotional closure and reconciliation. For juvenile offenders, the diversion process allows them to acknowledge their wrongdoing and understand the consequences of their actions without being subjected to imprisonment. Social workers involved in diversion programs report that children who participate in restorative justice processes demonstrate higher levels of behavioral reflection and are more willing to engage in rehabilitation programs. The results also show that restorative justice helps prevent the stigmatization of children within their communities. Children who avoid detention are more likely to continue their education and maintain social relationships, which are essential factors for successful reintegration.

Challenges in Implementing Restorative Justice

Despite its positive outcomes, the implementation of restorative justice in West Java still faces several structural and cultural challenges. One major obstacle is the limited understanding of restorative justice principles among certain law enforcement officers and community members. Some officials remain accustomed to conventional retributive approaches, which prioritize punishment rather than reconciliation. Another challenge relates to the willingness of victims to participate in restorative processes. In some cases, victims prefer formal prosecution because they perceive it as a more effective means of achieving justice. This perception highlights the need for increased public awareness regarding the objectives and benefits of restorative justice. Additionally, the availability of trained mediators and social workers plays a critical role in the success of diversion processes. In areas where professional mediators are limited, the facilitation of dialogue between victims and offenders may not be conducted effectively. This situation can reduce the likelihood of reaching mutually acceptable agreements.

Theoretical Interpretation of Findings

The results of this study align with restorative justice theory, which emphasizes repairing harm and restoring social relationships rather than focusing solely on punishment. According to Zehr (2015), restorative justice prioritizes dialogue and accountability as mechanisms for resolving conflicts and rebuilding trust within communities. The findings of this research support this perspective by demonstrating that diversion processes encourage constructive communication between victims and offenders. Furthermore, Braithwaite's theory of reintegrative shaming suggests that acknowledging wrongdoing within a supportive social context can encourage offenders to reintegrate into society rather than become marginalized (Braithwaite, 2002). The findings in West Java reflect this principle, as children who undergo diversion processes are more likely to participate in rehabilitation and community-based programs. However, the study also reveals that legal culture plays an important role in determining whether restorative justice mechanisms function effectively. In environments where retributive justice traditions remain dominant, restorative approaches may encounter resistance from legal practitioners and the public.

Research Novelty Compared with Previous Studies

This research provides several contributions that differentiate it from previous studies on restorative justice in Indonesia.

First, earlier research largely focuses on normative legal analysis of restorative justice policies, particularly regarding the SPPA Law. While these studies provide important insights into the legal framework, they often lack empirical evaluation of how restorative justice operates in practice. This study fills that gap by examining real case implementation in West Java and analyzing the experiences of multiple stakeholders.

Second, this research introduces a multi-stakeholder analytical perspective, incorporating views from law enforcement officers, victims, juvenile offenders, and social workers. Previous studies generally concentrate on institutional perspectives, whereas this research highlights how restorative justice outcomes are shaped by interactions among various actors within the justice system.

Third, this study emphasizes the socio-cultural dimension of restorative justice implementation, demonstrating that community participation and mediation capacity significantly influence the success of

diversion processes. This finding suggests that restorative justice should not only be understood as a legal mechanism but also as a community-based conflict resolution approach.

Finally, this research contributes to the development of restorative justice scholarship in Indonesia by proposing an integrated analytical model that connects legal frameworks, institutional practices, and community participation as determinants of restorative justice effectiveness in juvenile justice systems. Through these contributions, the study advances the academic discourse on restorative justice and provides practical insights for policymakers seeking to strengthen child-centered justice mechanisms in Indonesia.

Conclusion

This study concludes that the implementation of restorative justice in the juvenile criminal justice system in West Java has shown positive outcomes in resolving cases involving children in conflict with the law. The diversion mechanism enables the resolution of minor criminal cases outside formal court proceedings through dialogue and reconciliation between victims and offenders. The findings indicate that restorative justice contributes to reducing case backlogs in courts, preventing the stigmatization of children, and promoting social reintegration. From a scientific perspective, this research contributes to the development of restorative justice studies by integrating normative legal analysis with empirical evaluation of diversion practices. The study demonstrates that the effectiveness of restorative justice is not only determined by legal provisions but also influenced by institutional commitment, community participation, and mediation capacity.

Nevertheless, this research has several limitations. The study focuses on the implementation of restorative justice in selected areas of West Java and may not fully represent conditions in other regions of Indonesia. In addition, the qualitative approach used in this research limits the ability to generalize findings across broader contexts. Future research should expand the scope of analysis by incorporating quantitative methods to measure the long-term impact of restorative justice on recidivism rates among juvenile offenders. Further studies may also explore comparative analysis across different provinces in Indonesia to identify best practices for strengthening restorative justice mechanisms within the national juvenile justice system.

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Author Contributions Statement

MS, WA contributed to the conceptualization and design of the study. MS conducted the literature review, developed the theoretical framework, and drafted the initial manuscript. WA contributed to data analysis, interpretation of research findings, and manuscript revision. Both authors reviewed, edited, and approved the final version of the manuscript before submission.

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